



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: August 20, 2026

AGENDA ITEM #2

Project Description

Vicinity Map -



APN: 0256-111-02 and additional parcels (see Exhibit G for complete list of parcel numbers)

Applicant: IV5 Bloomington Gateway Distribution Center

Community: Bloomington / 5th Supervisorial District

Location:

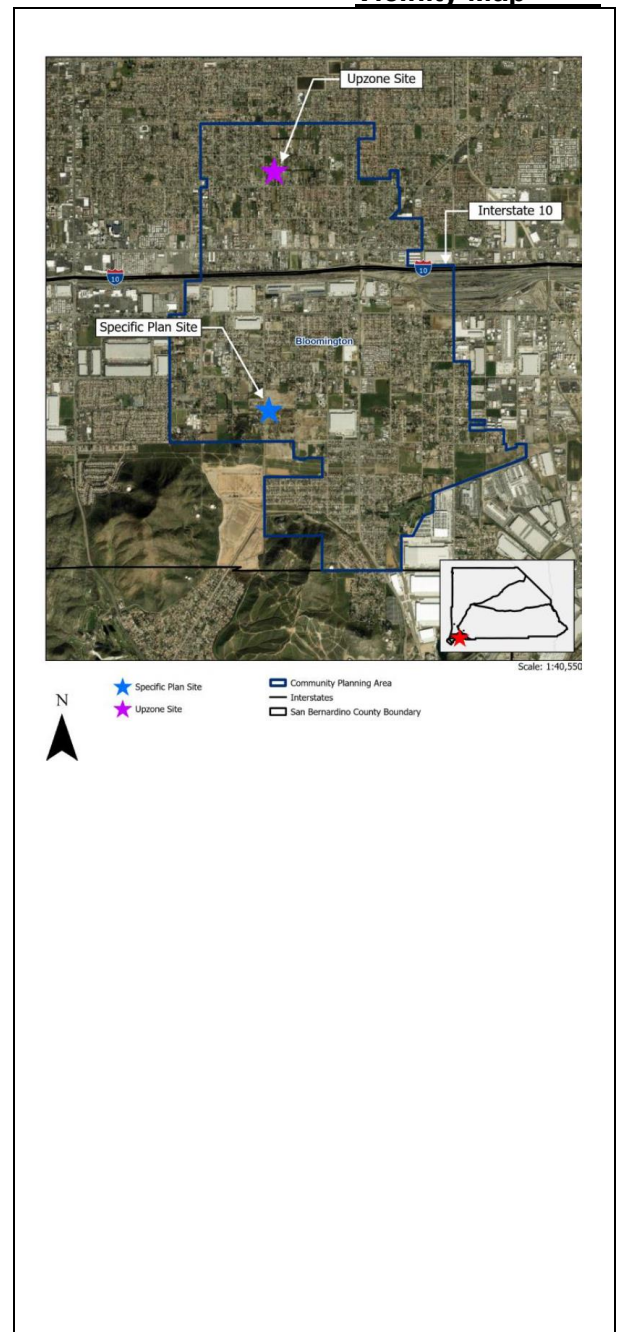
1. Upzone Site: Northeast corner of San Bernardino Avenue and Locust Avenue
2. Specific Plan Site: Generally bounded by Santa Ana Avenue to the north, Maple Avenue and Linden Avenue to the east, Jurupa Avenue to the south and Alder Avenue to the west.

Project No: PROJ-2020-00204, PROJ-2020-00034, PROJ-2020-00238, PROJ-2020-00241, PROJ-2020-00242, PROJ-2020-00245, PROJ-2020-00246, PROJ-2021-00004

Staff: Gina Gibson-Williams, Contract Planning Manager

Rep: Meaghan Truman, EPD Solutions

Proposal: Consideration of the Recirculated Final Environmental Impact Report and the following project-related entitlements previously approved by the Board of Supervisors on November 15, 2022: 1) Bloomington Business Park Specific Plan to establish an industrial business park, setting forth a land use development plan, circulation/access plan, and supporting infrastructure plans, for the 213 acre Specific Plan Site; 2) Policy Plan Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for the 24 acre Upzone Site; 3) Policy Plan Amendment from Very Low Density Residential (VLDR) and Low Density Residential (LDR) to Special Development (SD) for the Specific Plan Site; 4) Zoning Amendment from Single Residential with 20,000-square foot Minimum Lot Size (RS-20M) to Multiple Residential (RM) for the Upzone Site; 5) Zoning Amendment from Single Residential with 1-Acre Minimum Lot Size Additional Agriculture (RS-1-AA) and Single Residential 20,000-square foot Minimum Lot Size (RS-20M) to Bloomington Business Park Specific Plan - Industrial/Business Park (BP/SP - I/BP) for the Specific Plan Site; 6) Vesting Tentative Parcel Map No. 20300 to consolidate 31 parcels into a 17.67-acre parcel and Conditional Use Permit to construct a 383,000-square foot high cube warehouse on the 17.67-acre parcel within the Specific Plan Site; 7) Vesting Tentative Parcel Map No.19973 to consolidate 32 parcels into a 57.60-acre parcel and Conditional Use Permit to construct a 1.25 million square foot high cube warehouse on the 57.60-acre parcel within the Specific Plan Site; 8) Vesting Tentative Parcel Map No. 20340 to consolidate 23 parcels into a 30.52-acre parcel and Conditional Use Permit to construct a 479,000-square foot high cube warehouse on the 30.52-acre parcel within the Specific Plan Site; 9) Conditional Use Permit to construct a truck/trailer parking facility on 9.55 acres within the Specific Plan Site; and 10) Development Code Amendment to amend Subsections 82.23.030(b) and 86.14.090(b), adding the Bloomington Business Park Specific Plan to the list of adopted specific plans.



850 Hearing Notices Sent on: July 3, 2026

Report Prepared By: Gina Gibson-Williams, Contract Planning Manager

SITE INFORMATION:

Upzone Site Parcel Size: 24 acres
 Specific Plan Site Parcel Size: 213 acres
 Terrain: Industrial, commercial, agricultural, vacant land and a school.

TABLE 1 – UPZONE SITE AND SURROUNDING LAND USES AND ZONING:

The Upzone Site has historically been developed with residential uses. It is currently developed with residences, commercial uses, and small commercial nurseries.

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
SITE	Single-family uses	Low Density Residential (LDR)	Single Residential (BL/RS-20M)
North	Single-family uses	Low Density Residential (LDR)	Single Residential (BL/RS-20M)
South	Single-family uses	Low Density Residential (LDR)	Single Residential (BL/RS-20M)
East	Single-family uses	Low Density Residential (LDR)	Single Residential (BL/RS-20M)
West	Single-family uses and Mary B. Lewis Elementary School	Public Facility (PF) and Low Density Residential (LDR)	Single Residential (BL/RS) and Institution (BL/IN)

TABLE 2 – SPECIFIC PLAN SITE AND SURROUNDING LAND USES AND ZONING:

The Specific Plan Site is an aggregate consolidation of 118 individual parcels. Parcels within the Specific Plan Site area are comprised of commercial and light industrial uses, such as horse ranch, commercial nurseries, truck transportation and auto repair, agricultural uses, and vacant parcels.

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
SITE	Single-family uses, commercial and light industrial uses, commercial nurseries, and vacant land	Very Low Density Residential (VLDR) and Low Density Residential (LDR)	Single Residential (BL/RS-1-AA) and Single Residential (BL/RS-20M)
North	Single-family and Institutional uses	Very Low Density Residential (VLDR) and Public Facility (PF)	Single Residential (BL/RS-1-AA) and Institution (IN)
South	West Valley Logistics Center, and Bloomington Recreation and Park	City of Fontana, Public Facility (PF)	City of Fontana and Institution (BL/IN)
East	Industrial and single-family uses	Limited Industrial and Low Density Residential (LDR)	Community Industrial LI and Single Residential (BL/RS-1-AA)
West	Single-family uses	Very Low Density Residential (VLDR) and Low Density Residential (LDR)	Single Residential (BL/RS-1-AA) and Single Residential (BL/RS-1-AA)

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	City of Rialto	None
Water Service:	West Valley District	Will Serve Letter Received
Sewer Service:	City of Rialto	Will Serve Letter Received

STAFF RECOMMENDATION: That the Planning Commission consider the Recirculated Final Environmental Impact Report (FEIR) and the project-related entitlements previously approved by the Board of Supervisors on November 15, 2022 and RECOMMEND that the Board of Supervisors: CERTIFY the Recirculated FEIR; ADOPT the California Environmental Quality Act (CEQA) Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Plan; ADOPT the Findings for approval of the Bloomington Business Park Specific Plan, Policy Plan Amendments, Zoning Amendments, Development Code Amendments, Vesting Tentative Parcel Maps, and Conditional Use Permits; ADOPT the Bloomington Business Park Specific Plan; ADOPT the Policy Plan and

Zoning Amendments; ADOPT the Development Code Amendment; APPROVE Vesting Tentative Parcel Map No. 20300 and Conditional Use Permit to construct a 383,000-square foot warehouse building on 17.67 acres, subject to the Conditions of Approval; APPROVE Vesting Tentative Parcel Map No. 19973 and Conditional Use Permit to construct a 1.25-Million square foot warehouse on 57.60 acres, subject to the Conditions of Approval; APPROVE Vesting Tentative Parcel Map No. 20340 and Conditional Use Permit to construct a 479,000-square foot warehouse on 30.52 acres, subject to the Conditions of Approval; APPROVE Conditional Use Permit to construct a truck/trailer parking facility on 9.55 acres, subject to the Conditions of Approval; and DIRECT the Land Use Services Department to file a Notice of Determination in accordance with CEQA.¹

1. This is a recommendation item. A disapproval recommendation by the Planning Commission shall terminate the application unless appealed in compliance with Chapter 86.08. In the event of the adoption of staff recommendation, the Planning Commission Staff Report and attachments shall serve as the Planning Commission's written recommendation to the Board of Supervisors.

Figure 1
REGIONAL LOCATION

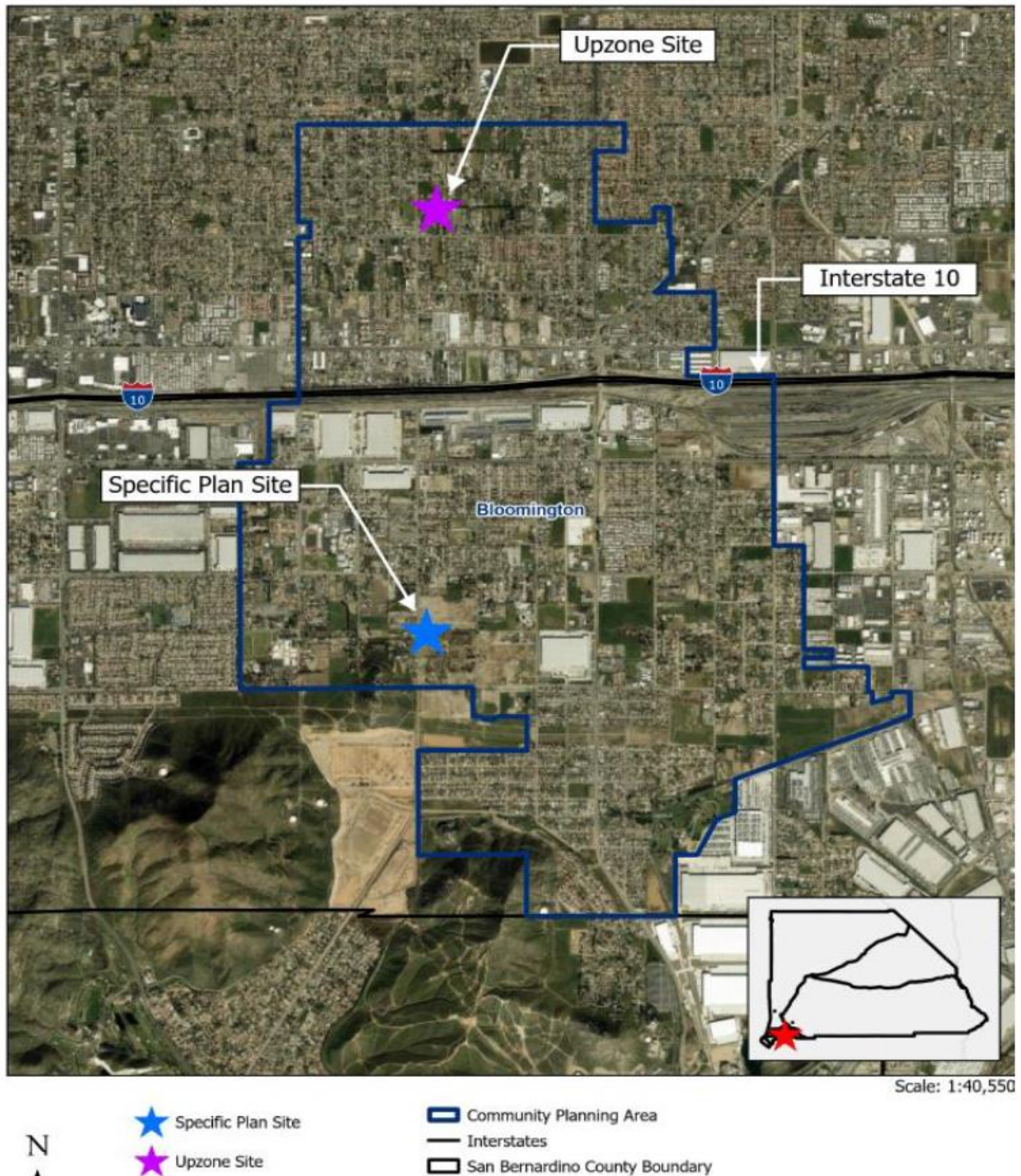
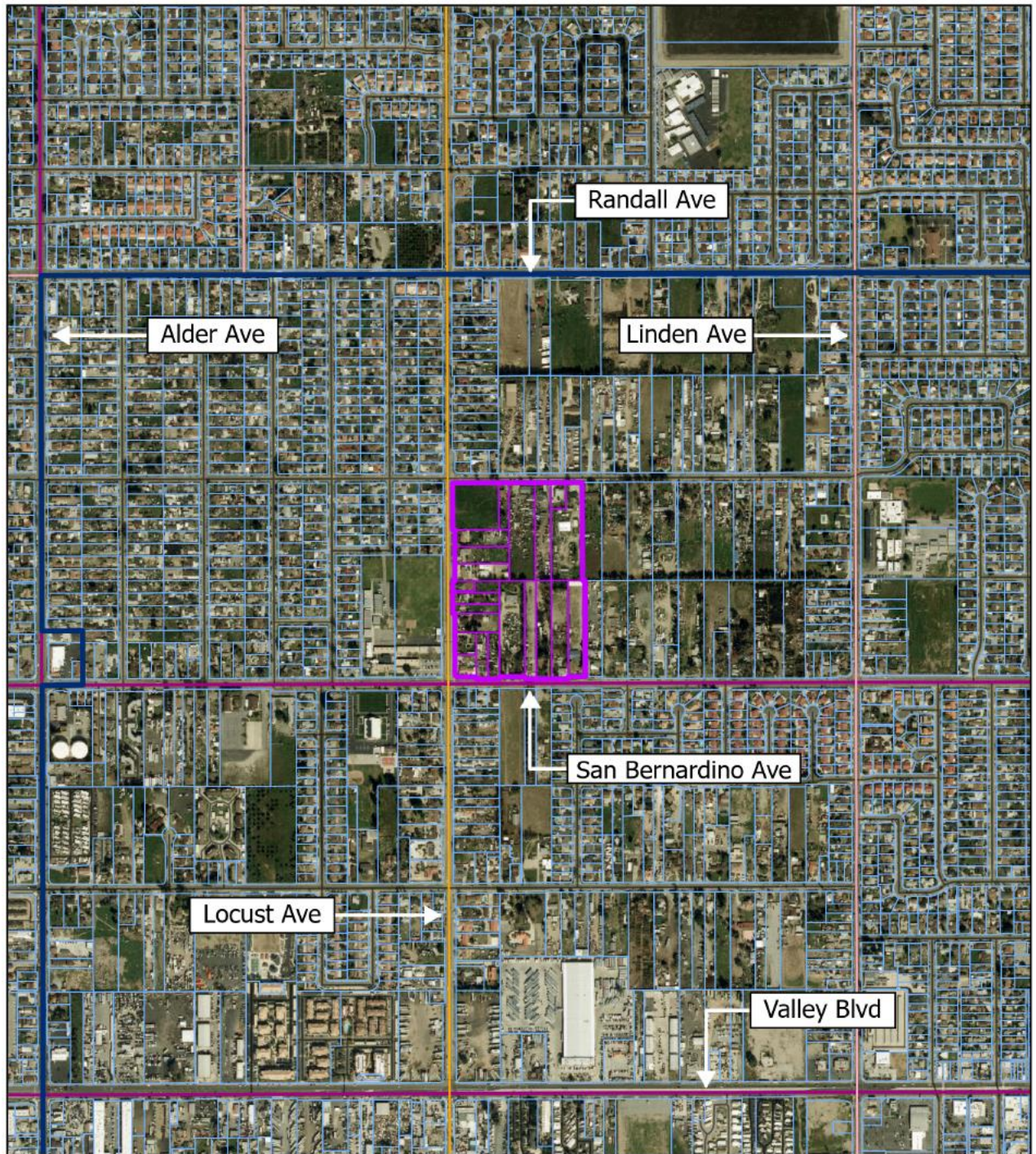


Figure 2
AERIAL VIEW - UPZONE SITE



- | | |
|-------------------------|-------------------------------------|
| Community Planning Area | Major Arterial |
| Upzone Plan site | Minor Arterial |
| Upzone APNs | Controlled/Limited Access Collector |
| Parcels | Local |

Figure 3
AERIAL VIEW - SPECIFIC PLAN SITE



Scale: 1:12,000

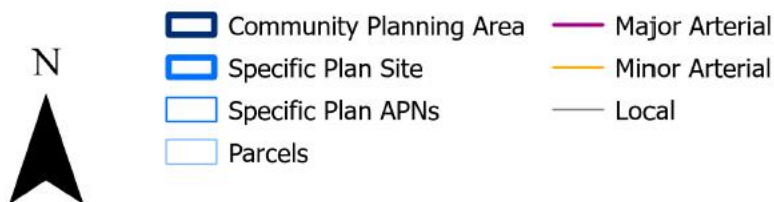


Figure 4
EXISTING POLICY PLAN DESIGNATION USE: UPZONE SITE

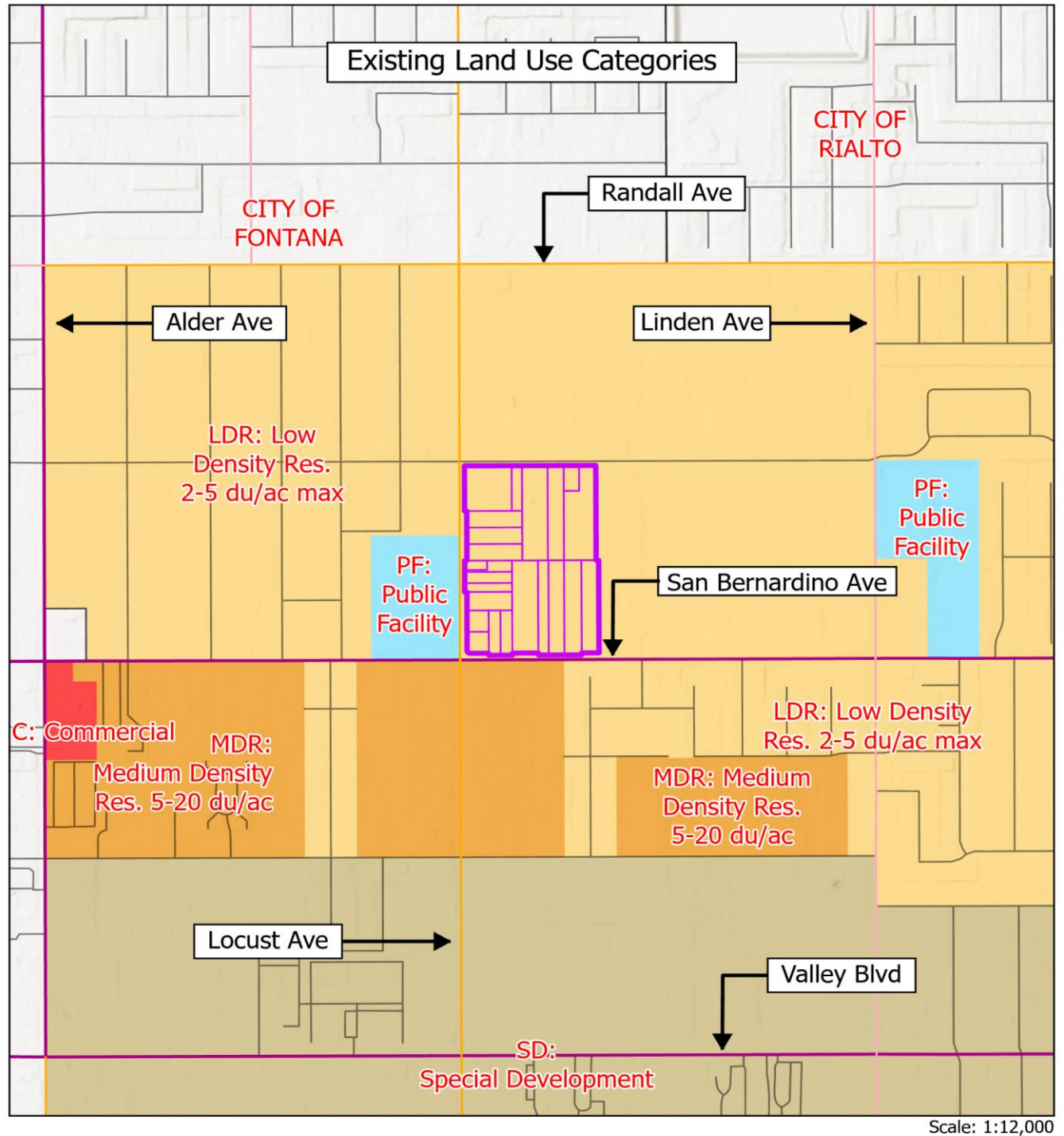


Figure 5
PROPOSED POLICY PLAN DESIGNATION: UPZONE SITE (SB 330)

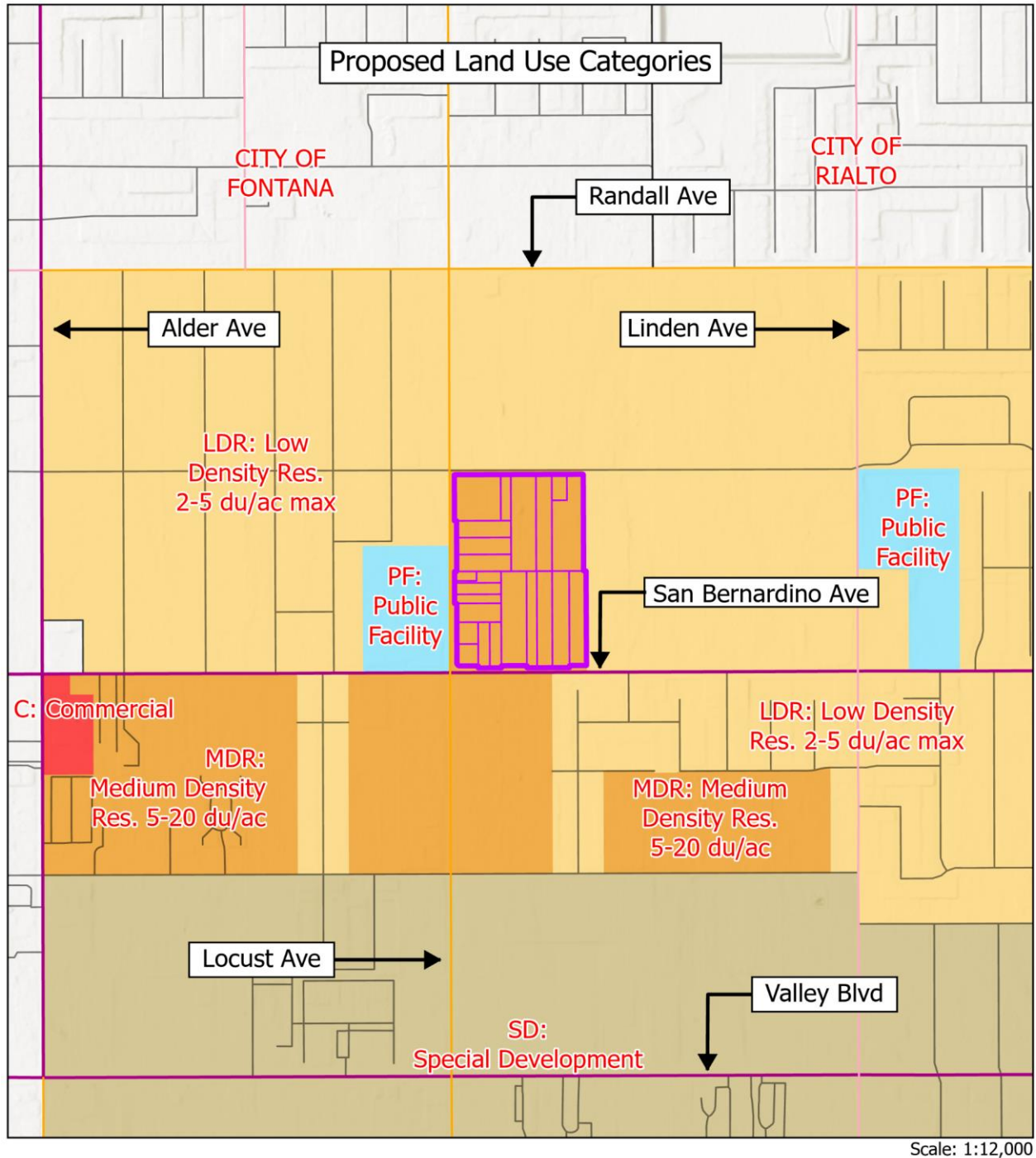


Figure 6
EXISTING POLICY PLAN DESIGNATION - SPECIFIC PLAN SITE

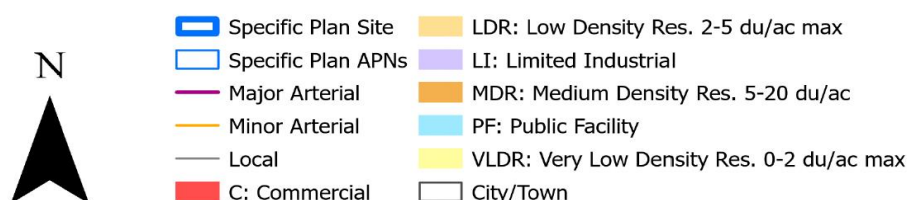
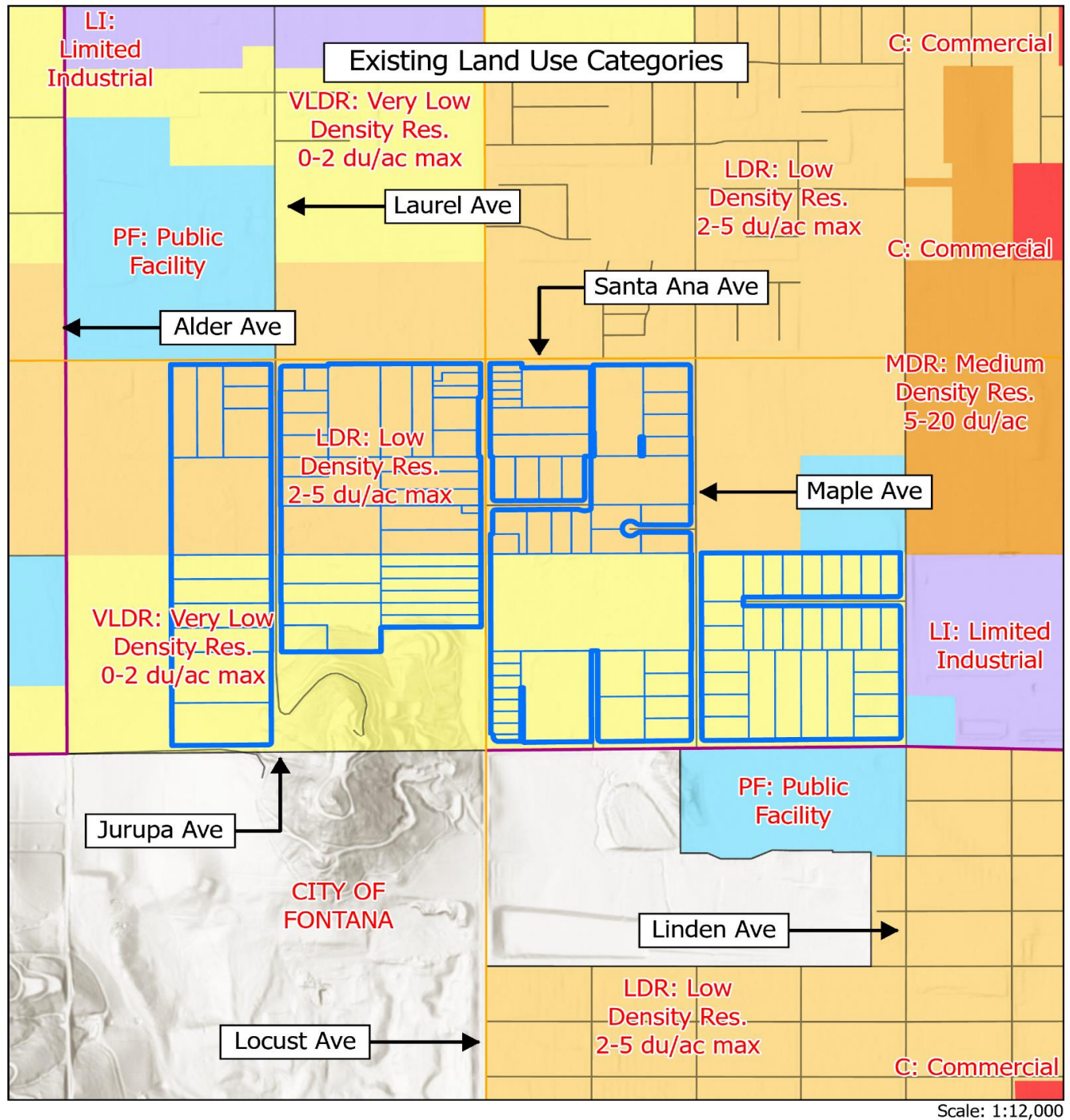
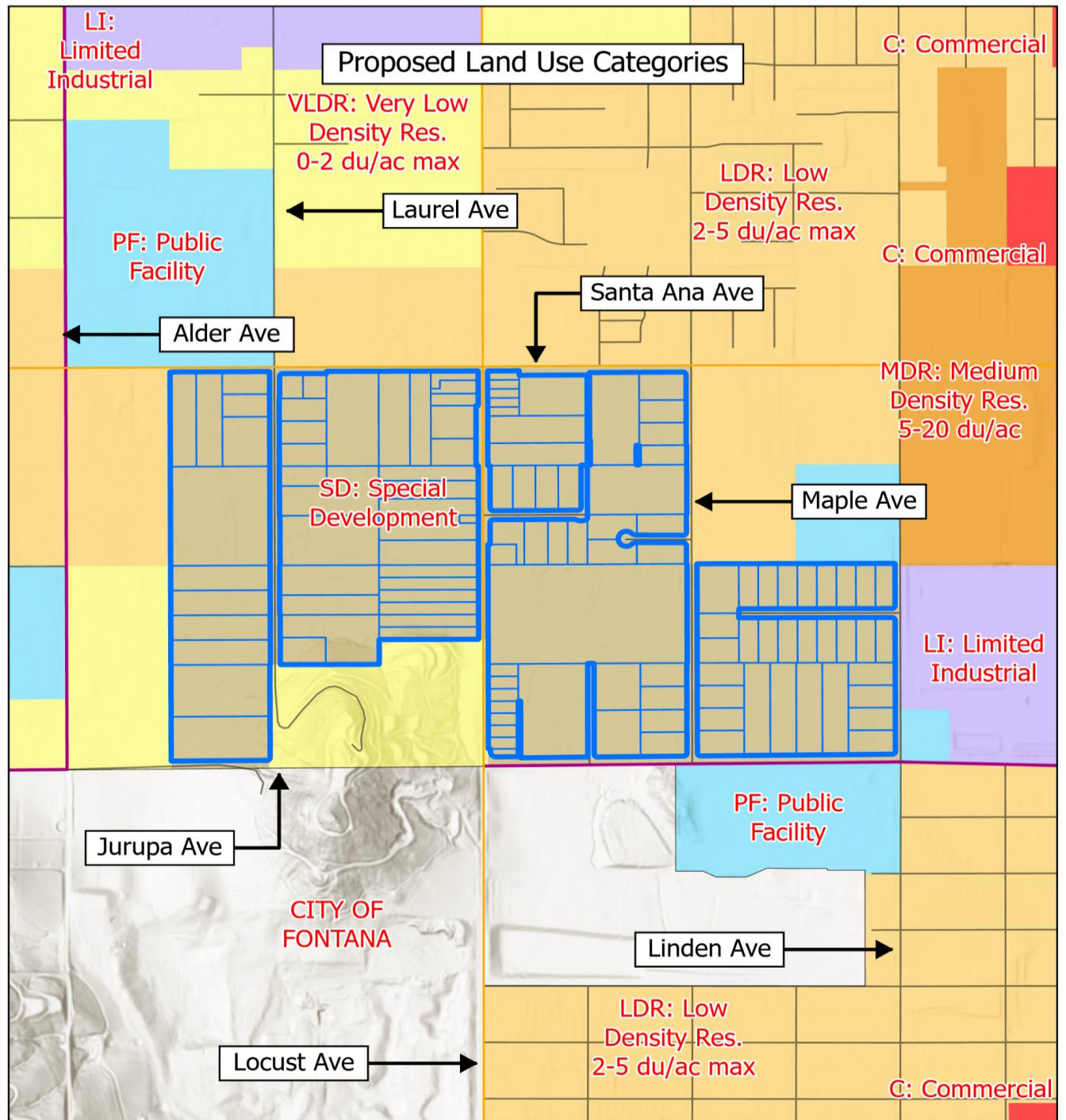


Figure 7
PROPOSED POLICY PLAN DESIGNATION – SPECIFIC PLAN SITE



Scale: 1:12,000

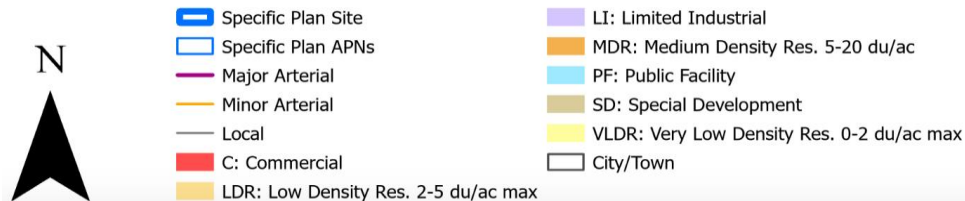


Figure 8
EXISTING ZONING DESIGNATION – UPZONE SITE (SB330)

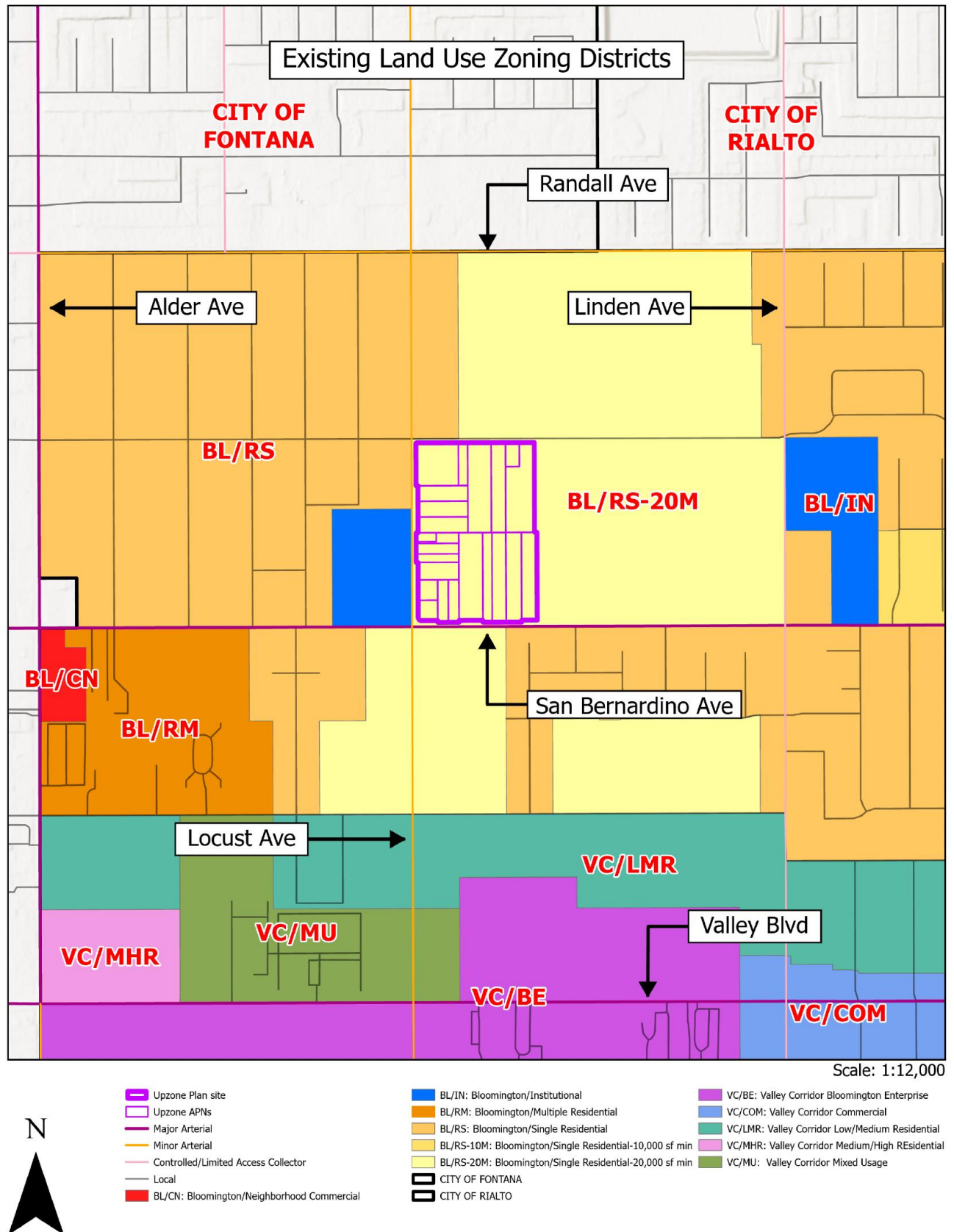
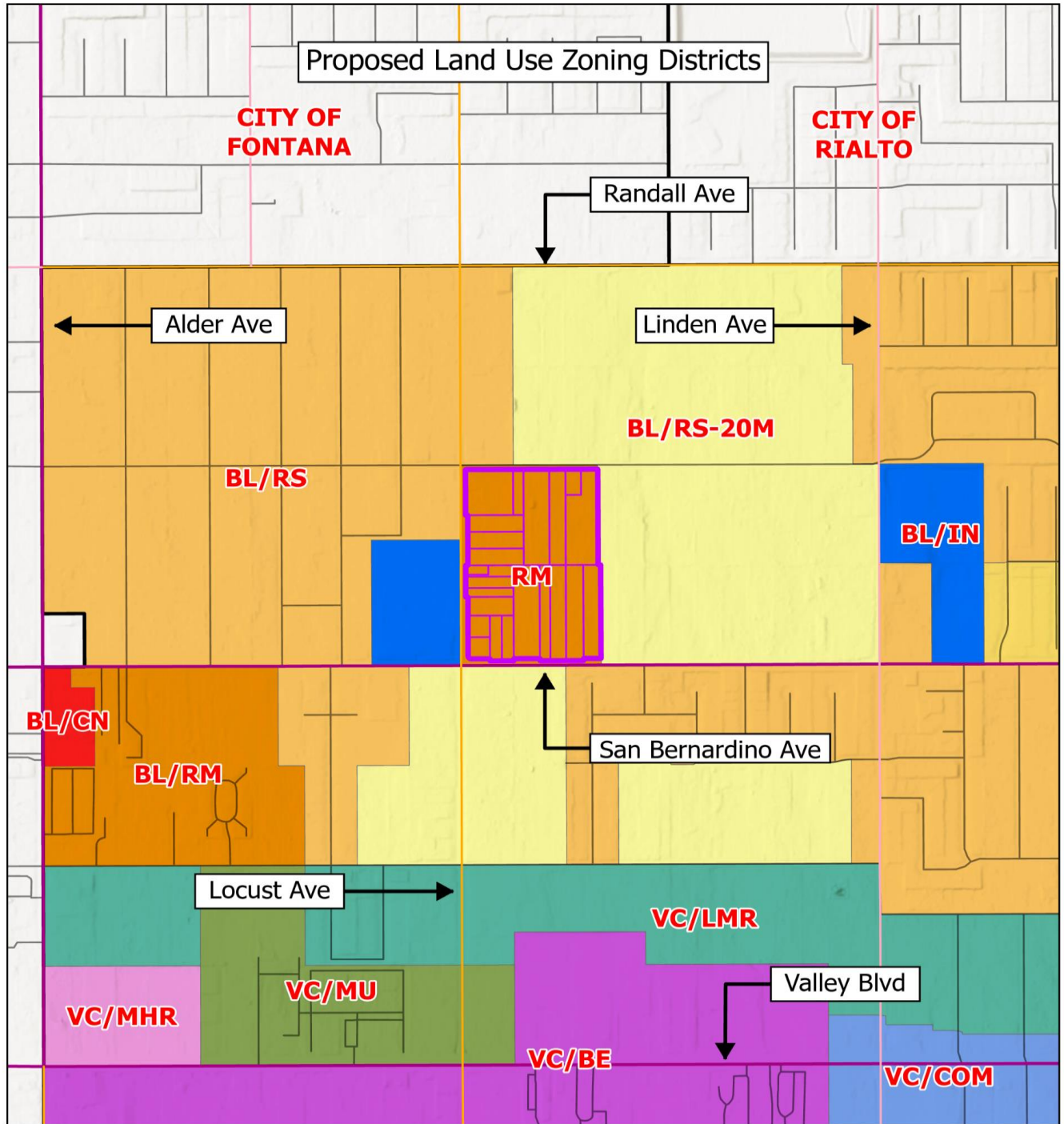


Figure 9
PROPOSED ZONING DESIGNATION – UPZONE SITE (SB330)



Scale: 1:12,000

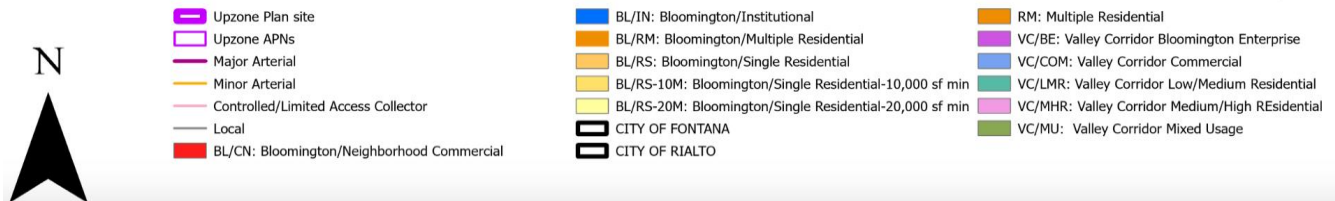


Figure 10
EXISTING ZONING DESIGNATION – SPECIFIC PLAN SITE

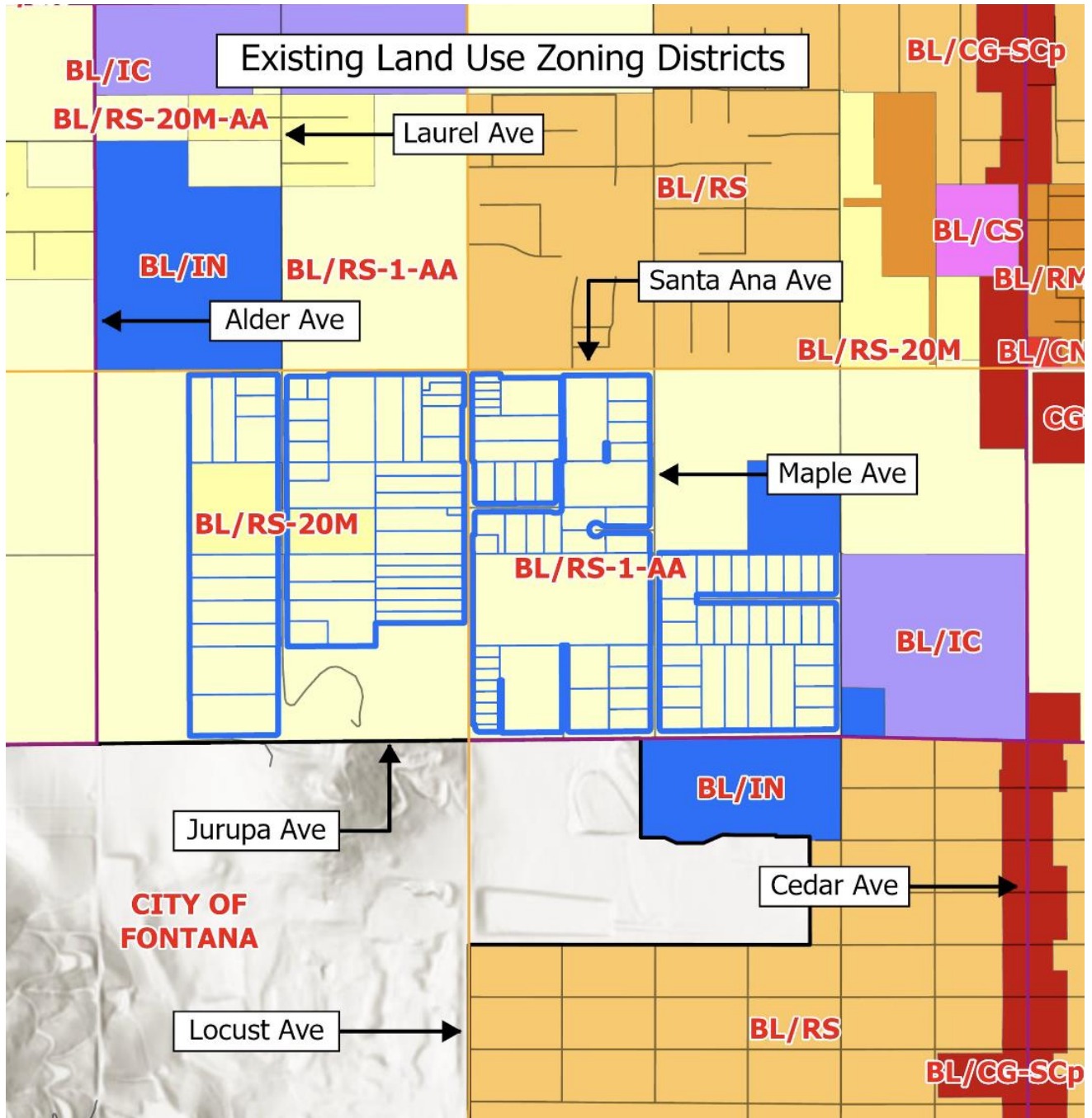
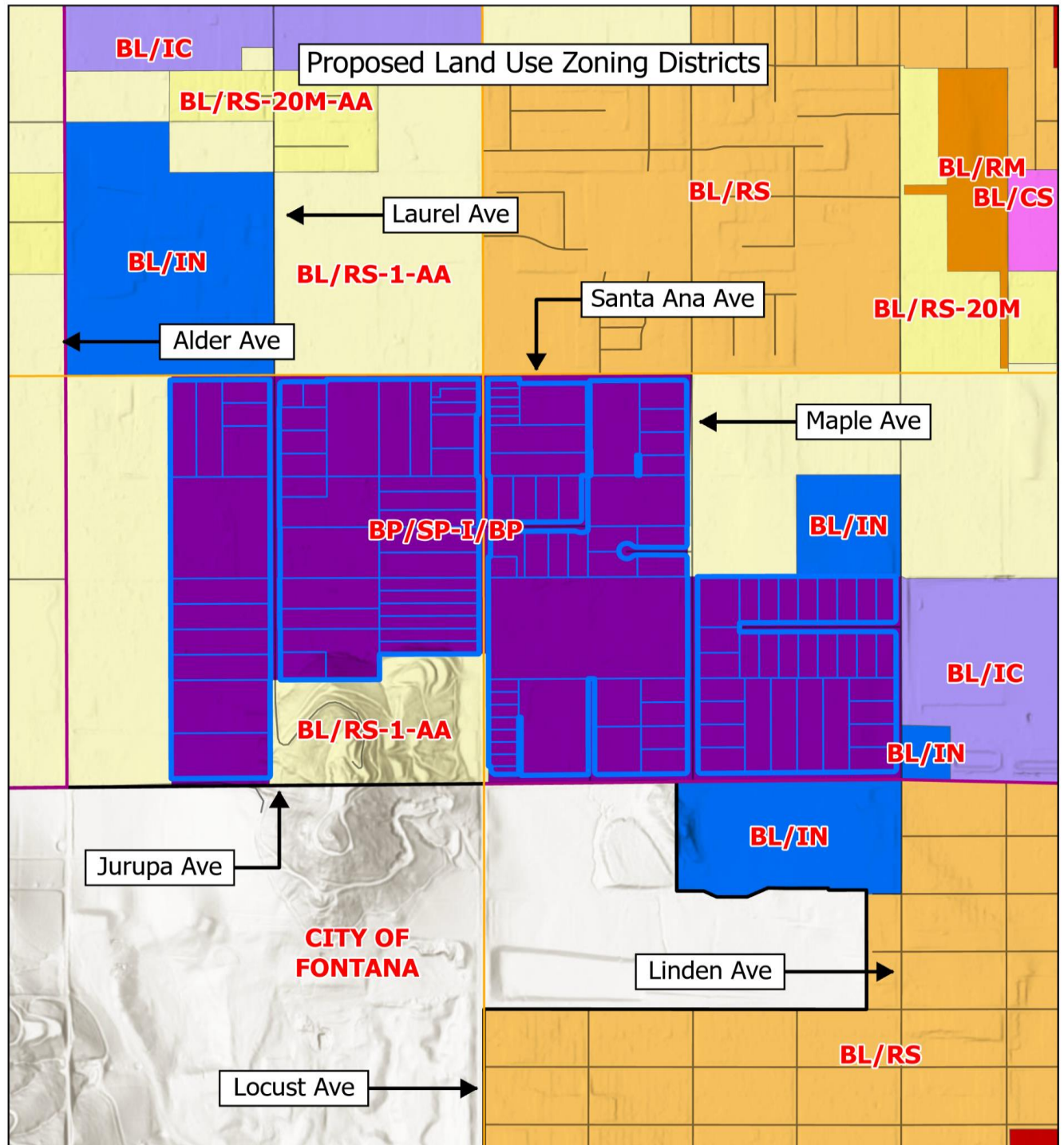


Figure 11
PROPOSED ZONING DESIGNATION – SPECIFIC PLAN SITE



Scale: 1:12,000

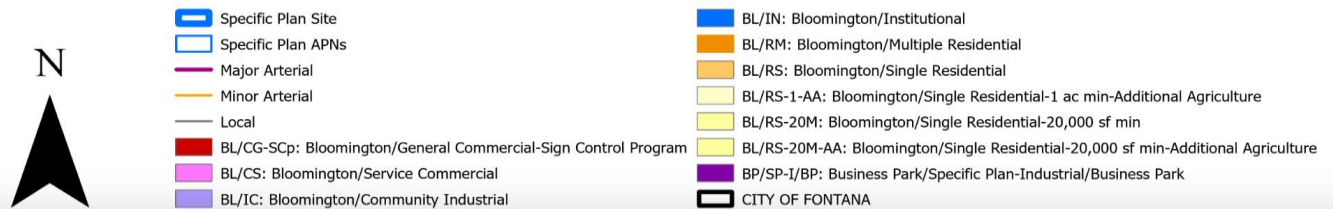


Figure 12
VESTING TENTATIVE PARCEL MAP NO. 20300

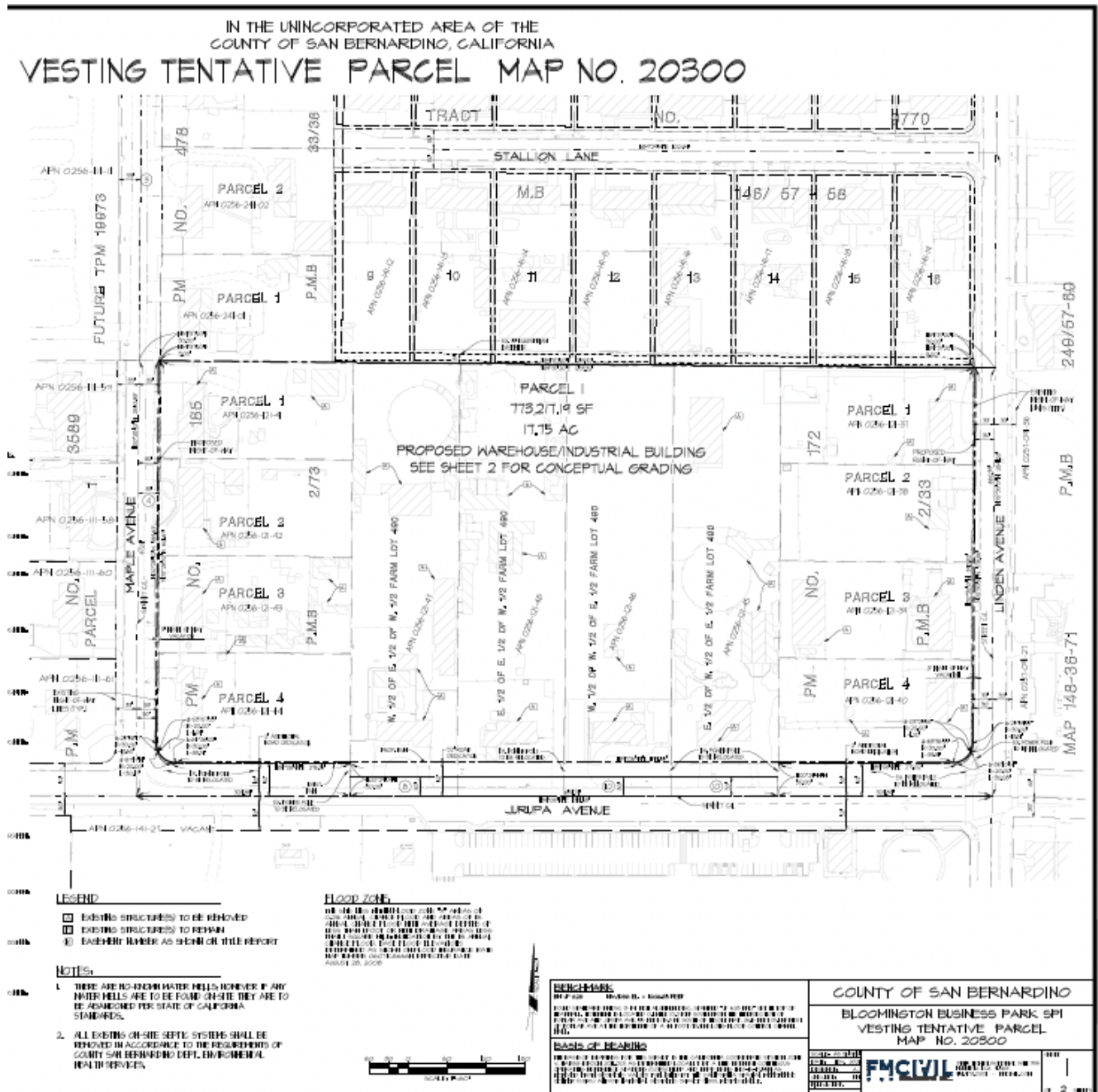


Figure 13
CUP SITE PLAN FOR PROPOSED 383,000-SF HIGH CUBE WAREHOUSE

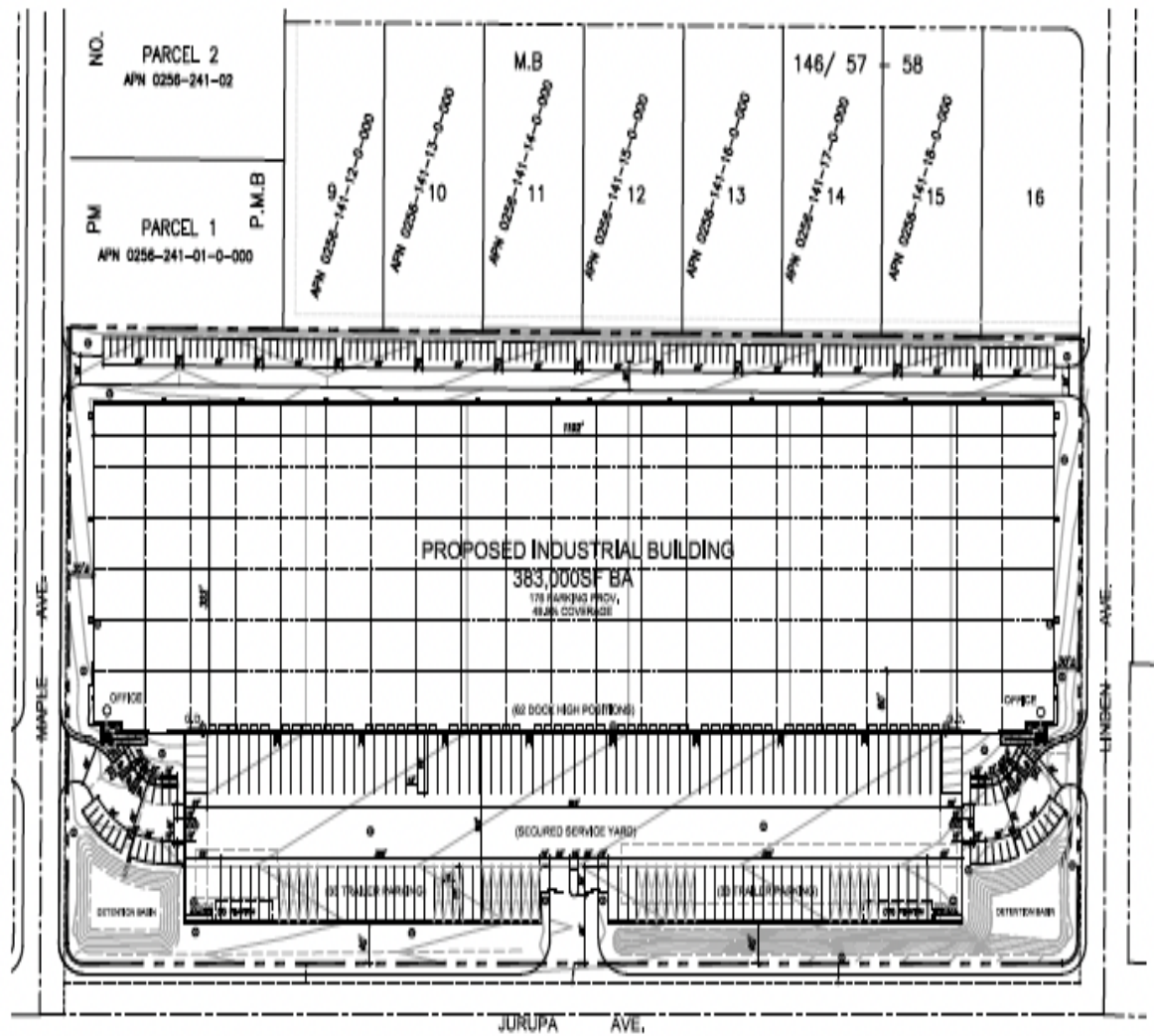
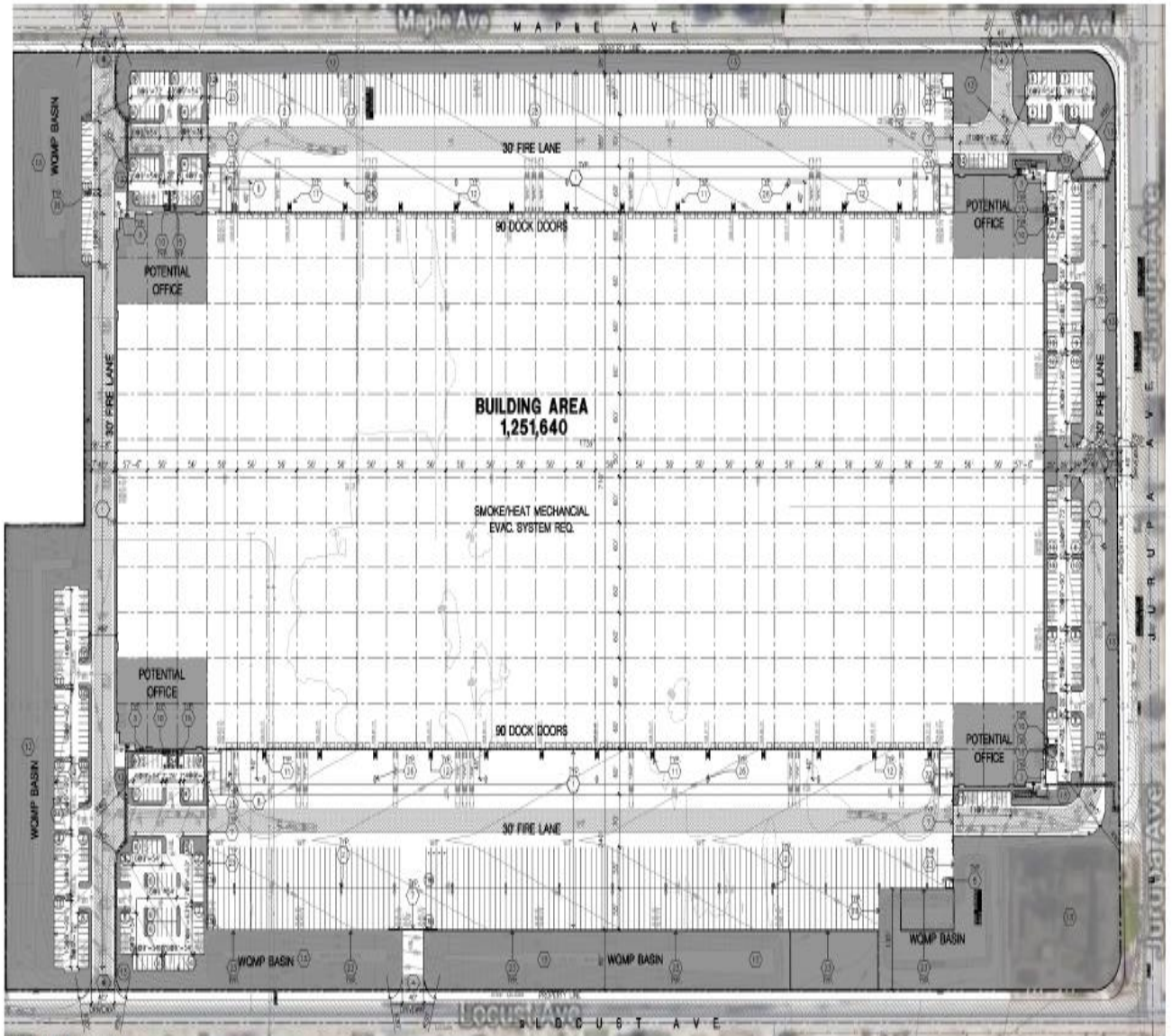




Figure 15
CUP SITE PLAN FOR PROPOSED 1.25-MILLION-SF HIGH CUBE WAREHOUSE



Source: HPA Architecture



Figure 16
VESTING TENTATIVE PARCEL MAP NO. 20340

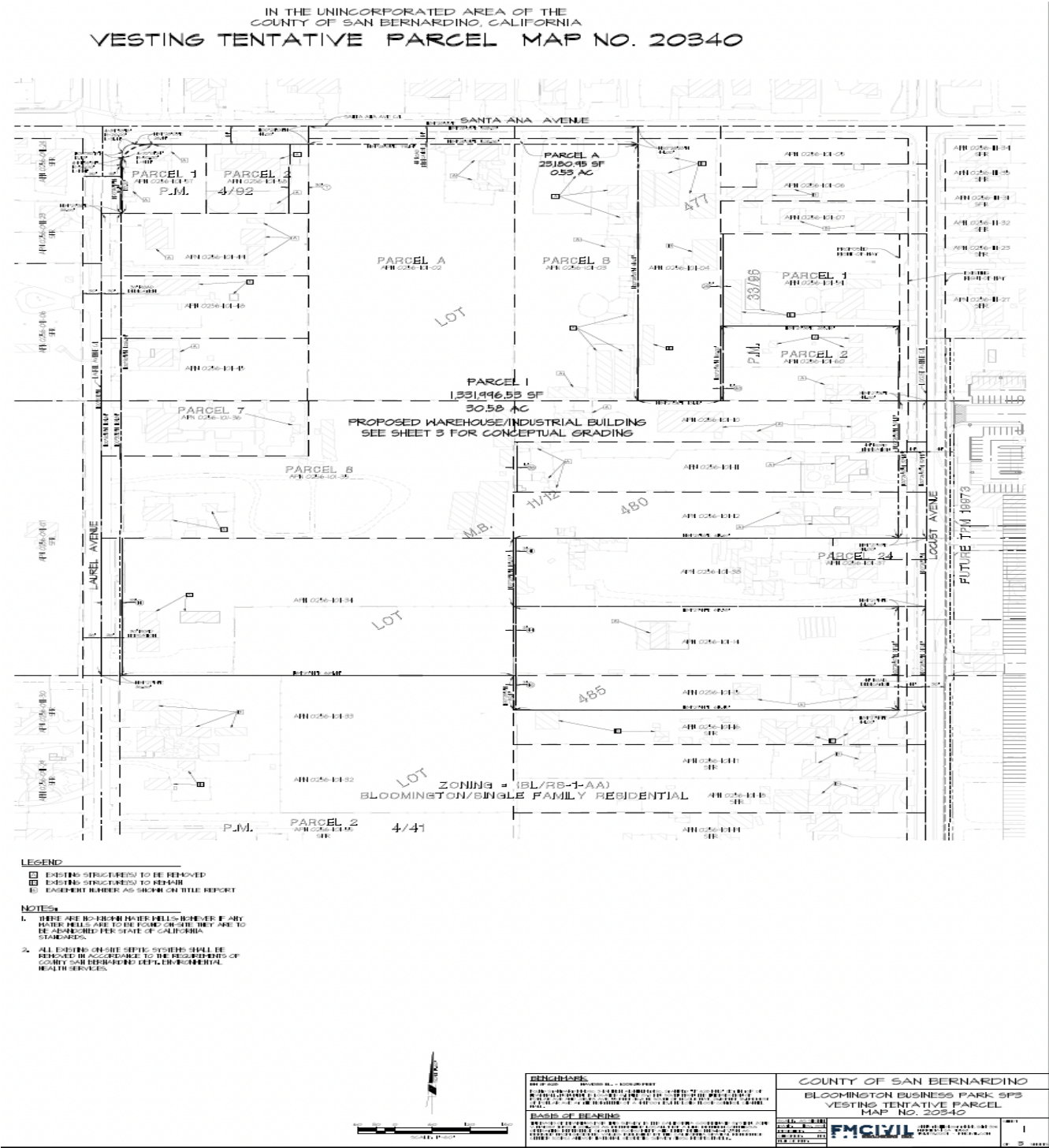
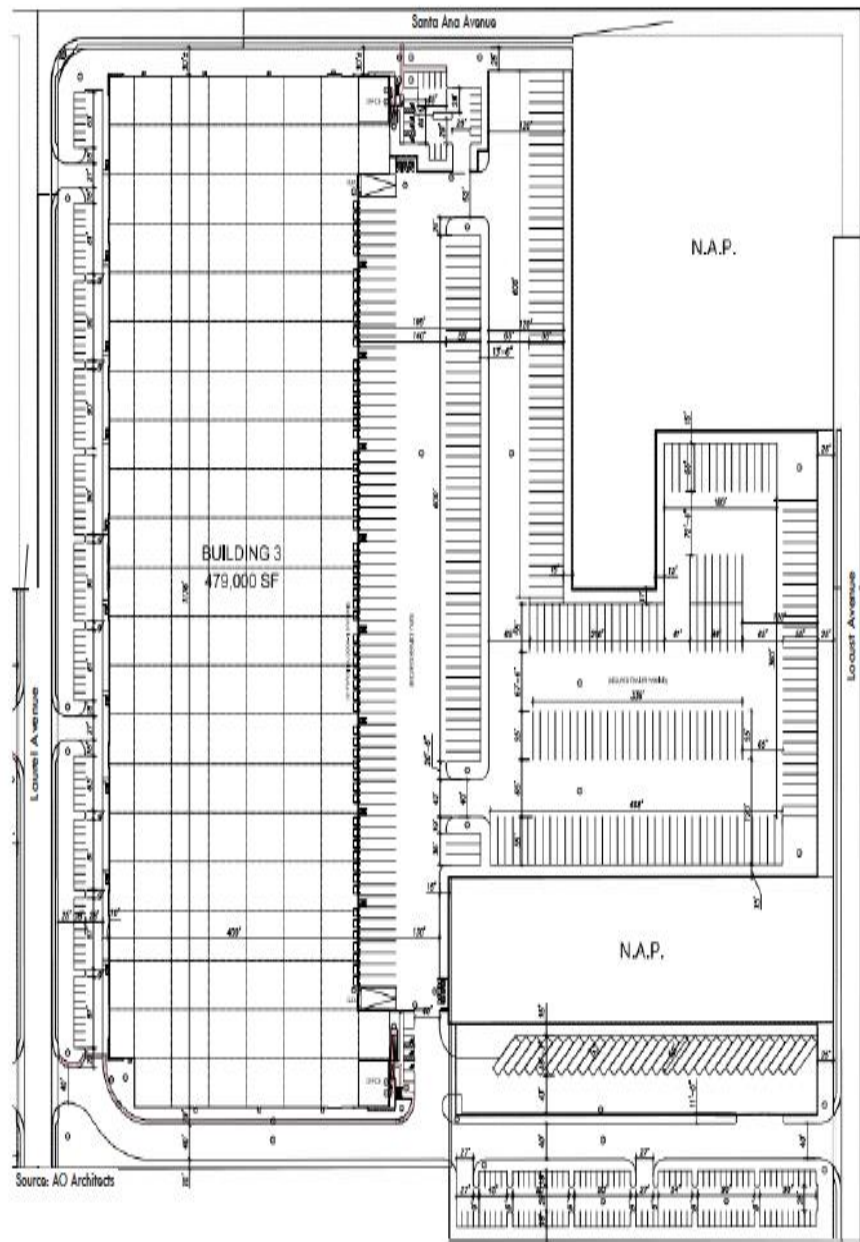


Figure 17
CUP SITE PLAN FOR PROPOSED 479,000 SF HIGH CUBE WAREHOUSE





BUSINESS PARK RENDERING



BACKGROUND

Previous Planning Commission and Board Actions

The Bloomington Business Park Specific Plan Project (Project) was initially agendized and considered by the Planning Commission at the September 22, 2022, Planning Commission public hearing. The Planning Commission recommended that the Board of Supervisors (Board) certify the Environmental Impact Report (2022 EIR)(SCH No. 2020120545) and approve the Project and all associated entitlements with a vote of 3-0-1 with one commissioner absent. The Project was then scheduled for the November 15, 2022, Board meeting with a recommendation for approval. After receiving oral and written testimony, the Board certified the 2022 EIR and approved the Project on November 15, 2022, with a vote of 4-0 with one board member absent.

Legal Challenge and Subsequent Court Ruling

Following the Board's action to approve the Project and certification of the 2022 EIR, on December 16, 2022, several groups filed a petition for writ of mandate challenging the adequacy of the 2022 EIR in San Bernardino County Superior Court. The case is captioned *People's Collective for Environmental Justice, et al. v. County of San Bernardino, et al.* (Case No. CIVSB2228465)(Action). The case raised arguments addressing California Environmental Quality Act (CEQA) compliance as well as various fair-housing related claims.

On September 17, 2024, the San Bernardino Superior Court issued a ruling addressing petitioners CEQA claims in the Action, granting in part, the writ petition on the certain grounds (bullets below) and ordering the County to set aside certification of the 2022 EIR and related Project approvals. Except for the portions identified below, the Court determined that all other sections of the 2022 EIR complied with the requirements of CEQA and denied the petition in all other respects.

- Alternatives: The Court ruled the 2022 EIR failed to analyze a reasonable range of alternatives, in part because the finding that Alternative 3 is economically infeasible is not supported by substantial evidence.
- Air Quality impacts: The Court ruled the 2022 EIR failed to provide a sufficient *Friant Ranch* analysis or sufficiently explain why it is infeasible to provide an analysis of the health risks associated with ozone impacts. Additionally, the court ruled that the 2022 EIR failed to provide a sufficiently detailed response to a comment regarding the feasibility of health impact modeling for a project of this size as it relates to significant and unavoidable air quality impacts.
- Air Quality impacts (mitigation): The Court ruled that findings of economic and commercial infeasibility for mitigation measures directed to zero-emission trucks were not supported by substantial evidence.
- Greenhouse gas emissions: The Court found the findings of GHG-1 and GHG-2 were contradictory. Under GHG-1, compliance with the 100-point requirement was adopted as a mitigation measure to support a finding that GHG emission impacts were less than significant with mitigation. Under GHG-2, the 100-point requirement was listed as a design feature supporting a finding of a less than significant impact. Because the 100-point requirement was treated as a mitigation measure and a design feature at the same time, the Court found the discussion inherently contradictory and rendered it inadequate as an informational document.
- Energy impacts: The Court ruled that CEQA was violated by not analyzing appropriate and available renewable energy options for particular uses and consumption by the Project. In addition, the Court found that 2022 EIR's cumulative energy analysis was not supported, as it had not yet

been determined whether the Project would result in wasteful, inefficient, and unnecessary consumption of energy.

- **Noise impacts:** The Court ruled that CEQA was violated for construction noise impacts by using only an absolute noise level as the threshold of significance.

Action Taken Pursuant to Court Ruling

The County, in its capacity as Lead Agency, prepared a Recirculated Draft Environmental Impact Report (RDEIR) to address the specific issues identified by the Court while leaving all other portions of the 2022 EIR unchanged. Additional description of the changes made in the RDEIR are discussed below under California Environmental Quality Act Compliance section. Reference to the 2026 Recirculated Final Environmental Impact Report shall include those portions of the 2022 EIR that were not required to be included in the RDEIR.

On July 23, 2026 (Item No. 2), the Planning Commission opened the public hearing to consider the Project. At the public hearing, County staff recommended the Planning Commission continue the public hearing to a date certain of August 20th, 2026. The continuance was also requested by numerous commentors and would also allow the Planning Commission and the public additional time to review the 2026 Recirculated Final Environmental Impact Report. After receiving public testimony, the Commission voted 4-0 with 1 absence, to continue the public hearing to the August 20, 2026 meeting.

PROJECT ANALYSIS

The proposed Project and requested entitlements are comprehensively described in the September 22, 2022, Planning Commission Staff Report (Exhibit E), which is incorporated herein by reference as part of the administrative record. Because the requested entitlements remain unchanged from those previously considered, this report summarizes the proposed approvals and focuses on those matters that have changed since the County's 2022 approvals and response to the Court's ruling in the Action.

Category	Requested Action
Environmental Review	Certification of the 2026 Recirculated Final Environmental Impact Report and associated CEQA findings. Adoption of the Mitigation, Monitoring, and Reporting Program.
Planning Documents	Adoption of the Bloomington Business Park Specific Plan, Policy Plan Amendments, Zoning Map Amendments, and Development Code Amendment.
Subdivision Approvals	Approval of three Vesting Tentative Parcel Maps to facilitate development within the Specific Plan Area.
Development Entitlements	Approval of four Conditional Use Permits for three warehouse buildings and one truck/trailer parking facility.

Summary of Requested Entitlements

Bloomington Business Park Specific Plan

The Project includes adoption of the Bloomington Business Park Specific Plan for an approximately 213-acre Specific Plan Site. The Specific Plan establishes the long-term regulatory framework for development of an industrial business park, including permitted land uses, circulation and infrastructure planning,

development standards, design guidelines, and implementation procedures. The Specific Plan serves as the primary planning document governing future development within the project area. The Project is not subject to the warehouse design and build standards requirements imposed by Assembly Bill 98 because the Project commenced the local entitlement process and received an approval before September 30, 2024. The consideration of the 2026 Recirculated Final EIR and Project arise from and continue the Project's original entitlement applications and do not constitute a new entitlement process.

Policy Plan and Zoning Amendments

Implementation of the Specific Plan requires amendments to the Countywide Plan Policy Plan and Zoning Map. The proposed amendments would redesignate the Specific Plan Area from Very Low Density Residential and Low Density Residential to Special Development and establish the Bloomington Business Park Specific Plan Industrial/Business Park zoning district. The Project also includes corresponding amendments for the approximately 24-acre Upzone Site, redesignating the property from Low Density Residential to Medium Density Residential and rezoning it from Single Residential to Multiple Residential.

Senate Bill 330 (Housing Crisis Act of 2019)

Senate Bill 330 (SB 330), the Housing Crisis Act of 2019, was enacted to preserve California's residential development capacity by limiting a local agency's ability to reduce residential development capacity. Government Code Section 66300 generally prohibits a local agency from reducing residential development capacity below that permitted on January 1, 2018, through amendments to its general plan, specific plans, zoning ordinances, or development standards unless concurrent actions are taken to ensure there is no net loss of residential development capacity. Because implementation of the Bloomington Business Park Specific Plan requires amendments to the Countywide Plan Policy Plan and Zoning Map and these actions would remove residential development capacity under the January 1, 2018, land use regulations, the Project is subject to the requirements of Government Code Section 66300.

To comply with Government Code Section 66300 and maintain consistency with the County Housing Element, the Project includes an approximately 24-acre Upzone Site located at the northeast corner of San Bernardino Avenue and Locust Avenue. The Project redesignates the Upzone Site from Low Density Residential to Medium Density Residential and rezones the property from Single Residential to Multiple Residential, increasing the site's residential development capacity from approximately 52 dwelling units to approximately 480 dwelling units. Although the Upzone Site is geographically separate from the Specific Plan Site, it is included as part of the overall Project to recognize and satisfy the residential replacement requirements of Government Code Section 66300.

Under the January 1, 2018, land use designations and zoning, the Specific Plan Site had the potential to accommodate approximately 213 dwelling units, while the Upzone Site had the potential to accommodate approximately 52 dwelling units, for a combined residential development capacity of approximately 265 dwelling units. Following approval of the proposed land use amendments, the Upzone Site would accommodate approximately 480 dwelling units. Accordingly, the proposed Upzone Site provides replacement residential development capacity sufficient to offset the residential development capacity removed from the Specific Plan Site and results in an overall increase of approximately 215 dwelling units beyond the residential development capacity permitted under the January 1, 2018, land use regulations.

Development Code Amendment

The Project includes a Development Code Amendment to incorporate the Bloomington Business Park Specific Plan into the County Development Code and list of adopted specific plans.

Vesting Tentative Parcel Maps

The Project includes three Vesting Tentative Parcel Maps that would consolidate existing parcels into development sites consistent with the Specific Plan. The maps establish the parcel configuration necessary to facilitate phased industrial development, infrastructure improvements, circulation, and site planning.

Conditional Use Permits

The Project includes four Conditional Use Permits implementing the initial phase of development within Planning Area A of the Specific Plan. Collectively, the permits authorize construction of three high cube warehouse buildings totaling approximately 2.1 million square feet and one truck/trailer parking facility on approximately 115 acres. The projects are designed to implement the land use, circulation, landscaping, and development standards established by the Bloomington Business Park Specific Plan and provide the initial industrial development contemplated by the Project.

COMMUNITY AND PUBLIC OUTREACH

Community outreach for the Project was conducted throughout the entitlement and environmental review processes and included public meetings, formal public hearings, agency consultation, and multiple opportunities for public review and comment.

Prior to the preparation of the 2022 EIR, the applicant conducted community outreach efforts in 2021 to inform residents, property owners, and interested organizations regarding the proposed Project and to solicit input. These efforts included a bilingual virtual public scoping meeting, a community meeting at Ayala Park, meetings with the Colton Joint Unified School District, mailed bilingual notices to residents and stakeholders within the Bloomington community, and a presentation before the Bloomington Municipal Advisory Council. In addition, the applicant engaged directly with property owners located within the Specific Plan Site and met with community organizations and interested parties throughout the entitlement process.

Following the Action and during preparation of the RDEIR, a bilingual in-person scoping meeting was held at Ayala Park Community Center on December 2, 2024. In addition, a public community meeting was held on December 3, 2025, at Ayala Park Community Center, for which bilingual notices were mailed out. Additional outreach efforts included meetings with the Colton Joint Unified School District, as well as meetings with local organizations and conversations with concerned citizens.

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

The 2026 Recirculated Final EIR, RDEIR, responses to comments, errata, CEQA Findings and Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program (MMRP) have been prepared in accordance with CEQA, CEQA Guidelines, and in response to the Court ruling in the Action. The County retained Harris and Associates as an independent third-party reviewer for the RDEIR. Pursuant to the September 17, 2024, ruling in the Action, the County prepared the RDEIR to address the sections of the previously certified 2022 EIR that were identified by the Court as requiring additional analysis.

The RDEIR retained the original Project description and development footprint and evaluated the Bloomington Business Park Specific Plan, Opening Year Development within Planning Area A, and the Upzone Site necessary to satisfy the requirements of Senate Bill 330. Planning Area A consists of approximately 141.4 acres with a currently proposed opening year of 2026, while Planning Area B consists of approximately 71.6 acres with a projected buildout year of 2040. Buildout of the Specific Plan Site would allow up to approximately 3,235,836 square feet of industrial and business park development. Two Opening Year Development scenarios were analyzed for Planning Area A, consisting of Option 1, representing the currently proposed development applications totaling approximately 2,113,640 square feet, and Option 2, representing a maximum reasonable opening year development scenario totaling approximately 2,712,040 square feet. Future development within Planning Area B was evaluated programmatically as part of the overall Specific Plan Site buildout.

Regarding the environmental impact sections, the RDEIR analyzed the following sections identified by the Court, and addressed those issues:

- Alternatives: The RDEIR analyzed a modified Alternative 3 which would avoid significant and unavoidable regional air quality impacts and greatly reduce impacts related to air quality in comparison to the Project. The CEQA Findings and Statement of Overriding Considerations also includes additional discussion of the Alternative's inability to meet all project objectives and other economic considerations.
- Air Quality: The RDEIR includes additional analysis of why full health impacts modeling through CAMx and BenMAP-CE is infeasible for a project of this scale. In addition, this Recirculated Draft EIR compares Project emissions to those resulting from other representative projects in order to demonstrate that health impacts would be less than significant and that additional modeling would not yield meaningful information.
- Air Quality (Mitigation): The RDEIR provides additional substantial evidence as to the infeasibility of zero-emission heavy duty trucks in the near future. Additionally, a new mitigation measure requires that lease agreement incorporates zero-emission trucks if they are widely commercially available, with specific definition of what that requires.
- Greenhouse Gas: Within the RDEIR, Mitigation Measure GHG-1 has been revised to demonstrate which of the measures outlined in the County's 2021 GHG Reduction Plan, totaling up to at least 100 points, have been incorporated into each Project building at the time of receipt of such building's certificate of occupancy. In addition, Impact GHG-2 has been revised to address the need for implementation of mitigation measures in order to reduce impacts to a less than significant level..
- Energy Impacts: The RDEIR includes additional discussion and analysis of whether the Project might result in wasteful, inefficient, or unnecessary consumption of energy resources, including updated analysis consistent with CEQA Guidelines Appendix F, and requires as a new mitigation measure that the Project install solar photovoltaic panels or other renewable energy generation system onsite or purchase renewable energy so that 100 percent of the expected building load is provided by renewable energy. Additionally, the RDEIR analyzes potential cumulative impacts in consideration of other warehouse projects in the area.
- Noise Impacts: The RDEIR includes additional analysis of construction noise impacts, with rationale for adoption of a significance threshold for increases to ambient noise levels, and addresses the potential for Project construction to result in an increase in ambient noise levels.

A Notice of Preparation for the RDEIR was circulated on November 13, 2024, to responsible agencies, trustee agencies, interested organizations, and members of the public to solicit comments regarding the scope and content of the revised environmental analysis. County staff subsequently prepared the RDEIR in accordance with CEQA and the State CEQA Guidelines. A Notice of Availability for the RDEIR was issued on October 28, 2025, commencing a 45-day public review period that concluded on December 11, 2025. The RDEIR and supporting technical documents were made available electronically through the County's website and in hard copy at the County Government Center. Interested agencies, organizations, and members of the public were invited to review the environmental document and submit written comments. Pursuant to CEQA Guidelines Section 15088.5(f)(2), reviewers were requested to limit comments to those portions of the environmental document that were revised and recirculated.

Public Comments

During the public comment period, the County received a total of 36 public comment letters in response to the RDEIR, and two comment letters were received after the close of the public review period. Four agencies submitted comments for a total of five comment letters: (1) California Department of Transportation; (2) Colton Joint Unified School District; (3) California Air Resources Board; (4) South Coast Air Quality Management District; (5) South Coast Air Quality Management District (supplemental letter). Four comment letters were received from organizations: (1) Concerned Neighbors of Bloomington and People's Collective for Environmental Justice; (2) Western Center on Law and Poverty; (3) People's Collective for Environmental Justice, Center for Community Action and Environmental Justice, Center for Biological Diversity, and Sierra Club; and (4) Advocates for the Environment. Additionally, 29 comment letters were submitted from individuals including residents and interested parties. These comments relate to:

- Air quality and human health consequences;
- Greenhouse gas emissions and climate change;
- Energy impacts and renewable energy alternatives;
- Noise impacts;
- Project alternatives;
- Zero-emission truck feasibility and mitigation measures;
- Environmental justice concerns;
- Community character and land use compatibility;
- Requests for additional mitigation measures; and
- Project-related economic and social effects.

Consistent with CEQA Guidelines Section 15088, all comments received during the public review period were considered and written responses were incorporated into the 2026 Recirculated Final EIR. None of the comments or revisions resulted in significant new information requiring recirculation of the RDEIR pursuant to CEQA Guidelines Section 15088.5. The 2026 Recirculated Final EIR consists of the RDEIR, the portion of the 2022 EIR not requiring recirculation, comments received during the public review period for the RDEIR, responses to comments, technical appendices, errata and MMRP, all included with this report as Exhibits A. In addition, the CEQA Findings of Fact and Statement of Overriding Considerations is included as Exhibit B.

The RDEIR identified potentially significant impacts of the Project and discussed numerous mitigation measures to address impacts identified as significant. Mitigation measures presented in the RDEIR have been included in the MMRP, which is attached as Exhibit A and incorporated by reference in the Conditions of Approval (Exhibit F). The mitigation measures presented in the MMRP will reduce potentially significant impacts, which can be mitigated below a level of significance related to the following resource areas: Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gases, Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources. However, the RDEIR concluded that even with the incorporation of all feasible mitigation measures, the Project could result in significant, unavoidable impacts to Air Quality as identified below:

- Conflict with Applicable Air Quality Plan. Land use changes of the Project would not result in an exceedance of SCAG's growth projections, but the Project would result in an increase of criteria pollutants that would exceed regional thresholds after implementation of mitigation measures. Therefore, the Project would result in a conflict with, or obstruct, implementation of the applicable Air Quality Management Plan (Impact AQ-1).

- Project-Related Construction and Operational Emissions. Emissions from operation of the Project would exceed SCAQMD's regional thresholds for VOC and NOx after implementation of regulatory requirements and mitigation measures. Because a majority of operational-source NOx emissions (by weight) would be generated by Project vehicles, and the VOC emissions would be generated by consumer products. Neither the Project applicant nor the County have the ability to reduce these emissions. Implementation of MM AQ-10 through MM AQ-24 would reduce impacts; however, a significant and unavoidable impact would remain. Therefore, operational-source VOC and NOx emissions would be significant on a project-level (Impact AQ-2).
- Cumulative Emissions. As stated above, operational activities would create a significant and unavoidable impact due to exceedances of SCAQMD regional thresholds. Implementation of MM AQ-10 through MM AQ-24 would reduce impacts; however, a significant and unavoidable impact would remain. Therefore, operational source VOC and NOx emissions would be significant on a cumulative basis.

Although the Planning Commission is a recommending body for the Project, on July 13, 2026, the County provided its written responses to comments on the DREIR for the Project to each public agency that submitted comments. On the same date, the 2016 Recirculated Final EIR was posted on the County's website.

CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA, written findings have been prepared for each significant environmental effect identified in the 2026 Recirculated Final EIR. The Findings evaluate each impact identified in the 2026 Recirculated Final EIR and determine whether changes or alterations have been incorporated into the Project that avoid or substantially lessen the identified impacts, whether additional mitigation measures are within the responsibility and jurisdiction of another public agency, or whether specific economic, legal, social, technological, or other considerations make additional mitigation measures or alternatives infeasible.

In addition to the CEQA findings, findings have been prepared in support of the Specific Plan, Policy Plan Amendments, Zoning Amendments, Development Code Amendment, Vesting Tentative Parcel Maps, and Conditional Use Permits. The findings conclude that the proposed entitlements are consistent with the Countywide Plan, the Bloomington Community Action Guide, applicable provisions of the Development Code, the Subdivision Map Act, and other applicable State and local regulations. Based upon the whole of the administrative record, substantial evidence supports each of the required findings for approval of the Project and certification of the 2026 Recirculated Final EIR. Detailed findings are included in Exhibits B and C.

Under CEQA Guidelines 15092, decision-makers are required to balance the benefits of a project against its unavoidable environmental risks in determining whether to approve a project. In the event the benefits of a project outweigh the unavoidable adverse effects, the adverse effects may be considered acceptable. Because the Project's impacts discussed above cannot be reduced to a level that is less than significant, Findings of Fact and a Statement of Overriding Considerations must be adopted to approve the Project as proposed. The CEQA Findings and Statement of Overriding Considerations (Exhibit B) discuss the mitigation measures for the Project's significant impacts and the rationale for making the Statement of Overriding Considerations for those impacts that are significant and unavoidable.

The following factors and public benefits were considered as overriding considerations to the identified unavoidable significant adverse impacts of the proposed Project:

- The Project diversifies the local economy. The Project enhances the local economy by providing for business diversification through the provision of a business park with multiple buildings; up to 2,709 additional jobs, as evidenced by the Original DEIR; and business development opportunities

within the Specific Plan commensurate with forecasted growth. In addition, the Applicant has entered into multiple labor agreements and would utilize union labor for construction of the Project, which would provide additional job opportunities for unionized construction workers and trainees.

- The Project facilitates economic development. The Project is intended to facilitate the economic development of the County by creating an expanded employment base, providing new employment opportunities and attracting new businesses. Construction spending through purchase construction materials, salary for construction workers, and spending by construction workers in the community will also create a one-time stimulus to the local and regional economies.
- The Project would enhance the County's fiscal health. The Project would result in increased property taxes, sales taxes, and other local revenue streams and, as detailed in the Fiscal Impact Analysis prepared for the Project, could generate up to \$11.6 million dollars in annual recurring revenue for the County's General Fund. These revenues streams, including payment of development impact fees, will support essential public services such as public safety, parks, and infrastructure maintenance.
- The Project would provide ordered development of the Specific Plan Area pursuant to the Specific Plan standards. The Project would follow the design standards set forth in the Bloomington Business Park Specific Plan to provide for orderly development of the Specific Plan Area with industrial and manufacturing uses. Ordered development of the Specific Plan would increase land use compatibility with surrounding industrial developments, located south of Interstate 10.
- The Project provides both traditional and alternative transportation mode benefits. The Project would implement roadway, pedestrian, and infrastructure improvements, as detailed on pages 3-12 to 3-14 of Section 3.0, Project Description, of the Recirculated Draft EIR, that would provide social and other benefits to the County's residents.
- The Project creates a high quality and master planned development. The Project proposes a high quality, master planned light industrial business park that will attract an array of businesses and provide a variety of employment opportunities in the community of Bloomington thereby reducing the need for members of the local workforce to commute outside the area for employment, which would in turn provide both an economic and social benefit to the community.
- The Project would provide regional stormwater drainage improvements. The Project would install stormwater drainage infrastructure throughout the Specific Plan area, which would help alleviate regional flooding issues in the Bloomington community, in addition to water, sewer and road infrastructure.
- The Project would incorporate sustainability features. The Project has committed, by way of binding enforceable mitigation, to provide 100 percent of the expected buildings' energy load from a combination of on-site renewable energy generation such as solar photovoltaic panels and/or renewable energy purchase. The Project will provide electric passenger car and electric truck charging infrastructure and will achieve LEED Silver Certification or the equivalent.
- The Project would optimize goods movement. The Project is strategically located in close proximity to Interstate 10 and the ports of Los Angeles and Long Beach, thereby improving the efficiency of movement of goods. By optimizing goods movement, the Project will indirectly reduce inefficiencies in the transportation system, which benefits local communities through improved access to goods and services.
- The Project provides multiple community benefits. The Project would include a Community Benefits Agreement, which would provide needed funding for multiple community facilities,

services, and infrastructure. The Community Benefits Agreement would ensure that proper funding stays within the Community of Bloomington. The Community Benefits Agreement will include a Community Enhancement Fee, which will include funding for law and code enforcement, recreational programming, park operations and maintenance and enhanced public safety specifically for Bloomington.

- The Project is consistent with the County's General Plan. The Project is consistent with, and will contribute to, achieving the goals and objectives established by the General Plan as discussed in Section 5.11, Land Use and Planning, of the Original Draft EIR. Implementing the County's General Plan as a policy is a legal and social prerogative of the County.
- The Project would provide an area in which replacement housing units could be built pursuant to Senate Bill 330. The Project would increase the residential development capacity of the Upzone site by up to 428 dwelling units, offsetting the housing capacity that would be lost from rezoning the 213-acre Specific Plan area to a non-residential zone.

Based on an independent review of information contained in the 2026 Recirculated Final EIR, the Findings and Facts in Support of Findings, and the entire administrative record, the County finds that the economic, social, infrastructure, planning, sustainability, housing, and community benefits associated with the Project outweigh the remaining significant and unavoidable environmental impacts. Therefore, pursuant to CEQA Guidelines Section 15093, the remaining significant and unavoidable impacts are considered acceptable, and adoption of the Statement of Overriding Considerations is recommended. Detailed findings supporting the Statement of Overriding Considerations are included in Exhibit B.

NOTICE OF HEARING

On July 3, 2026, 850 public hearing notices were mailed to the surrounding property owners within 1,300 feet of the Project site and 700 feet of the Upzone Site and interested parties, as required by Section 86.08.040 of the San Bernardino County Development Code. Additionally, the public hearing notice was sent to the San Bernardino Sun for publication on or before July 3, 2026. One inquiry was received regarding the proposed zoning on July 16, 2026, which was addressed by staff.

CONCLUSION

Based upon staff's review of the Project and the entire administrative record, staff finds that the proposed Specific Plan, Policy Plan Amendments, Zoning Amendments, Development Code Amendment, Vesting Tentative Parcel Maps, and Conditional Use Permits would be consistent with the Countywide Plan, Bloomington Community Action Guide, Bloomington Business Park Specific Plan, applicable provisions of the Development Code, and the Subdivision Map Act. Staff, based on its independent review, further finds that the 2026 Recirculated Final EIR has been prepared in compliance with CEQA, addresses the ruling of the Superior Court in the Action, reflects the independent judgment of the County, and constitutes an adequate, objective, and complete informational document under CEQA.

RECOMMENDATION: That the Planning Commission recommend that the Board of Supervisors:

1. **CERTIFY** the Recirculated Final Environmental Impact Report (SCH No. 2020120545);
2. **ADOPT** the California Environmental Quality Act Findings, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program;
3. **ADOPT** the Findings in support of the Bloomington Business Park Specific Plan, Policy Plan Amendment, Zoning Amendment, Development Code Amendment, Vesting Tentative Parcel Maps, and Conditional Use Permits;
4. **ADOPT** the Bloomington Business Park Specific Plan;
5. **ADOPT** the Policy Plan Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for the Upzone Site;
6. **ADOPT** the Policy Plan Amendment from Very Low Density Residential (VLDR) and Low Density Residential (LDR) to Special Development (SD) for the Specific Plan Site;
7. **ADOPT** the Zoning Amendment from Single Residential with 20,000-square foot Minimum Lot Size (RS-20M) to Multiple Residential (RM) for the Upzone Site;
8. **ADOPT** the Zoning Amendment from Single Residential with 1-Acre Minimum Lot Size Additional Agriculture (BL/RS-1-AA) and Single Residential 20,000-square foot Minimum Lot Size (BL/RS-20M) to Bloomington Business Park Specific Plan - Industrial/Business Park (BP/SP - I/BP) for the Specific Plan Site;
9. **ADOPT** the Development Code Amendment to amend Subsections 82.23.030(b) and 86.14.090(b) of the San Bernardino County Code adding Bloomington Business Park Specific Plan to the list of adopted specific plans;
10. **APPROVE** Vesting Tentative Parcel Map No. 20300 to consolidate 31 parcels into a 17.67-acre parcel and Conditional Use Permit to construct a 383,000-square foot high cube warehouse on 17.67 acres within the Specific Plan Site, subject to the Conditions of Approval;
11. **APPROVE** Vesting Tentative Parcel Map No. 19973 to consolidate 32 parcels into a 57.60-acre parcel and Conditional Use Permit to construct a 1.25-Million-square foot high cube warehouse on 57.60 acres within the Specific Plan Site, subject to the Conditions of Approval;
12. **APPROVE** Vesting Tentative Parcel Map No. 20340 to consolidate 23 parcels into a 30.52-acre parcel and Conditional Use Permit to construct a 479,000-square foot high cube warehouse on 30.52 acres within the Specific Plan Site, subject to the Conditions of Approval;
13. **APPROVE** Conditional Use Permit to construct a truck/trailer parking facility on 9.55 acres within the Specific Plan Site, subject to the Conditions of Approval; and
14. **DIRECT** the Land Use Services Department to file a Notice of Determination in accordance with the California Environmental Quality Act.

ATTACHMENTS

EXHIBIT A: Link to 2026 Recirculated Final EIR, including RDEIR, 2022 EIR, Appendices, and Mitigation Monitoring and Reporting Program: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

EXHIBIT B: CEQA Findings and Statement of Overriding Considerations

EXHIBIT C: Findings

EXHIBIT D: Link to Bloomington Business Park Specific Plan: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

EXHIBIT E: Link to September 22, 2022, Planning Commission Staff Report and attachments: <https://lus.sbcounty.gov/wp-content/uploads/sites/48/PC/Final-Staff-Report-92222.pdf>

EXHIBIT F: Link to November 15, 2022, Board of Supervisors Agenda Item: <https://sanbernardino.legistar.com/View.ashx?M=F&ID=11465797&GUID=8B6DD57A-A6A1-4D2F-AA02-2649D539E857>

EXHIBIT G: List of Assessor Parcel Nos

EXHIBIT H: Conditions of Approval

EXHIBIT A

EXHIBIT A

Link to 2026 Recirculated Final EIR, including RDEIR, 2022 EIR, Appendices, and Mitigation Monitoring and Reporting Program:
<https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

EXHIBIT B

EXHIBIT B

FINDINGS AND FACTS IN SUPPORT OF FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE BLOOMINGTON BUSINESS PARK SPECIFIC PLAN SAN BERNARDINO COUNTY, CALIFORNIA STATE CLEARINGHOUSE NO. 2020120545

1. INTRODUCTION

The California Environmental Quality Act, Public Resources Code Section 21000 et seq. and the CEQA Guidelines, 14 Cal. Code of Regs. Section 15000 et seq. (collectively, CEQA) require that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. CEQA Guidelines Section 15091, implementing CEQA Section 21081, provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.

- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15093 further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Having received, reviewed and considered the Recirculated Draft Environmental Impact Report (Recirculated DEIR), the Recirculated Final Environmental Impact Report (Recirculated FEIR), the original Draft Environmental Impact Report (Original Draft EIR), and the original Final Environmental Impact Report (Original FEIR) for the Bloomington Business Park Specific Plan Project (Project), SCH No. 2020120545 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) are hereby adopted by San Bernardino County (County) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the County for the development of the Project. These actions include the approval of the Bloomington Business Park Specific Plan, Policy Plan Amendments, Zoning Amendments, Vesting Tentative Parcel Maps, and Conditional Use Permit(s) within the initial development area. These actions are collectively referred to herein as the Project.

A. Document Format

These Findings have been organized into the following sections:

Section 1 provides an introduction to these Findings.

Section 2 provides a summary of the Project and overview of the discretionary actions required for approval of the Project, and a statement of the Project’s objectives.

Section 3 provides a summary of previous environmental reviews related to the Project area that took place prior to the environmental review done specifically for the Project, and a summary of public participation in the environmental review for the Project.

Section 4 sets forth findings regarding environmental impacts identified in the EIR which were determined not to be significant.

Section 5 sets forth findings regarding environmental impacts identified in the EIR which can feasibly be reduced to a less than significant level through the imposition of project design features, regulatory requirements, and/or mitigation measures. In order to ensure compliance and implementation, all of these measures are included in the Mitigation Monitoring and Reporting Program (MMRP) for the Project which shall be adopted by the County together with these Findings in accordance with CEQA Section 21081.6. Where potentially significant impacts can be reduced to less than significant levels through adherence to project design features, regulatory requirements, or mitigation measures, these findings specify how those impacts were reduced to an acceptable level.

Section 6 sets forth findings regarding those significant environmental impacts identified in the EIR which the County has determined cannot feasibly be mitigated to a less than significant level.

Section 7 sets forth findings regarding growth inducement.

Section 8 sets forth findings regarding significant and unavoidable effects.

Section 9 sets forth findings regarding alternatives to the proposed Project.

Section 10 consists of a Statement of Overriding Considerations which sets forth the County's reasons for finding that specific economic, legal, social, technological, and other considerations associated with the Project outweigh the Project's potential unavoidable environmental effects.

B. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the County's actions related to the Project are located at San Bernardino County, Land Use Services Department, Planning Division, 385 North Arrowhead Avenue, First Floor, San Bernardino, CA 92415-0187. San Bernardino County is the custodian of the administrative record for the Project. This information is provided in compliance with CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

2. PROJECT SUMMARY

A. Project Location

The Project includes two sites – the Bloomington Business Park Specific Plan area (Specific Plan Area) and Upzone Site – which are located in the unincorporated community of Bloomington, in southwestern area of the County's Valley Region. The Specific Plan Area consists of approximately 213 acres generally bounded by Santa Ana Avenue to the north, Maple Avenue and Linden Avenue to the east, Jurupa Avenue to the south, and Alder Avenue to the west. The Specific Plan Area is bisected by Locust Avenue. The Specific Plan Area is primarily developed with a mix of large lot single-family residential and commercial uses and vacant parcels.

The Upzone Site consists of approximately 24 acres bounded by San Bernardino Avenue to the south, Hawthorne Avenue to the north, Locust Avenue to the west, and single-family residential

uses to the east. The Upzone Site is currently developed with a mix of single-family residential uses and vacant parcels.

B. Project Description

The Project includes two sites:

1. Bloomington Business Park Specific Plan

The Specific Plan Area is 213 acres and the Specific Plan is separated into two planning areas: Planning Area A and Planning Area B. Planning Area A is approximately 141.4 acres and, due to delays in the Project, has a currently proposed opening year of 2026. Planning Area B includes approximately 71.6 acres and a proposed buildout year of 2040. The Specific Plan allows development within Planning Area A to have a floor area ratio (FAR) of 0.5 and a FAR of 0.05 within Planning Area B. Table 1, *Specific Plan Program Summary*, provides a summary of the buildout of the Specific Plan by the planning areas. As shown, the maximum development potential would be 3,235,836 square feet (SF).

Table 1: Specific Plan Project Summary

Planning Areas	Acres	Development Capacity
Planning Area A (Opening Year Development)	141.4	Up to 3,079,910 SF based on maximum 0.5 FAR
Planning Area B (Future Development)	71.6	Up to 155,926 SF based on maximum 0.05 FAR ¹
Total	213	Up to 3,235,836 SF

¹ Individual projects may have a maximum FAR of 0.50 as long as 155,926 SF in total is not exceeded.

Adoption of the Specific Plan requires a Policy Plan Amendment and Zoning Map Amendment. The land use designation of the Specific Plan area would change from Very Low Density Residential (VLDR) and Low Density Residential (LDR) to Special Development (SD) and the zoning would change from Single Residential with 1-Acre Minimum Lot and Additional Agriculture Overlay (RS-1-AA) and Single Residential with 20,000 SF lot minimums (RS-20M) to Specific Plan (SP).

The proposed Project includes three separate components that will require permits and approvals (“entitlements”):

- 1) Bloomington Business Park Specific Plan (“Specific Plan”), which is a land-use guiding document for the development of industrial and business park uses for the necessary on- and off-site and infrastructure to serve these uses. The approximately 213-acre Specific Plan Area is divided into two planning areas: the approximately 141.4-acre Planning Area A and the approximately 71.6-acre Planning Area B;
- 2) Opening Year Development within the Specific Plan’s Planning Area A (“Opening Year development of Planning Area A”); and
- 3) Rezoning a residential site (“Upzone Site”) to a higher density in compliance with the Housing Crisis Act of 2019 (Senate Bill 330) to offset the rezoning of the Specific Plan Area from residential to a non-residential use.

Specific Plan

Opening Year Development of Planning Area A

The Recirculated DEIR analyzes two different industrial business park development options for the opening year of 2022¹ within the Specific Plan's Planning Area A, "Opening Year Development – Option 1" and "Opening Year Development – Option 2", which are defined below. Both options include four development sites. (There is no project-specific development proposed in Planning Area B, and therefore, Planning Area B is analyzed programmatically as part of the analysis for the overall "Future Development Area – Specific Plan Building" discussed below).

Opening Year Development – Option 1

Development applications—including three Vesting Tentative Parcel Maps—have been submitted to the County for the construction and operation of three warehouse structures and a truck trailer parking lot on four development sites (Development Sites 1 through 4) encompassing 115 acres with an opening year of 2026. Construction of the Option 1 Development is expected to be phased with Development Sites 1 and 2 constructed as part of Phase 1 and Development Sites 3 and 4 constructed as part of Phase 2. However, all four Sites may be developed in one phase. For purposes of the Recirculated DEIR analysis, the buildout of the remaining Specific Plan is expected to be constructed as part of Phase 3. Opening Year Development – Option 1 would result in the construction of 2,113,640 SF of light industrial building space, which is 966,273 SF below that allowed for Planning Area A in the Specific Plan. This development option is analyzed in the Recirculated DEIR at the project-level.

Opening Year Development – Option 2

Since Opening Year – Option 1 encompasses approximately 115 acres of development within the approximately 141.1-acre Planning Area A, the Opening Year – Option 2 scenario is included in the Recirculated DEIR to represent a maximum reasonable development scenario for the opening year of 2026 in Planning Area A. In this option, the warehouse footprints at Development Sites 1 and 3 would be expanded (Development Sites 2 and 4 would remain the same as in Opening Year – Option 1). As a result, the four Development Sites would incorporate all 141.4 acres of Planning Area A. This scenario would result in the development of 2,712,040 SF of light industrial building space, which is 523,796 SF below the overall capacity allowed by the Specific Plan and 367,873 SF below the capacity of Planning Area A. Applications for this development option have not been submitted to the County. The Recirculated DEIR provides project-level impact analysis for this option, unless otherwise stated (e.g., Opening Year – Option 2 is analyzed at the project-level in the aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, greenhouse gas, land use and planning, noise, population and housing, public services, transportation, tribal cultural resources, and utilities analyses in the Recirculated DEIR).

Future Development Area – Specific Plan Buildout

¹ The Original DEIR and RDEIR assumed an opening year of 2022. Due to Project delays and litigation, this opening year is no longer feasible but provides a conservative analysis of potential impacts associated with the Project due to improvements in emissions technologies that will occur in later years.

Specific Plan Buildout would result in buildout of the maximum development capacity that would be allowed by the respective FAR for Planning Area A and Planning Area B that make up the Specific Plan Area. Under the Specific Plan Buildout scenario, all 213 acres would be developed with light industrial uses such as e-commerce, manufacturing uses, warehouses, business parks, and trailer parking by the year 2040. These impacts are analyzed at the programmatic level based on the future buildout of the entire Specific Plan (i.e., buildout of both Planning Area A and Planning Area B to their maximum FAR, which is inclusive of both Opening Year Option 1 and Option 2 at a project level).

2. Upzone Site

The Project includes a Policy Plan Amendment that would re-designate the entire Upzone Site from Low Density Residential (LDR) to Medium Density Residential (MDR) and a Zoning Amendment to rezone the Upzone site from Residential Single with 20,000 SF Lot Minimums (RS-20M) to Residential Multiple (RM). The RS-20M zone would allow the development of up to 52 residential units on the 24-acre Upzone Site. The RM zone would allow the development of up to 480 dwelling units. Accordingly, the Project would increase the residential development capacity of the Upzone Site by up to 428 dwelling units, offsetting the housing capacity that would be lost from rezoning the 213-acre Specific Plan area to a non-residential zone. The Project does not propose physical developments or improvements at the Upzone Site; therefore, these impacts are analyzed at the programmatic level in the Recirculated DEIR.

Required Approvals:

Implementation of the Project would require, but is not limited to, the following discretionary approvals by the County (Lead Agency):

- Adoption of the Bloomington Business Park Specific Plan
- Certification of the Recirculated FEIR
- Adoption of a Mitigation Monitoring and Reporting Program
- Policy Plan Amendment
- Zoning Amendment
- Approval of Conditional Use Permit(s) within the initial development area
- Vesting Tentative Parcel Map(s)
- Community Benefits Agreement/Development Agreement
- Community Facilities District

Other Potential Government Agency Approvals (Responsible Agencies):

- South Coast Air Quality Management District (SCAQMD)
- Santa Ana Regional Water Quality Control Board (RWQCB)

C. Statement of Project Objectives

The fundamental goal of the Project is to accomplish the orderly development of an industrial business park. The Project would achieve this goal through the following objectives:

- Create a comprehensive master plan for the Specific Plan Area to provide a mix of industrial and business park uses with supporting infrastructure facilities.
- Provide economic opportunities and job growth within the Bloomington community by enhancing the community's available range of industrial and business park employment generating uses.

- Provide for a master-planned, job-producing development near the I-10 corridor to accommodate uses that benefit from access to the regional transportation network.
- Allow for the accommodation of industrial, light manufacturing and assembly, warehouse distribution, and logistics buildings that are designed to attract a range of users and are economically competitive with other buildings of these types in the region.
- Identify and provide for the installation and ongoing maintenance of water, sewer, drainage, and road facility infrastructure to adequately serve the Specific Plan Area.
- Provide guidelines and standards for building and site development aesthetics that provide a well-defined identity for the Specific Plan development.
- Provide guidelines for sustainable development design that reduces potable water use, energy use, and fossil fuel consumption.
- Provide an area in which replacement housing units could be built pursuant to Senate Bill 330.

3. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The County Board of Supervisors previously adopted the proposed Project and certified the Original FEIR on November 15, 2022. Several parties filed lawsuits challenging the adequacy of the certified Original FEIR in the San Bernardino County Superior Court with the remaining active case titled *People's Collective for Environmental Justice et al. v. County of San Bernardino et al.* (Case No. CIVSB2228465). On September 17, 2024, the court issued a ruling on the Petition for Writ of Mandate, granting the CEQA Writ as to the following impact areas and on the following grounds:

- Alternatives. The County failed to analyze a reasonable range of alternatives. In addition, even if the County's findings regarding Alternative 3 are considered, the County's finding that Alternative 3 is economically infeasible is not supported by substantial evidence.
- Air Quality Impacts (Friant Ranch Analysis). The County failed to provide a sufficient Friant Ranch analysis for significant and unavoidable air quality impacts and therefore, the EIR fails as an informational document. In addition, the amici curiae briefs provided do not constitute substantial evidence in support of reason an analysis cannot be completed. Finally, the County failed to provide a sufficiently detailed response to a comment about the feasibility of health impact modeling for a project of this size as it relates to significant and unavoidable air quality impacts.
- Air Quality Impacts (Mitigation). The County's finding of economic and commercial infeasibility for mitigation measures directed to zero-emission trucks is not supported by substantial evidence.
- Greenhouse Gas Emission Impacts. The County's findings regarding Impacts GHG-1 and GHG-2 are contradictory. The 2021 GHG Reduction Plan's 100-point requirement is adopted as a mitigation measure to mitigate significant GHG emission impacts for Impact GHG-1 to ensure compliance with the GHG Plan and its GHG reduction measures. But at the same time the same 100-point requirement is found to result in less than significant impacts for Impact GHG-2, without showing that the 100-point requirement is a binding and enforceable feature of the Project.

- Energy Impacts. The County violated CEQA by not analyzing renewable energy options that might be available or appropriate for the Project. In addition, substantial evidence does not support the EIR's cumulative energy impact analysis.
- Noise Impacts. The County violated CEQA by using only an absolute noise level as the threshold of significance in evaluating construction noise impacts.

The court denied the CEQA writ petition on all other grounds raised. The ruling included an order that the County set aside certification of the Original FEIR and related Project approvals.

The purpose of the Recirculated DEIR is to provide analysis to address the CEQA issues identified by the Superior Court decision and provide compliance with CEQA for the reconsideration of the Bloomington Business Park Specific Plan Project.

The Recirculated FEIR includes the Recirculated DEIR dated October 2025, written comments on the Recirculated DEIR that were received during the public review period, written responses to those comments, and changes to the Recirculated DEIR. In conformance with CEQA and the CEQA Guidelines, San Bernardino County conducted an extensive environmental review of the Bloomington Business Park Specific Plan Project, including the following:

- Completion of the Notice of Preparation (NOP), which were released for an initial 30-day public review period from November 12, 2024, through December 12, 2024. The NOP was posted at the San Bernardino County Clerk office on November 12, 2024. The notice was mailed to reviewing agencies, interested parties, and to Bloomington residents and owners within 1,300 feet radius from the Specific Plan Area and a 700 feet radius from the Upzone Site. Copies of the Recirculated DEIR were made available for public review on the County's website at: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>. The NOP was made available for public review at County of San Bernardino Land Use Services Department, Planning Division, 385 North Arrowhead Avenue, San Bernardino, CA 92415; between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.
- Completion of a scoping process, in which the public was invited by the County to participate. The scoping meeting for the Recirculated DEIR was held on December 2, 2024, at 5:00 p.m. at Ayala Park Community Center, 17909 Marygold Avenue., Bloomington, CA 92316.
- Preparation of a Recirculated DEIR by the County, which was made available for a 45-day public review period (October 28, 2025, to December 11, 2025). The Recirculated DEIR consisted of the analysis of the Bloomington Business Park Specific Plan Project and appendices, including the NOP and responses to the NOP. The Notice of Availability (NOA) for the Recirculated DEIR was sent to all property owners and occupants within a 1,300 feet radius from the Specific Plan Area and a 700 feet radius from the Upzone Site, all persons, agencies and organizations on the interest list interested persons, posted to the State Clearinghouse website for distribution to public agencies, and published in the San Bernardino County Sun. The NOA was posted at the San Bernardino County Land Use Services Department's office on October 28, 2025. Copies of the Recirculated DEIR were made available for public review at San Bernardino County Land Use Services Department Office and it was available for download via the County's website at <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>.
- Preparation of a Recirculated FEIR, including the Comments and Responses to Comments on the Recirculated DEIR, occurred. The Recirculated FEIR/Response to Comments contains: comments on the Recirculated DEIR, responses to those comments, revisions to the Recirculated DEIR, and appended documents. The Recirculated FEIR

Response to Comments was released for a 10-day agency review period prior to the certification of the Recirculated FEIR on July 13, 2026.

- Public hearings were held for the proposed Project, including a Planning Commission hearing and a Board of Supervisors Hearing.
 - o A notice of the Planning Commission hearing for the Project was mailed on June 30, 2026 to all property owners of record within 1,300 feet radius from the Specific Plan Area and a 700 feet radius from the Upzone Site and all individuals that requested to be notified, and posted at the site and at the San Bernardino County Land Use Services Department's office, as required by established public hearing posting procedures. A notice of the Planning Commission hearing was also published in the San Bernardino County Sun on July 3, 2026.
 - o A notice of the Board of Supervisors hearing for the Project was mailed June 30, 2026 to all property owners of record within 1,300 feet radius from the Specific Plan Area and a 700 feet radius from the Upzone Site and all individuals that requested to be notified. A notice for the Board of Supervisors hearing was posted at the site and at the San Bernardino County Land Use Services Department's office as required by established public hearing posting procedures. Additionally, notice for the Board of Supervisors hearing was published in the San Bernardino County Sun on July 3, 2026.

For purposes of CEQA and these Findings, the Record of Proceedings for the proposed Project consists of the following documents and other evidence, at a minimum:

- NOP and all other public notices issued by the County in conjunction with the proposed Project;
- The Original Final EIR (includes Original Draft EIR) for the proposed Project;
- All written comments submitted by agencies and members of the public during the public review comment periods on the Original Draft EIR;
- All responses to written comments submitted by agencies and members of the public during the public review comment period on the Original Draft EIR;
- The reports and technical memoranda included or referenced in the Response to Comments of the Original Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Original Draft EIR and Original Final EIR;
- The Recirculated FEIR (includes Recirculated DEIR) for the proposed Project;
- All written comments submitted by agencies and members of the public during the public review comment periods on the Recirculated DEIR;
- All responses to written comments submitted by agencies and members of the public during the public review comment period on the Recirculated DEIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Response to Comments of the Recirculated FEIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Recirculated DEIR and Recirculated FEIR;

- The Ordinances and Resolutions adopted by the County in connection with the proposed Project, and all documents incorporated by reference therein;
- Matters of common knowledge to the County, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other material that constitute the record of proceedings on which these findings are based are located at the San Bernardino County Land Use Services Department Office at 385 North Arrowhead Avenue, 1st Floor, San Bernardino, CA 92415. The custodian for these documents is San Bernardino County. This information is provided in compliance with CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e).

4. FINDINGS FOR ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED NOT TO BE SIGNIFICANT

Based upon the Original DEIR prepared for the Project, the County determined that the Project would have no impact on the following environmental topic areas and that no further, detailed analysis of these topics was required in the Original DEIR:

- Mineral Resources
- Recreation
- Wildfire

The evidence in support of the finding that the Project will not have a significant impact on these environmental topic areas is set forth in the Original Draft EIR which is incorporated by reference.

For those environmental impacts that were analyzed in the Original and Recirculated DEIRs, the County determined, based upon the CEQA threshold criteria for significance, that the Project would have no impact or a less than significant impact to the following environmental topic areas, and that no mitigation measures were required. This determination is based upon the environmental analysis in the Original and Recirculated DEIRs; the comments received on the Original DEIR; and the Court's ruling. No substantial evidence was submitted to or identified by the County which indicated that the Project would result in a significant impact related to the following.

Aesthetics

Impact Finding AE-1: The Project would have a less than significant adverse effect on a scenic vista (Original Draft EIR Page 5.1-12).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: Two scenic resources exist within the Project area: the San Gabriel Mountains to the north and the Jurupa Hills to the south. However, the Project site is not located within the viewshed of these two scenic resources. There are no designated scenic

viewpoints near the Specific Plan Area and Upzone Site that provide unobstructed viewsheds of the San Bernardino and San Gabriel Mountains and Jurupa Hills. Distant views of the surrounding mountains and ridgelines are visible; however, they are fragmented by existing buildings, utility poles, trees, and other elements of the built environment. Therefore, Project implementation would not significantly affect scenic views of the San Bernardino and San Gabriel Mountains and Jurupa Hills. Impacts would be less than significant, and no mitigation would be required.

Impact Finding AE-2: The Project would not damage a Scenic Resource within a State Scenic Highway (Original Draft EIR Page 5.1-12).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The Project site is not located within the vicinity of a State Scenic Highway. No State- or county-designated scenic highways currently exist in Bloomington. The closest designated State Scenic Highway is a segment of Route 55, in Orange County, approximately 23 miles southwest of Bloomington. Therefore, Project implementation would not damage a scenic resource within a State Scenic Highway.

Impact Finding AE-3: The Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings and would not conflict with applicable zoning and other regulations governing scenic quality (Original Draft EIR Page 5.1-13).

Facts in Support of Findings:

Specific Plan Area: The existing visual character of the Project site is dominated by single-family residential properties, with traditional ranch and minimal traditional architectural styles of one to two stories in height. The change from existing residential uses to the proposed light industrial business park would change the character of the site. However, the change in character represented by the business park development would be consistent with the San Bernardino County Development Code's design guidelines that include standards related to building architecture, landscaping, infrastructure, and road system design standards. Original Draft EIR Table 5.1-1 shows that the Project would be consistent with the San Bernardino Countywide Plan policies that govern scenic quality. Also, Original Draft EIR Table 5.1-2 shows that the Project would be consistent with the Proposed Specific Plan design standards that regulate visual character. Therefore, impacts related to conflict with an aesthetics related policy would not occur.

Upzone Site: The existing visual character of the Upzone site consists of existing single-family residential uses. Project implementation would rezone the Upzone Site from low-density to multi-family residential. All future development would be required to comply with building and design standards provided in the San Bernardino County Development Code for multi-family residential uses in the Valley Region, as well as Countywide Plan policies. Therefore, the Project would not conflict with zoning and regulations, and impacts would be less than significant.

Impact Finding AE-4: The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (Original Draft EIR Page 5.1-21).

Facts in Support of Findings:

Construction

Specific Plan Area and Upzone Site: Limited, if any, nighttime lighting would be needed during Project construction. Chapter 83.07 of the San Bernardino County Development Code limits construction between the hours of 7 a.m. to 7 p.m. Monday to Saturday, with no construction activity permitted on Sundays and national holidays. Thus, most construction activity would occur during daytime hours during the week, and construction-related illumination would be used for limited safety and security purposes and would be required to be directed downward. In addition, construction of the Project would not include any materials that would generate offsite glare that could direct light to sensitive receptors. Therefore, impacts related to lighting and glare during construction would be less than significant.

Operations

Specific Plan Area: All development proposed within the Specific Plan Area would comply with its development standards (see Original Draft EIR Table 5.1-2); the San Bernardino County Development Code, which provide regulations and standards to minimize light pollution, glare, and light trespass, including Section 83.07.050, which provides standards for glare and outdoor lighting for new development in the Valley Region; and RR AE-2, which enforces adherence with the California Building Code, including provisions of the CalGreen Building Energy Efficiency Standards related to lighting. Mandatory compliance with these regulations would ensure that developments within the Specific Plan would not cause a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

Planning Area A, Opening Year Development – Options 1 and 2: The proposed development of three industrial warehouses and trailer parking lot would comply with the lighting specifications of the Specific Plan, RR AE-2, and San Bernardino County Development Code.

The proposed improvements in Planning Area A would include exterior security lighting throughout the sites. The lighting fixtures would be 35 feet tall and would be energy efficient, in compliance with California Building Code Title 24 requirements. The lights would be shielded and/or recessed so that glare and reflections are confined to each site's boundaries and directed downward and away from adjoining residential properties and public roadways. Once the final design and placement of the light sources are identified, as required by the Specific Plan, a photometric lighting plan will be prepared for each of the four development sites; the photometric lighting plan will project the illumination levels at the property lines of the surrounding light sensitive uses and public rights-of-way to ensure that the planned lighting will not exceed the five-tenths foot-candles limit at residential property lines. Once constructed and prior to the operation of each development, in accordance with Development Code Section 83.07.050, light measurements would be conducted to confirm that measured illumination at residential property lines and rights-of-way would be less than five-tenths foot-candles. Adjustments to the lamp and/or additional shields would be installed to ensure the Project meets development standards. Therefore, light and glare impacts would be less than significant.

Upzone Site: Development of the Upzone Site would comply with the San Bernardino County Development Code and RR AE-2. Accordingly, light and glare impacts would be less than significant.

Agriculture and Forestry

Impact Finding AG-1: The Project would convert California Resource Agency–designated prime farmland and farmland of statewide importance to non-agricultural use; however, impacts would not exceed the Land Evaluation and Site Assessment (LESA) Model threshold of significance (Original Draft EIR Page 5.2-8).

Facts in Support of Findings:

Specific Plan Area: The Specific Plan Area includes 0.04 acre of prime farmland and 23.55 acres of farmland of statewide importance (all mapped entirely within Planning Area A). However, this area is not considered actively productive agricultural lands pursuant to California Civil Code Section 3482.5(e). Further, the Countywide Plan Environmental Impact Report (CWP EIR) Impact 5.2-1 acknowledges growth in Bloomington and states that implementation of the Countywide Plan could convert up to 35 acres of mapped farmlands in Bloomington to nonagricultural land use. Project implementation would cause the conversion of 23.59 acres of mapped farmland and reduce the acreage of farmland in Bloomington to 11.4 acres. In accordance with Countywide Plan Policy NR-7.2 and Public Resources Code Section 21061.2, an agricultural resource evaluation was prepared for the Project. The evaluation found that the Project's conversion of the prime farmland and farmland of statewide importance to nonagricultural use is not considered significant. As the Project has complied with Policy NR-7.2 and the conversion of the site's farmlands to nonagricultural is not considered significant, Project impacts on the conversion of mapped farmlands to non-agricultural uses would be less than significant and no mitigation would be required.

Upzone Site: The Upzone Site does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the proposed Zoning Amendment and Policy Plan Amendment associated with the Upzone Site would not convert any farmland to non-agricultural use. No impact would occur.

Impact Finding AG-2: The Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract (Original Draft EIR Page 5.2-9).

Facts in Support of Findings:

Specific Plan Area: There is no Williamson Act contract on the site. The Project would amend the Specific Plan site's two land use zoning districts of RS-1-AA and RS-20M to Specific Plan (SP). This process would also remove the Agriculture Overlay districts that exist over the Specific Plan Project site. Removal of the AA Overlay would not constitute a conflict with the existing zoning as the AA Overlay exists only to supplement the primary, underlying residential zoning districts (RS-1 and RS-20M). Therefore, the Project would not result in conflict with existing zoning for agriculture use of a Williamson Act contract. No impact would occur, and no mitigation would be required.

Upzone Site: The site is not zoned for agricultural use, nor does it have an AA Overlay. Additionally, there is no Williamson Act contract on any parcel within the Project site. Therefore, implementation of the proposed Zoning Amendment and Policy Plan Amendment for the Upzone Site would not conflict with existing zoning for agricultural use or with a Williamson Act contract. No impact would occur, and no mitigation would be required.

Impact Finding AG-3: The Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned timberland production (Original Draft EIR Page 5.2-9).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: Neither the Specific Plan Area nor the Upzone Site are zoned for forest land, timberland, or timberland production, nor are either surrounded by forest land, timberland, or timberland production land. Therefore, the Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned timberland production.

Impact Finding AG-4: The Project would not result in the loss of forest land or conversion of forest land to a non-forest use (Original Draft EIR Page 5.2-10).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: Neither the Specific Plan Area nor the Upzone Site contain forest land as defined by Public Resources Code Section 12220(g). Therefore, the Project would have no impact related to the loss of forest land or the conversion of forest land to a non-forest use.

Impact Finding AG-5: The Project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use (Original Draft EIR Page 5.2-10).

Facts in Support of Findings:

Specific Plan Area: Project implementation would not facilitate the conversion of farmland within the Project vicinity to non-agricultural use. Additionally, there is no forest land within the vicinity of the Specific Plan Area. Therefore, the Project would not result in the conversion of farmland to a non-agricultural use or the conversion of forest land to non-forest use. Impacts would be less than significant.

Upzone Site: There is no farmland, agricultural uses, or forest land within or surrounding the Upzone Site. The proposed Zoning Amendment and Policy Plan Amendment associated with the Upzone Site would not involve other changes in the existing environment that could result in the conversion of farmland to agricultural use or conversion of forest land to non-forest use. No impacts would occur, and no mitigation is required.

Air Quality

Impact Finding AQ-4: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (Recirculated DEIR Page 5.3-66 to 67).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The proposed Project would implement industrial and residential development within the Project area. These land uses do not involve the types of uses that would emit objectionable odors affecting a substantial number of people. Residential development generates limited odors related to cleaning, repairing, and cooking, which are not substantial and do not affect a substantial number of people.

Odors generated by industrial land uses are generated from uses such as manufacturing facilities, paint/coating operations, refineries, chemical manufacturing, and food manufacturing facilities. At the current time the specific tenants and uses of the proposed industrial buildings is unknown. However, new tenants for these types of uses would be required to be reviewed through the County's permitting process.

During construction, emissions from construction equipment, architectural coatings, and paving activities may generate odors. However, these odors would be temporary, intermittent in nature, and would not affect a substantial number of people. The noxious odors would be confined to the immediate vicinity of the construction equipment. Also, the short-term construction-related odors would cease upon the drying or hardening of the odor-producing materials.

In addition, all Project-generated solid waste would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations and would not generate objectionable odors. Therefore, impacts associated with other operation- and construction-generated emissions, such as odors, would be less than significant.

Regulatory Requirements:

RR AIR-3: Construction activities in the South Coast Air Basin (SoCAB) will be conducted in compliance with any applicable South Coast Air Quality Management District (SCAQMD) rules and regulations, including but not limited to:

- Rules 201, 203, and 219, which regulate permits for installation and use of equipment that may generate air contaminants.
- Rule 402, Nuisance, which states that a project shall not "discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Additionally, Rule 415, Odors from Rendering Facilities, requires nuisance odor at rendering facilities be controlled.
- Rule 403, Fugitive Dust, for controlling fugitive dust and avoiding nuisance.
- Rule 1113, which limits the volatile organic compound content of architectural coatings.
- Rule 1186, for controlling fugitive dust from vehicular travel on paved and unpaved roads.
- Rule 1403, for minimizing asbestos emissions during building demolition.

- Regulation IX, Standards of Performance for New Stationary Sources (NSPS), and XXIII, New Source Review.
- Regulation XI, Source Specific Standards.
- Regulation XX, Regional Clean Air Incentives Market (RECLAIM).
- Regulation XVI, Mobile Source Offset Programs, and Regulation XXII, Mobile Source Emissions Reduction Programs (Rule 2202).

Biological Resources:

Impact Finding BIO-6: The Project would not conflict with the provisions or an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan (Original Draft EIR Page 5.4-23).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The Specific Plan Area, offsite infrastructure areas, and Upzone Site overlap with the proposed Upper Santa Ana River Habitat Conservation Plan. However, neither the Specific Plan Area nor the Upzone Site are encompassed in the projects/facilities identified in the Habitat Conservation Plan as targeted conservation areas or future development areas. There are no other habitat-related plans that overlap with the Project. As such, the Project would not conflict with Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plan, and impacts would be less than significant.

Cultural Resources

Impact Finding CUL-3: The Project would not disturb any human remains, including those interred outside of formal cemeteries (Original Draft EIR Page 5.5-12).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: No known burial grounds, graveyards, or dedicated cemeteries exist within the Specific Plan Area or Upzone Site. However, it is possible that human remains are buried outside of formal cemeteries and may be discovered through ground disturbance related to construction activities. Should human remains be unearthed during grading and excavation activities, the Project would be required to comply with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5, which provide guidance on the discovery of human remains and its treatment or disposition, with appropriate dignity. Through mandatory compliance with these required regulations, included in CWP EIR as RR CUL-5, potential significant impacts to undiscovered human remains would be less than significant (see Original Draft EIR Page 5.5-13 noting regulatory requirements).

Regulatory Requirements:

RR CUL-2: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

RR CUL-5: If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (California Health and Safety Code Section 7050.5).

Geology and Soils

Impact Finding GEO-1i: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Original Draft EIR Page 5.7-15).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: The Specific Plan Area and Upzone Site are not within an Alquist-Priolo Earthquake Fault Zone, and there are no known active faults within 500 feet of either site. The nearest active fault zone is the San Bernardino Section of the San Jacinto Fault Zone, which is 3.7 miles northeast from the Specific Plan Area and 3 miles northeast from the Upzone Site. Since no known faults exist within a mile of the Specific Plan Area and Upzone Site, and the sites are not located within an Alquist-Priolo Earthquake Fault Zone, impacts related to rupture of a known earthquake fault would not occur.

Impact Finding GEO-1ii: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking (Original Draft EIR Page 5.7-15).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: The Specific Plan Area and Upzone Site are within a seismically active region, with numerous faults capable of producing significant ground motions. Developments of the Specific Plan Area and Upzone Site would be required to adhere to the provisions of the California Building Code (CBC) as part of the building plan check and development review process. Compliance with the requirements of the CBC for structural safety would reduce hazards from strong ground shaking. Because the Project would be required to be constructed in compliance with the CBC and the County Development Code, which would be verified through the County's plan check and permitting process and is included as RR GEO-1, the Project would result in a less than significant impact related to strong seismic ground shaking.

Impact Finding GEO-1iii: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction (Original Draft EIR Page 5.7-16).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: According to the Countywide Plan, neither the Specific Plan Area nor the Upzone Site is in a liquefaction hazard area. Geotechnical Investigations completed for the Specific Plan Area confirmed this; additionally, none of the borings

conducted for the geotechnical investigations encountered ground water. All development within the Specific Plan Area and Upzone Site are required to be designed and constructed in compliance with the CBC, pursuant to the County Development Code as Chapter 15.04 (RR GEO-1). Compliance with the CBC, as included as RR GEO-1, would require proper construction of building footings and foundations so that structures would withstand the effects of potential ground movement, including liquefaction and settlement. Therefore, impacts from seismic-related ground failure, including liquefaction and settlement at both the Specific Plan Area and Upzone Site would be less than significant level.

Impact Finding GEO-2: The Project would not result in substantial soil erosion or the loss of topsoil (Original Draft EIR Page 5.7-17).

Facts in Support of Finding:

Specific Plan Area and Upzone Site:

Construction

All projects in the County are required to conform to the permit requirements, which requires preparation of a Stormwater Pollution Prevention Plan (SWPPP), prepared in compliance with the National Pollutant Discharge Elimination System (NPDES) permit. The SWPPP will identify potential sources of erosion and sedimentation loss of topsoil during construction, identify erosion control best management practices (BMPs) to reduce or eliminate the erosion and loss of topsoil, such as use of silt fencing, fiber rolls, or gravel bags, stabilized construction entrance/exit, hydroseeding. Additionally, construction would comply with South Coast Air Quality Management District (SCAQMD) Rule 403, which would further limit the loss of topsoil during construction activities. With compliance with the County Development Code, Regional Water Quality Control Board (RWQCB) requirements, and the BMPs in the SWPPP, potential construction impacts related to erosion and loss of topsoil at the Specific Plan Area and Upzone Site would be less than significant.

Operations

The proposed Project includes installation of landscaping, such that during operation of the Project substantial areas of loose topsoil that could erode would not exist. Onsite drainage features that would be installed by the Project have been designed to slow, filter, and slowly discharge stormwater into the offsite drainage system. Implementation of the Project requires County approval of a Water Quality Management Plan (WQMP), which would ensure that the County's Development Code, RWQCB requirements, and appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. As a result, potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

Impact Finding GEO-4: The Project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial risks to life or property (Original Draft EIR Page 5.7-19).

Facts in Support of Finding:

Specific Plan Area: The Specific Plan Area is underlain by silty sands with no appreciable clay content. The onsite materials have a low to non-expansive index. Therefore, no impacts related to expansive soils would occur.

Upzone Site: Future development within the Upzone Site would comply with CWP EIR RR GEO-1 to determine expansive soil potential and, if warranted, soils would be mitigated to standards established by CBC regulations. Therefore, potential impacts related to unstable expansive soils within the Upzone Site would be less than significant.

Impact Finding GEO-5: The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (Original Draft EIR Page 5.7-19).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: Development at the Specific Plan Area and Upzone Site would be connected to existing sewer infrastructure in the surrounding roadways and would not require use of septic tanks or alternative methods for disposal of wastewater into subsurface soils. Therefore, impacts related to septic tanks or alternative wastewater disposal methods would not occur.

Regulatory Requirements:

RR GEO-1: San Bernardino County Development Code: Building Code. The Project will be designed and constructed in accordance with the San Bernardino County Development Code, which adopts the California Building Code (CBC) and California Residential Code (CRC), which are based on the International Building Code (IBC). New construction, alteration, or rehabilitation shall comply with applicable ordinances set forth by the County and/or by the most recent County building and seismic codes in effect at the time of Project design. In accordance with County Development Code Title 8, Chapter 87.08, a geotechnical investigation is required that must evaluate soil classification, site geology, slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on soil-bearing capacity, compressibility, liquefaction, and expansiveness, as necessary, determined by the County Building Official. The geotechnical investigation must be prepared by registered professionals (i.e., California Professional Civil Engineer and as necessary a Professional Engineering Geologist). Recommendations of the report, as they pertain to structural design and construction recommendations for earthwork, grading, slopes, foundations, pavements, and other necessary geologic and seismic considerations, must be incorporated into the design and construction of the Project.

RR WQ-1, NPDES/SWPPP, as listed below.

RR WQ-2, WQMP, as listed below.

Hazards and Hazardous Materials

Impact Finding HAZ-1: The Project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials (Original Draft EIR Page 5.9-16).

Facts in Support of Finding:

Specific Plan Area & Upzone Site:

Construction

Construction of the Specific Plan Area and the Upzone site will require the use of heavy construction equipment (e.g., dozers, excavators, tractors) that would be fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid. These substances are considered hazardous if improperly stored, handled, or transported. Additionally, other routine materials such as paints, adhesives, and solvents, could also result in accidental releases or spills that could pose risks to people and the environment.

Construction contractors would be required to comply with federal, state, and local laws and regulations regarding the transport, use, and storage of the hazardous materials. Applicable laws and regulations include CCR, Title 8 Section 1529 (pertaining to asbestos-containing material [ACM]) and Section 1532.1 (pertaining to lead based paint [LBP]); CFR, Title 40, Part 61, Subpart M (pertaining to ACM); CCR, Title 23, Chapter 16 (pertaining to underground storage tanks [UST]); Code of Federal Regulations (CFR), Title 29 - Hazardous Waste Control Act; CFR, Title 49, Chapter I; and Hazardous Materials Transportation Act requirements as imposed by the United States Department of Transportation (USDOT), California Division of Occupational Safety and Health (CalOSHA), California Environmental Protection Agency (CalEPA) and Department of Toxic Substances control (DTSC). Additionally, construction activities would require a Stormwater Pollution Prevention Plan (SWPPP), which is mandated by the National Pollution Discharge Elimination System General Construction Permit (included in the Original Draft EIR as RR HYD-1) and enforced by the Santa Ana RWQCB.

Mandatory compliance with applicable laws and regulations related to the routine transport, use, and disposal of hazardous materials during construction activities at the Specific Plan Area and Upzone Site would limit potentially significant hazards to construction workers, the public, and the environment. Impacts would be less than significant.

Operations

Specific Plan Area: The Specific Plan Area would be developed with light industrial uses, including professional office, warehousing, processing, and light manufacturing. Depending on the type of business, operations would require the use of various types and quantities of hazardous materials, including lubricants, solvents, cleaning agents, wastes, paints and related wastes, petroleum, wastewater, batteries, (lead acid, nickel cadmium, nickel, iron, carbonate), scrap metal, and used tires. These hazardous materials would be used, stored, and disposed of in accordance with applicable regulations and standards (such as CFR, Title 49, Chapter I; CCR, Title 8; CFR, Title 40, Part 263; and San Bernardino County Code Sections 23.0602 and 23.0107) that are enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and San Bernardino County.

Under California Health and Safety Code Section 25531 et seq., CalEPA requires businesses operating with a regulated substance that exceeds a specified threshold quantity to register with a managing local agency, known as the Certified Unified Program Agency (CUPA). In San Bernardino County, the County Fire Department is the CUPA. If the operations of future tenants of the proposed warehouse facilities exceed established thresholds, CUPA permits will be required. The County requires businesses subject to any of the CUPA permits to file a Business Emergency/Contingency Plan. Additionally, businesses would be required to provide workers with training on the safe use, handling, and storage of hazardous materials.

Businesses would be required to maintain equipment and supplies for containing and cleaning up spills of hazardous materials that can be safely contained and cleaned by onsite workers and to immediately notify emergency response agencies in the event of a hazardous materials release that cannot be safely contained and cleaned up by onsite personnel. The compliance with existing laws and regulations governing hazard and hazardous materials would reduce potential impacts related the routine transport, use, and disposal of the hazardous materials to less than significant.

Upzone Site: The Upzone Site would not include manufacturing and industrial land uses or use of large amounts of hazardous materials, therefore, impacts related to the transport, disposal, or release of hazardous materials would be less than significant.

Impact Finding HAZ-3: The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within 0.25 mile of an existing or proposed school (Original Draft EIR Page 5.9-27).

Facts in Support of Finding:

Specific Plan Area: There are three schools within one-quarter mile of the Specific Plan Area: Walter Zimmerman Elementary School, Ruth O. Harris Middle School, and Bloomington High School.

Construction: As discussed in Impact HAZ-1, use of the hazardous materials would be regulated by the DTSC, EPA, California Occupational Safety & Health Administration, and the San Bernardino County Fire Department (SBCFD) Hazardous Materials Division. Additionally, as discussed in Original Draft EIR Section 5.3, *Air Quality* (as supplemented by the Recirculated FEIR), construction-related emissions would be regulated by SCAQMD Rules 401 and 403. Furthermore, to the extent possible, construction vehicles accessing the sites would use truck routes away from the schools. Therefore, potential construction-related impacts at the schools caused by hazardous emissions and materials would be less than significant.

Operations: The future building occupants of the industrial business park are not yet identified. Any business that handles, stores, transports, or disposes of substantial amounts or acute hazardous materials would be required to comply with CUPA permitting requirements and create a business Emergency/Contingency Plan that addresses the safe handling, storage, and disposal of hazardous materials and actions that can be taken in the event of hazardous materials spills, releases and emergencies. Compliance with existing regulations related to hazardous materials would reduce the potential of Project operations to pose a hazard to nearby schools to a less than significant level.

Upzone Site: There are two schools within one-quarter mile of the Upzone Site: Mary B. Lewis Elementary School and Gerald A. Smith Elementary School. Rezoning of the Upzone Site would allow the development of up to 480 dwelling units on the site, which is directly across Locus Avenue from Mary B. Lewis Elementary School. Schools and residential uses are compatible land uses. Residential development uses indoor cleaning products along with the occasional use of pesticides and herbicides for landscape maintenance. Thus, as the presence and onsite storage of these materials are common for residential uses and would not be stored in substantial quantities (quantities required to be reported to a regulatory agency), impacts in this regard to the Upzone Site would be less than significant.

Impact Finding HAZ-4: The Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment (Original Draft EIR Page 5.9-28).

Facts in Support of Finding:

Specific Plan Area: According to the Phase 1 Environmental Site Assessments (ESAs), 16 hazardous materials sites were identified within the vicinity of the Specific Plan Area. One of the 16 sites was identified to have a Historic Recognized Environmental Condition (HREC). The property at 18110 Rose Avenue, located within the development footprint of the Opening Year Development – Option 1, had contaminated soils removed in 1995, under the oversight of the SBCFD. As contaminated soils have been removed, potential impacts related to this property's listing on Government Code Section 65962.5 are less than significant. The other listed properties previously handled and/or currently handle hazardous materials; however, these properties had no reported violations or complaints. Therefore, the Phase 1 ESAs determined that these other properties were compliant and not a concern related to the proposed industrial development. Therefore, potential hazards and impacts related to the development of the properties on or adjacent to the Specific Plan Area that are listed on databases prepared pursuant to Government Code Section 65962.5 are less than significant.

Future Development Area – Specific Plan Buildout: The Phase 1 ESAs and Desktop Review did not identify any properties within or adjacent to the development area listed on a database pursuant to Government Code Section 65962.5. All future development within the Specific Plan Area would be required to implement RR HAZ-1 through RR HAZ-6 to address potential environmental conditions prior to their development. Therefore, with implementation of regulatory requirements, impacts would be less than significant.

Upzone Site: The Upzone Site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Notwithstanding, future development within the Specific Plan Area would be required to implement RR HAZ-1 through RR HAZ-6 to address potential environmental conditions prior to their development. Therefore, with implementation of regulatory requirements, impacts would be less than significant.

Impact Finding HAZ-5: The Project would not result in a safety hazard or excessive noise for people residing or working in the project area for a project located within an airport land use plan, or where such a plan has not been adopted, be within two miles of a public airport or public use airport (Original Draft EIR Page 5.9-31).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: The Specific Plan Area and Upzone Site are approximately 10 miles east and 12 miles northeast of the Ontario International Airport, respectively. According to the Ontario International Airport Land Use Compatibility Plan, both sites are outside of the 60-65 dBA CNEL noise contour and would not be subject to excessive noise levels due to operations at the Ontario International Airport. The sites are also outside of the established airport safety zones. Thus, Specific Plan buildout would not result in a safety hazard or excessive noise for people residing or working in the area. As such, no impact would occur.

Impact Finding HAZ-6: The Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan (Original Draft EIR Page 5.9-31).

Facts in Support of Finding:

Specific Plan Area & Upzone Site:

Construction

Construction activities associated with the Specific Plan Area and Upzone Site that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the safe passage of persons and vehicles during required temporary road restrictions. In accordance with Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), prior to any activity that would encroach into a right-of-way, the area of encroachment must be safeguarded through the installation of safety devices to ensure that construction activities would not physically interfere with emergency access or evacuation. Compliance with Section 503 of the California Fire Code would be specified by the County's Building and Safety Division during the construction permitting process. As such, construction of the Specific Plan Area and future construction within the Upzone Site would not block County-designated evacuation routes along Valley Boulevard, Slover Avenue, and the San Bernardino Freeway (I-10). The Project would not interfere with operation of the County Emergency Operations Center and would not interfere with operations of emergency response agencies or with coordination and cooperation between such agencies. Therefore, implementation of the Project through the County's permitting process would reduce potential construction related physical interference impacts to emergency access to a less than significant level.

Operations

The Project would include vehicular access to the Specific Plan Area from surrounding roadways including Santa Ana Avenue, Locust Avenue, Alder Avenue, Jurupa Avenue, and Linden Avenue. As described in Section 5.13, *Transportation*, these driveways and roadways would provide adequate and safe circulation to, from, and through the Business Park Site and would provide a variety of routes for emergency responders to access the site and surrounding areas. Additionally, in order to limit truck traffic into the community north of the Specific Plan Area and allow access to the area from emergency responders, Project truck routes would be limited to south of Site 4 on Laurel Avenue, south of Sites 2 and 3 on Locust Avenue, south of Site 2 on Maple Avenue, Jurupa Avenue, and Cedar Avenue.

At the Upzone Site, primary vehicle access would likely be provided from Locust Avenue, San Bernardino Avenue, and Hawthorne Avenue. Development would comply with County Development Code standards, which will require design and construction specifications to allow adequate emergency access to the site and ensure that roadway improvements would meet public safety requirements. Furthermore, drivers are expected to comply with all state driving laws, roadway signage, as well as restrictions related to vehicle stopping and parking. Therefore, the Project would not impair implementation or interfere with adopted emergency response or evacuation plans. Impacts would be less than significant.

Impact Finding HAZ-7: The Project would not expose people or structures either directly or indirectly to a significant risk of loss, injury, or death involving wildland fires (Original Draft EIR Page 5.9-32).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The Specific Plan Area and Upzone Site are in developed areas that are not within identified wildland fire hazard areas or areas where residences are intermixed with wildlands. Nonetheless, Project implementation would require adherence to the following chapters of the County Development Code to reduce potential fire hazards: Chapter 63.01 Uniform Building Code, Chapter 63.04 Uniform Mechanical Code, Chapter 63.02 National Electric Code, and Chapter 23.01 San Bernardino Fire Code. The Project would also be required to comply with guidelines from the SBCFD related to fire prevention and subject to review during the plan check process by the County's Building Division. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death from wildfires, and impacts would be less than significant.

Regulatory Requirements:

RR HAZ 1: Transportation of Hazardous Waste. Hazardous materials and hazardous wastes will be transported to and/or from the projects developed under the Countywide Plan in compliance with any applicable state and federal requirements, including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (CFR) (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards.

RR HAZ-2: Resource Conservation and Recovery Act. Hazardous waste generation, transportation, treatment, storage, and disposal will be conducted in compliance with the Subtitle C of the Resource Conservation and Recovery Act (RCRA) (Code of Federal Regulations, Title 40, Part 263), including the management of nonhazardous solid wastes and underground tanks storing petroleum and other hazardous substances. The San Bernardino County Fire Protection District serves as the designated Certified Unified Program Agency (CUPA) and which implements state and federal regulations for the following programs: (1) Hazardous Materials Release Response Plans and Inventory Program, (2) California Accidental Release Prevention (CalARP) Program, (3) Aboveground Petroleum Storage Act Program, and (4) UST Program (5) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs (6) Hazardous Materials Management Plan and Hazardous Material Inventory Statement Program.

RR HAZ-3: California UST Regulations. Underground storage tank (UST) repairs and/or removals will be conducted in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations). Any unauthorized release of hazardous materials will require release reporting, initial abatement, and corrective actions that will be completed with oversight from the Regional Water Quality Control Board, Department of Toxic Substances Control, San Bernardino County Fire Protection District, South Coast Air Quality Management District, and/or other regulatory agencies, as necessary. Use of existing USTs will also have to be conducted (i.e., used, maintained and monitored) in accordance with the California UST Regulations (Title 23, Chapter 16 of the California Code of Regulations).

RR HAZ-4: ACMs and LBPs: Demolition activities that have the potential to expose construction workers and/or the public to asbestos-containing materials (ACMs) or lead-based paint (LBP) will be conducted in accordance with applicable regulations, including, but not limited to:

- South Coast Air Quality Management District's Rule 1403
- California Health and Safety Code (Section 39650 et seq.)
- California Code of Regulations (Title 8, Section 1529)

- California Occupational Safety and Health Administration regulations (California Code of Regulations, Title 8, Section 1529 [Asbestos] and Section 1532.1 [Lead])
- Code of Federal Regulations (Title 40, Part 61 [asbestos], Title 40, Part 763 [asbestos], and Title 29, Part 1926 [asbestos and lead])

RR HAZ-5: Removal of Hazardous Materials. The removal of hazardous materials, such as polychlorinated biphenyls (PCBs), mercury-containing light ballast, and mold, will be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs), 40 CFR 273 (mercury-containing light ballast), and 29 CFR 1926 (molds) by workers with the hazardous waste operations and emergency response (HAZWOPER) training, as outlined in 29 CFR 1910.120 and 8 CCR 5192.

RR HAZ-6: California Code of Regulations (Title 8, Section 1541): New construction, excavations, and/or new utility lines within 10 feet or crossing existing high-pressure pipelines, natural gas/petroleum pipelines, or electrical lines greater than 60,000 volts will be designed and constructed in accordance with the California Code of Regulations (Title 8, Section 1541).

RR HYD-1: as listed below.

Hydrology and Water Quality

Impact Finding WQ-1: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Original Draft EIR Page 5.10-9).

Facts in Support of Finding:

Construction

Specific Plan Area and Upzone Site: Pollutants of concern during construction activities generally include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. In addition, chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction, which would have the potential to be transported via storm runoff into nearby receiving waters and eventually may affect surface or groundwater quality. During construction activities, excavated soil would be exposed, thereby increasing the potential for soil erosion and sedimentation to occur compared to existing conditions. In addition, during construction, vehicles and equipment are prone to tracking soil and/or spoil from work areas to paved roadways, which is another form of erosion that could affect water quality.

However, the use of BMPs during construction implemented as part of a SWPPP as required by the San Bernardino County Stormwater Program and the MS4 permit would serve to ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant. All future development of the Upzone Site and Specific Plan would require project-specific BMPs and a SWPPP as well, which are implemented as part of the County's construction permitting process.

Mandatory compliance with the SWPPP, included as RR WQ-1, would ensure that the Project's implementation does not violate any water quality standards or waste discharge

requirements during construction activities. Plans for grading, drainage, erosion control and water quality would be reviewed by the County's Public Works Department prior to issuance of grading permits to ensure that the applicable and required BMPs are constructed during implementation of the Project.

Therefore, compliance with the San Bernardino County Development Code and Stormwater Program, MS4 permit, and other applicable requirements, which would be verified during the County's construction permitting process, would ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant.

Operation

Opening Year Development – Option 1: Operation of the proposed business park and industrial uses would increase impermeable surfaces that would result in an increase in the volume of surface runoff and potential pollutants from vehicles. Operation of the proposed land uses could generate pollutants including trash, debris, oil residue, and other residue that could be deposited on streets, sidewalks, driveways, paved areas, and other surfaces and wash into receiving waters. The pollutants of concern that could be released include bacteria, nutrients, oil and grease, metals, organics, and pesticides.

Pursuant to the requirements of the County's NPDES Permit, the Project would be required to implement a Water Quality Management Plan (WQMP) (included in Chapter 83.15 of the County's Code) and included as RR WQ-2, which is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long term conditions via BMPs.

Construction activities related to installation of onsite stormwater drainage that would serve the proposed Opening Year Development – Option 1, were evaluated as part of the Project, and would not result in any physical environmental effects beyond those identified throughout the Original Draft EIR. Adherence to the existing regulations as implemented by the County's Code and included as RR WQ-2, would ensure that Opening Year Option 1 impacts related to degradation of water quality from operational activities would be less than significant.

Opening Year Development – Option 2: Drainage improvements under Opening Year Option 2 would be consistent with proposed storm drain infrastructure to be constructed under Opening Year Option 1. Additionally, impacts under Opening Year Option 2 would be consistent with the impacts discussed above under Opening Year Option 1; however, Opening Year Option 2 would result in slightly greater impervious surface area than proposed under Opening Year Option 1. Under the Opening Year Option 2, proposed development would be required to meet the specifications of the County's NPDES Permit and the Project would be required to implement a WQMP pursuant to Chapter 83.15 of the County's Code and included as RR WQ-2. Post construction BMP and LID included in the WQMP would avoid potential quality degradation of receiving waters resulting from proposed development. Plans for grading, drainage, erosion control and water quality would be reviewed by the County's Public Works Department prior to issuance of grading permits to ensure that the applicable and required LID BMPs are constructed during implementation.

Adherence to the existing regulations as implemented by the County's Code would ensure that Opening Year Option 2 impacts related to degradation of water quality from operational activities would be less than significant.

Future Development Area – Specific Plan Buildout: Proposed development of the Future Development Area scenario, existing and future proposed development would be required to meet the specifications of the County's NPDES Permit and the Project would be required to implement a WQMP pursuant to Chapter 83.15 of the County's Code and included as RR WQ-2. Post construction BMP and LID included in the WQMP would avoid potential quality degradation of receiving waters resulting from proposed development. Plans for grading, drainage, erosion control and water quality would be reviewed by the County's Public Works Department prior to issuance of grading permits to ensure that the applicable and required LID BMPs are constructed during implementation. Adherence to the existing regulations as implemented by the Specific Plan, County's Code, and NPDES permit would ensure that Specific Plan Buildout impacts related to degradation of water quality from operational activities would be less than significant.

Upzone Site: Long-term impacts of operation on the Upzone Site would involve those relative to residential development rather than industrial development. However, no physical changes would occur on the Upzone Site with implementation of the proposed Project. Future development of the Upzone Site would be required to comply with the provisions of Chapter 83.15 of the County's Code. A site-specific WQMP (included as RR WQ-2) would be required to be prepared and implemented for future development of the Upzone Site at such time that development is proposed for the Upzone Site, in order to address potential impacts relative to construction related and operational water quality standards and waste discharge requirements. As such, impacts would be less than significant.

Impact Finding WQ-2: The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the Basin (Original Draft EIR Page 5.10-14).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: As detailed in Original Draft EIR Section 5.17, Utilities and Service Systems, West Valley Water District's water supply would be sufficient during both normal years and multiple dry year conditions between 2020 and 2040 to meet all of the District's estimated needs, including the proposed Project. Therefore, the Project would not result in changes to the projected groundwater pumping that would decrease groundwater supplies. Thus, impacts related to groundwater supplies would be less than significant.

Additionally, compliance with the MS4 permit requirements, the County's Code, and other applicable requirements implemented through the WQMP, which would be verified during the Project permitting process, would ensure that Project impacts related to groundwater depletion and recharge would be less than significant.

Impact Finding WQ-3: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site (Original Draft EIR Page 5.10-17).

Facts in Support of Finding:

Construction

Specific Plan Area and Upzone Site: The existing NPDES Construction General Permit, as included in the County's Code as Chapter 35.01, and RR WQ-1, requires preparation and

implementation of a SWPPP by a Qualified SWPPP Developer for construction activities that disturb 1-acre or more of soils. The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities to a less than significant level.

Operation

Opening Year Development – Option 1: Opening Year Option 1 would maintain the existing drainage pattern on the site and the onsite storm drain system has been sized to adequately accommodate the stormwater flows from the Specific Plan Area. Runoff would be conveyed via incorporation of onsite BMPs, sized to capture and mitigate the WQMP volume of site stormwater. Onsite BMPs would be sized to capture and infiltrate the calculated WQMP volume of site storm water. Further, the BMPs identified in the WQMPs would reduce the potential for erosion and siltation.

Opening Year Development – Option 2: Operation of the Opening Year Option 2 would be consistent with impacts described under Opening Year – Option 1. Proposed drainage would be designed to accommodate flows from the entire Specific Plan Area. Under the Opening Year Option 2, proposed development would be required to meet the specifications of the County's NPDES Permit and the Project would be required to implement a WQMP pursuant to Chapter 83.15 of the County's Code, as included as RR WQ-2. Further, the BMPs identified in the WQMP would reduce potentially significant impacts related to stormwater runoff to downstream water bodies.

Future Development Area – Specific Plan Buildout: Under the Specific Plan Buildout scenario, proposed development would be required to meet the specifications of the County's NPDES Permit, and the Applicant would be required to implement a WQMP pursuant to Chapter 83.15 of the County's Code. Further, the BMPs identified in the WQMP would reduce potentially significant impacts related to stormwater runoff. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the County's Department of Public Works to ensure that it limits the potential for erosion and siltation. Adherence to the existing regulations would ensure that Specific Plan Buildout impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

Upzone Site: Pursuant to Chapter 83.15 of the County's Code, a site-specific WQMP would be required to be prepared and implemented for future development of the Upzone Site in order to meet requirements related to on- or off-site erosion and siltation. Therefore, adherence to the existing regulations would ensure that Upzone Site impacts related to alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

Impact Finding WQ-4: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (Original Draft EIR Page 6.10-19).

Facts in Support of Finding:

Construction

Specific Plan Area and Upzone Site: As described previously, implementation of the Project requires a SWPPP (included as RR WQ-1) that would address site specific drainage issues related to construction of the Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. This includes regular monitoring and visual inspections during construction activities. Compliance with the County's NPDES Permit and a SWPPP, as verified by the County through the construction permitting process, would prevent construction-related impacts related to potential alteration of a drainage pattern or flooding on or off-site from development activities. Therefore, impacts would be less than significant.

Operation

Opening Year Development – Option 1: The Proposed development would result in an increase in impervious surfaces. As a result, the Project would increase surface flows compared to existing conditions. Installation of new storm water drainage facilities, including biofiltration basins, subsurface infiltration basins, pervious landscaped areas, and new storm drains would be installed by the Opening Year Option 1. The proposed drainage system would collect onsite flows via a series of subsurface storm drains and sheet flows within pre-treatment drainage basins. These drainage basins would then drain into the subsurface basins which would slow and filter the runoff before its discharge through new storm drain connections to the improved roadway drainage infrastructure (see Original Draft EIR Page 5.10-20).

As detailed in the Preliminary WQMPs (Appendix I to the Original Draft EIR), the proposed onsite drainage infrastructure has capacity to retain well over 100 percent of the WQMP Design Capture Volume flow emanating from each drainage management area. In addition, landscaped areas would accept runoff water from impervious surfaces. The drainage facilities proposed for the Specific Plan Area have been sized to be consistent with the County MS4 permit requirements, the County's Development Code, and County's Master Plans of Drainage and Comprehensive Storm Drain Plan objectives. Thus, implementation of the Opening Year Option 1 would not substantially increase the rate or amount of surface runoff, such that flooding would occur. Impacts would be less than significant.

Opening Year Development – Option 2: Operation of the Opening Year Option 2 would be consistent with impacts described under Opening Year Option 1. Proposed drainage has been designed to accommodate flows from the entire Specific Plan Area. Under the Opening Year Option 2, proposed development would be required to meet the specifications of the County's NPDES Permit and the Project would be required to implement a WQMP pursuant to Chapter 83.15 of the County's Code and included as RR WQ-2. The WQMP would include infiltration BMPs and LID consistent with MS4 permit requirements. LID infiltration BMPs would be used to capture, retain and infiltrate the calculated WQMP volume of site storm water. Thus, development in accordance with the Opening Year Option 2 would not substantially increase the rate or amount of surface runoff, such that flooding would occur.

Future Development Area – Specific Plan Buildout: Under the Specific Plan Buildout scenario, proposed development would be required to meet the specifications of the County's NPDES Permit and the Project would be required to implement a WQMP pursuant to Chapter 83.15 of the County's Code, and RR WQ-2. The WQMP would include infiltration BMPs and LID consistent with MS4 permit requirements. LID infiltration BMPs would be used to capture, infiltrate, or filter the 85th percentile of a 24-hour precipitation event. Thus, development in

accordance with the Specific Plan Buildout would not substantially increase the rate or amount of surface runoff, such that flooding would occur. Impacts would be less than significant.

Upzone Site: Pursuant to Chapter 83.15 of the County's Code, a site-specific WQMP would be required to be prepared and implemented for future development of the Upzone Site at such time that development is proposed. Similar to the discussion above, new development of the Upzone Site would require consistency with MS4 permit requirements that LID infiltration BMPs be used to capture, retain and infiltrate the calculated WQMP volume of site storm water. Thus, operational impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant.

Impact Finding WQ-5: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (Original Draft EIR Page 5.10-21).

Facts in Support of Finding:

Specific Plan Area: Development under all proposed Project scenarios includes installation of a subsurface storm drain system that would capture runoff from impervious areas and drain it into one of onsite infiltration basins that have been designed to accommodate the anticipated runoff from the Specific Plan Area. As discussed previously, the Project would be required to prepare a WQMP pursuant to Chapter 35.01 of the County Code. WQMPs are required to include BMPs for source control, pollution prevention, site design, and structural treatment control. As part of the permitting approval process, construction plans would be required to demonstrate compliance with these regulations to minimize the potential of the Project to result in a degradation of water quality. Plans for grading, drainage, erosion control and water quality would be reviewed by the County's Public Works Department prior to issuance of grading permits to ensure that the applicable and required LID BMPs are constructed during implementation of the Project. Overall, adherence to the existing regulations, as implemented by the County Code, would ensure that Project impacts related to storm water drainage and polluted runoff would be less than significant.

Upzone Site: Pursuant to Chapter 83.15 of the County's Development Code, a site-specific WQMP would be required to be prepared and implemented for future development of the Upzone Site at such time that development is proposed for the Upzone Site, in order to address potential impacts relative existing or planned stormwater drainage system capacity. Overall, adherence to the existing regulations as implemented by the County Code would ensure that Upzone Site operational impacts related to storm water drainage and polluted runoff would be less than significant.

Impact Finding WQ-6: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows (Original Draft EIR Page 5.10-22).

Facts in Support of Finding:

Specific Plan Area: The proposed Project would develop the site with approximately 4,370,037 square feet of net new impervious surfaces, resulting in a substantial increase of

imperviousness. Proposed surface and subsurface infiltration basins would regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. The drainage facilities proposed for the Project have been sized to adequately accommodate the stormwater flows from the proposed development and are consistent with the County drainage plans and MS4 permit requirements. Thus, although the proposed Project would result in a substantial increase in impervious surfaces on the site, the proposed drainage infrastructure would maintain the existing drainage pattern and accommodate flows, such that storm flows would not be impeded or redirected. Therefore, impacts would be less than significant

Upzone Site: Pursuant to Chapter 83.15 of the County's Development Code, a site-specific WQMP would be required to be prepared and implemented for future development of the Upzone Site at such time that development is proposed to ensure MS4 permit requirements are met. Overall, implementation of a WQMP through the County's permitting approval process would ensure that Upzone Site operational impacts related to alteration of a drainage pattern or flooding from operational activities would be less than significant.

Impact Finding WQ-7: The Project would not be located in flood hazard, tsunami, or seiche zones, and risk release of pollutants due to Project inundation (Original Draft EIR Page 5.10-23).

Facts in Support of Finding:

Specific Plan Area and Upzone Site: Both the Specific Plan Area and Upzone Site are located in Flood Zone X, which is identified as an area outside the 100-year and 500-year flood plains. Thus, the Project is not located within a flood hazard zone. Additionally, the Project is located inland and not located in a coastal zone, therefore risk of tsunami would not impact the Project. The Specific Plan Area and Upzone Site do not contain and are not adjacent to any water bodies that could seiche. The nearest body of water is Santa Ana River, approximately three miles to the southwest, which is not a contained body of water with seiche potential. Therefore, the Project would result in no impacts related to seiche.

Impact Finding WQ-8: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Original Draft EIR Page 5.10-23).

Facts in Support of Finding: The Project area is located within the Santa Ana RWQCB's jurisdiction and the Chino Basin, which is governed by the Chino Basin Watermaster.

Specific Plan Area: Use of BMPs during construction, implemented as part of a WQMP as required by the NPDES Storm Water Permit (included as RR WQ-2), would serve to ensure that Project impacts related to construction activities resulting in a degradation of water quality would be less than significant. Plans for grading, drainage, erosion control and water quality would be reviewed by the County's Public Works Department prior to issuance of grading permits to ensure compliance. Thus, construction of the Project would not conflict or obstruct implementation of a water quality control plan.

Upzone Site: Pursuant to the County's NPDES Permit, preparation of a SWPPP, per RR WQ-1, and implementation of construction and operational BMPs through a WQMP, per RR WQ-2, would be required for development of the Upzone Site. Compliance with regulatory requirements through County permitting would ensure operational activities within the Upzone Site would result in less than significant impacts to water quality and would not significantly

impact the beneficial uses of receiving waters. Therefore, future development within the Upzone Site would not conflict with or obstruct implementation of a water quality control plan, and impacts would be less than significant.

Regulatory Requirements:

RR WQ-1: NPDES/SWPPP. Prior to issuance of any grading or demolition permits, the applicant shall provide the County Building and Safety Division evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

RR WQ-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the Public Works Department. The WQMP shall be submitted using the San Bernardino County Stormwater Program's model form and shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

Land Use and Planning

Impact Finding LU-1: The Project would not physically divide an established community (Original Draft EIR Page 5.11-6).

Facts in Support of Finding:

Specific Plan Area: Project implementation of the Specific Plan would result in the redevelopment of residential and non-conforming commercial-business uses with special development, i.e., industrial-business park land uses. As the Project would be developed along the southern edge of a community, with industrial uses located directly east of the Project site and planned industrial uses to the south of the Project site, its development and operation would not physically divide it. Therefore, impacts related to dividing an established community would be less than significant and no mitigation is required.

Upzone Site: The proposed Project would result in changing the designation of the Upzone Site to Medium Density Residential (MDR) and zoning to Multiple Residential (RM). No development is proposed as part of the Project. Therefore, no impacts related to dividing an established community within the Upzone Site would occur and no mitigation is required.

Impact Finding LU-2: The Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect (Original Draft EIR Page 5.11-7).

Facts in Support of Finding:

Specific Plan Area and Upzone Site

SCAG Regional Transportation Plan/ Sustainable Communities Strategy Policies: SCAG's RTP/SCS policies focus largely on regional transportation and the efficiency of transportation, which are not directly applicable to the Project. As shown in Original Draft EIR Table 5.11-1, the Project would not conflict with the adopted RTP/SCS. Therefore, implementation of the Project would not result in conflict with SCAG policies, and impacts would not occur.

San Bernardino Countywide Plan Policies: The proposed Project has been prepared in accordance with the goals and policies of the San Bernardino Countywide Plan. Original Draft EIR Table 5.11-2 lists the General Plan policies that are applicable to the Project and evaluates the Project's compliance with each policy. As detailed, the Specific Plan would be consistent with the applicable General Plan policies, and impacts related to a conflict with a General Plan policy would not occur.

Air Quality Management Plan: SCAQMD and the Southern California Association of Governments (SCAG) are responsible for preparing the air quality management plan (AQMP), which addresses federal and State Clean Air Act requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. The Project would comply with the policies set forth by the AQMP; however, the Project would lead to increased regional air quality emissions that would exceed thresholds for VOC and NOx (Original Draft EIR pp. 5.3-29 to 5.3-31). Therefore, the proposed Specific Plan would result in a conflict with, or obstruct, implementation of the AQMP and impacts would be significant and unavoidable after implementation of mitigation. Nevertheless, the Project would comply with the policies set forth in the AQMP and therefore there is no significant land use impact (Original Draft EIR pp. 5.11-17 to 5.11-18).

San Bernardino County Greenhouse Gas Emission Reduction Plan: San Bernardino County adopted a Greenhouse Gas Reduction Plan in September 2011, (updated in 2021), which provides guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects located within the unincorporated communities of San Bernardino County. After implementation of Mitigation Measure GHG-1, both the proposed Specific Plan and the Upzone Site would earn over 100 points on the County's GHG Screening Threshold Tables. Therefore, the Project would be consistent with the County's GHG policies (Original Draft EIR p 5.11-18).

Santa Ana Regional Water Quality Control Board Water Quality Control Plan (Basin Plan): The Basin Plan describes existing water quality conditions and establishes water quality goals and policies for all the ground and surface waters of the region. The Project would comply with the Basin Plan (Original Draft EIR p. 5.11-18). No impact would occur.

Regulatory Requirements:

RR LU-1: The County of San Bernardino Development Code. The County's Development Code (Title 8 of the County Code of Ordinances) provides the basis for zoning designations and development regulations in unincorporated areas.

RR GHG-1: New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11). The 2016 Building Energy Efficiency Standards and CALGreen are effective starting on January 1, 2017 while the 2019 standards are effective starting January 1, 2020. The Building Energy Efficiency Standards and CALGreen are updated tri-annually, and may ultimately require zero net energy (ZNE) construction.

RR GHG-2: Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

RR GHG-3: New development in the unincorporated County of San Bernardino is required to comply with the San Bernardino County GHG Reduction Plan. The 2011 GHG Reduction Plan also directs the County to implement GHG reduction measures to align the County with the GHG reduction goals of AB 32.

RR GHG-4: The County of San Bernardino requires land uses in the unincorporated area to adhere to the State's Model Water Efficient Landscape Ordinance.

Noise

Impact Finding NOI-3: The Project would not expose people residing or working in the Project area to excessive noise levels within an airport land use plan or within two miles of a public airport (Recirculated DEIR Page 5.12-58 to 5.12-59).

Facts in Support of Finding:

Specific Plan Area and Upzone Site: The Specific Plan Area and Upzone Site are approximately 10 miles east and 12 miles northeast of the Ontario International Airport, respectively. According to the Ontario International Airport Land Use Compatibility Plan, both sites are located outside of the 60-65 dBA CNEL noise contour and would not be subject to excessive noise levels due to operations at the Ontario International Airport. The Specific Plan Area and Upzone Site are approximately 10 miles southwest and 9 miles southwest of the San Bernardino International Airport, respectively. According to the San Bernardino International Airport-Eastgate Air Cargo Facility – Aircraft Noise Contour Development, both sites are outside of the 60-65 dBA CNEL noise contour. Thus, implementation and development of the Specific Plan and Upzone Site would not result in a safety hazard or exposure to excessive noise for people residing or working in the area, and no impacts would occur.

Population and Housing

Impact Finding POP-1: The Project would not induce substantial population growth in an area, either directly (for example by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure) (Original Draft EIR Page 5.13-6).

Facts in Support of Finding:

Specific Plan Area: The Project would transition the Specific Plan Area from low density residential uses to light industrial and business park uses. The Project would generate additional long-term jobs in the area and may induce some population growth; however, a majority of employees are expected to come from within the region. Additionally, the immediate availability in the labor pool in the vicinity of the Specific Plan Area is not expected to be constrained due to the current 7.7 percent unemployment rate in the County. By providing new employment opportunities within the community, the Project would contribute toward a more balanced jobs-to-housing ratio (Original Draft EIR Table 5.13-5), and as such, the available labor pool in the County as well as in Bloomington would adequately meet the

Specific Plan's employment demands without directly resulting in new residents or unplanned population growth. Any impact related to population growth would be less than significant.

Upzone Site: The proposed rezone of the Upzone Site would change the zoning from single-family residential to multi-family residential. Though approval of the Project would only rezone the Upzone Site and no physical development or improvements have been proposed at this time, full buildout of the Upzone Site is estimated to result in an additional 480 dwelling units and a net population increase of 725 persons. The SCAG projects population and housing grown in the unincorporated County area (including Bloomington). By 2045, SCAG projects population will increase by 45,000 persons (15 percent) and the numbers of households will increase by 17,900 units (18 percent). Thus, the region is already anticipated to continue growing in population and housing. Therefore, increases to population and housing growth as a result of buildout of the Upzone Site are not considered a significant impact to the environment in unincorporated San Bernardino County or in Bloomington because the net increase would not be substantial unplanned growth.

Impact Finding POP-2: The Project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere (Original Draft EIR Page 5.13-9).

Facts in Support of Finding:

Specific Plan Area: Implementation of the Project could result in the potential displacements of 78 residential structures (as a result of Opening Year Development – Option 1 and 2) and an additional 39 residential structures (as a result of future development of Planning Area B). However, housing displaced by the Project could be accommodated by the existing housing stock in the region (Original Draft EIR p. 5.13-10). Additionally, existing residential uses (including nonconforming structures) may remain as they are for as long as desired by the property owners. Therefore, the proposed Policy Plan Amendment and Zoning Amendment associated with the Upzone Site would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Impacts would be less than significant.

Upzone Site: Implementation of the Project would result in the potential displacement of 21 single-family dwellings to accommodate up to 480 multi-family residential units. However, housing displaced by the Project could be accommodated by the existing housing stock in the region (Original Draft EIR p. 5.13-10). Additionally, existing residential uses (including nonconforming structures) may remain as they are for as long as desired by the property owners. Therefore, the proposed Policy Plan Amendment and Zoning Amendment associated with the Upzone Site would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. Impacts would be less than significant.

Public Services

Impact Finding PS-1: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios and response times or other performance objectives for fire protection services (Original Draft EIR Page 5.14-8).

Facts in Support of Findings:

Specific Plan Area and Upzone Site: Implementation of the Project would result in additional calls for fire department services, which would increase needs for fire department staffing and equipment. However, the proposed structures would be constructed from non-flammable concrete and cement, the buildings would have automatic ceiling-mounted fire sprinkler system and would include all fire related safety features pursuant to the California Fire Code (CFC), the County's Building Department and the Fire Department would review the building plans prior to approval to ensure that all applicable fire safety features are included in the Project, and the Fire Department would complete an inspection of all new structures before approval of occupancy permits to ensure that all fire safety features are installed appropriately.

In addition, the San Bernardino County Fire Department has three existing fire stations within 4.5 miles from the Specific Plan Area and Upzone Site; the closest of which is 2.1 roadway miles from the Specific Plan Area and 1.3 roadway miles from the Upzone Site. These existing fire facilities would respond to any emergency or medical services within the Project vicinity, with Station 76 being the primary responding station, as it is the closest to the site. Calls for emergency services from the Project would be accommodated by the existing fire service facilities, and buildout of the Project would not result in a significant impact on the ability to maintain adequate level of fire protection service to the area.

Additionally, the Project would be required to comply with the provisions of the San Bernardino County Fire Protection District Fee Ordinance (Ordinance No. FPD-01), which requires the Project Applicant to make a fee payment to the County that is applied to the funding for fire protection facilities and services. The fees collected would ensure the level of fire protection services are maintained and can be applied to the purchase of equipment, maintenance of existing facilities, and the construction of new facilities. Therefore, with the payment of development fees pursuant to Ordinance No. FPD-01 and adherence to CFC and County building standards, Project impacts to fire services would be less than significant.

Impact Finding PS-2: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police service facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios and response times or other performance objectives for police services (Original Draft EIR Page 5.14-9).

Facts in Support of Findings:

Specific Plan Area and Upzone Site: Implementation of the Project would result in the addition of employees, residents, and potentially valuable goods within the Project area, which could result in an increase in calls for law enforcement services. However, the San Bernardino County Sheriff's Department has adequate capacity to serve the proposed Project. Additionally, property tax revenue generated by development of the Project would provide funding for police services and would help to offset the Project's increase in the demand for services.

Overall, implementation of the proposed Project would result in an incremental increase in demands on law enforcement services; but would not be substantial compared to the existing services provided by the Sheriff's Department. Furthermore, buildout of the proposed Project would not result or require development of new, or expansion of existing, Sheriff Department facilities, and impacts would be less than significant.

Impact Finding PS-3: The Project would not result in substantial adverse physical impacts associated with school services or the provision of new or physically altered school facilities (Original Draft EIR Page 5.14-10).

Facts in Support of Findings:

Specific Plan Area and Upzone Site: Project implementation could result in the loss of up to 213 single-family units in the Specific Plan Area. At the Upzone Site, up to 52 single-family units would be removed and up to 480 multi-family units could be constructed. Based on the Colton Joint Unified School District's student generation rates provided in the CWP EIR (0.7225 per single-family unit and 0.4841 per multi-family unit), the Project would generate up to 41 students. According to the District's current attendance boundary maps, the students generated at the Upzone Site would attend Smith Elementary, Baca Middle, and Bloomington High.

Under State law, development projects are required to pay school impact fees in accordance with Senate Bill 50 (SB 50) at the time of building permit issuance. The funding program established by SB 50 allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs and has been found by the legislature to constitute "full and complete mitigation of the impacts of any legislative or adjudicative act...on the provision of adequate school facilities" (Government Code Section 65995[h]). Mandatory payment of school fees would reduce impacts to District schools to less than significant. Furthermore, any project associated with expanding school facilities, whether related to the construction of new facilities or modernization of existing facilities, would be subject to environmental review and mitigation pursuant to CEQA. As such, with Project payment of fees to Colton Joint Unified School District, impacts to school services would be less than significant.

Impact Finding PS-4: The Project would not result in substantial adverse physical impacts associated with park and recreational services or the provision of new or physically altered parks facilities (Original Draft EIR Page 5.14-10).

Facts in Support of Findings:

Specific Plan Area and Upzone Site: Full buildout of the proposed Project would result in the generation of new employees and residents in Bloomington. Although new employees and residents may occasionally use local parks, such increase in use is considered marginal and would not result in deterioration to facilities such that the construction or expansion of recreational facilities would be necessary. Additionally, the CWP EIR addressed the demand increase in park services and provides that development (residential and nonresidential) in the Bloomington Community would be accompanied by a direct increase in property tax revenue assessed explicitly for the Bloomington Park and Recreational District to provide park and recreation service. The funds would be used to maintain and operate the existing park facilities and construct additional facilities, as deemed warranted by the Parks and Recreation District. Approval of the proposed Project would proportionately fund necessary improvements created by the Project's increase in use of existing park and recreation facilities. Therefore, impacts related to public parks would be a less than significant impact.

Impact Finding PS-5: The Project would not result in substantial adverse physical impacts associated with other government services or the provision of new or physically altered other public facilities (Original Draft EIR Page 5.14-10).

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The Project would contribute to an increased demand for expanded government services and facilities, including libraries, community recreation centers, public health facilities, and/or animal shelters. However, the Project would generate new tax revenues that would contribute to and supplement existing revenue sources for the maintenance and enhancement of these facilities. As such, Project implementation would not adversely affect public facilities or require the construction of new or modified public facilities that are not already addressed in the Original Draft EIR. Impacts would be less than significant.

Transportation

Impact Finding TR-1: The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (Original Draft EIR Page 5.15-6).

Facts in Support of Finding:

Specific Plan Area

Transit: The Specific Plan Area is served by Omnitrans Route 329. This existing transit service would continue to serve its ridership in the area and may also serve employees of the Specific Plan area. The proposed Specific Plan would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur.

Bicycle Facilities: The Countywide Plan Transportation & Mobility Element identifies Cedar Avenue, Jurupa Avenue, Santa Ana Avenue, and Locust Avenue for planned Class II bike lanes. Class II bike lanes are striped lanes that provide bike travel and can be next to a curb or parking lane. Implementation of the Specific Plan would not alter or conflict with existing or planned bike lanes or bicycle transportation. Thus, impacts related to bicycle facilities would not occur.

Pedestrian Facilities: Implementation of the Specific Plan would include roadway improvements within the Specific Plan area that would provide for new sidewalks where none exist currently, thereby improving pedestrian facilities and the sidewalk network. Therefore, the proposed Specific Plan would also not conflict with pedestrian facilities, but instead would provide additional facilities. Overall, impacts related to transit, bicycle, and pedestrian facilities would be less than significant.

Upzone Site

Transit: The Upzone Site is served by Omnitrans Route 19, which has stops along San Bernardino Avenue. This existing transit service would continue to serve its ridership in the area and may also serve future residents within the Upzone Site. The proposed rezoning of the Upzone Site would not alter or conflict with existing transit stops and schedules, and impacts related to transit services would not occur.

Bicycle Facilities: The Countywide Plan Transportation & Mobility Element identifies San Bernardino Avenue and Locust Avenue for planned Class II bike lanes. Class II bike lanes are striped lanes that provide bike travel and can be next to a curb or parking lane. The existing bike lanes would be available for use by future residents within the Upzone Site. The proposed

rezoning of the Upzone Site would not alter or conflict with existing or planned bike lanes or bicycle transportation, and impacts related to bike lanes would not occur.

Pedestrian Facilities: The proposed rezoning of the Upzone Site would not alter any existing sidewalks. Future residential development within the Upzone Site would be reviewed during the permitting process for consistency with transit, bicycle, and pedestrian facilities. Therefore, implementation of the Upzone would not conflict with pedestrian facilities.

Impact Finding TR-2: The Project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b) regarding vehicle miles traveled (Original Draft EIR Page 5.15-7).

Facts in Support of Finding:

Specific Plan Area: As described in the Original Draft EIR, a project is considered to have a less than significant impact if the project vehicle miles traveled (VMT) per person/employee is at least four percent below the existing VMT per person for the unincorporated County. The calculated VMT per employee for the Specific Plan in 2021 was 18.95 VMT per employee (Original Draft EIR Table 5.15-2), which is less than the baseline VMT threshold of 22.88 VMT per employee. Therefore, VMT impacts from implementation of the Specific Plan would be less than significant.

Upzone Site: As described in the Original Draft EIR, a project is considered to have a less than significant impact if the project VMT per person/resident is at least four percent below the existing VMT per person for the unincorporated County. The calculated VMT per person for the Upzone Site in 2021 was 23.26 VMT per person (Original Draft EIR Table 5.15-3), which is less than the calculated threshold of 50.76 VMT per person. Therefore, VMT impacts related to the Upzone would be less than significant.

Impact Finding TR-3: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (Original Draft EIR 5.15-8).

Facts in Support of Finding:

Specific Plan Area: Access to the Specific Plan area would be provided from driveways along Jurupa Avenue and Linden Avenue, and internal driveways along Laurel Avenue, Locust Avenue, and Maple Avenue would be accessed by Santa Ana Avenue or Jurupa Avenue (except for Laurel Avenue as it does not connect to Jurupa Avenue). A signalized intersection would be constructed on Locust Avenue at Driveway #6 as part of the Circulation Plan and infrastructure improvements to provide access to development sites on the east and west sides of Locust Avenue. Truck access would be limited to Jurupa Avenue as only passenger vehicles would have access to Santa Ana Avenue.

All improvements within the public rights-of-way would be installed in conformance with County design standards. On-site traffic signing and striping would be implemented in conjunction with detailed construction plans for the site. Sight distance at each Project driveway would be reviewed for conformance with San Bernardino County sight distance standards at the time of preparation of final grading, landscape, and street improvement plans. Accordingly, the Project would not create or substantially increase safety hazards due to any design feature.

Upzone Site: No development or improvements are proposed at the Upzone Site as part of the implementation of the Specific Plan. Therefore, the Project would not substantially increase hazards due to geometric design features or incompatible uses at the Upzone Site. Future residential development at the Upzone Site would be evaluated for potential to increase hazards due to geometric design features or incompatible uses at a project-level under separate environmental review and through the County's development permitting process. Therefore, the Project would not create or substantially increase safety hazards due to any design feature.

Impact Finding TR-4: The Project would not result in inadequate emergency access (Original Draft EIR 5.15-9).

Facts in Support of Finding:

Specific Plan Area: Specific Plan buildout would not result in inadequate emergency access to or from the Specific Plan area for emergency vehicles. The Specific Plan would not interfere with the circulation of emergency vehicles along public streets during operation, and roadway improvements resulting from the Circulation Plan would be expected to improve roadway conditions from the existing setting. The Project would be designed to provide access for all emergency vehicles and meet all applicable San Bernardino County Fire and Police Department access requirements. Therefore, impacts would be less than significant.

Upzone Site: The proposed zone change on the Upzone Site would not result in inadequate emergency access and direct access to the Upzone Site. Future development within the Upzone Site would be designed to provide access for all emergency vehicles and meet all applicable San Bernardino County Fire and Police Department access requirements. Therefore, impacts would be less than significant.

Utilities and Service Systems

Impact Finding UT-1: The Project would not require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects (Original Draft EIR Page 5.17-8).

Facts in Support of Finding:

Specific Plan Area: The proposed Project would include the construction of the following updated water infrastructure:

- Construction of a 16-inch diameter waterline within the Laurel Avenue right-of-way from the existing 12-inch diameter waterline to approximately 1,000 feet southward to serve the southwestern portion of the Specific Plan;
- Upgrade the existing 10-inch diameter waterline in Locust Avenue to a 16-inch diameter waterline between Santa Ana Avenue and the existing 12-inch diameter waterline connecting to Jurupa Avenue;
- Provide a new 12-inch diameter waterline connection in Maple Avenue between the existing 12-inch diameter waterline which runs north to Santa Ana Avenue and the existing 12-inch diameter waterline connecting to the Jurupa Avenue 12-inch diameter waterline;

- Construct a new 12-inch diameter waterline cross-tie between Locust Avenue and Laurel Avenue approximately mid-block between Santa Ana Avenue and Jurupa Avenue.

The new onsite water system would convey water supplies to the proposed residences, industrial uses, and landscaping through plumbing/landscaping fixtures that are compliant with the CalGreen Plumbing Code for efficient use of water. These improvements are consistent with West Valley Water District (WVWD) master plan.

The proposed Project would continue to receive water supplies through the existing 12-inch water main located Linden Avenue and the existing 20-inch water line in Santa Ana Avenue. Both of these water lines have the capacity to provide the increased water supplies needed to serve the proposed Project.

The construction activities related to the onsite water infrastructure that would be needed to serve the proposed multi-family residential and commercial uses is included as part of the proposed Project and would not result in any physical environmental effects beyond those identified throughout the Original Draft EIR. Therefore, the proposed Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Upzone Site: No development within the Upzone Site is proposed at this time; however, future development will likely require the construction of additional onsite water infrastructure to serve the proposed future development. There would be no upgrades to off-site facilities required. Therefore, the zone change within the Upzone Site would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Impact Finding UT-2: There are sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years (Original Draft EIR Page 5.17-9).

Facts in Support of Finding:

Specific Plan Area: As shown in Original Draft EIR Table 5.17-5, the proposed Project would result in a total demand of 477 acre-feet per year (AFY) at full occupancy, which would be a 328 AFY increase in comparison to the water demand from the existing buildings that are included in the Urban Water Management Plan (UWMP) assumptions. The County's 2020 UWMP assumed that the County's total water supply would increase from 36,400 AF in 2020 to 48,400 AF in 2040, which constitutes an increase of 12,000 AF. The UWMP assessed the projected water demand and supply in the service area and concluded that WVWD has an adequate water supply to meet all demands within its service area to 2040. Thus, the County would have water supplies available to serve the Project.

In addition, WVWD has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that would meet the projected demand associated with the Project, in addition to existing and planned future uses. Therefore, impacts related to water supplies from the proposed Project would be less than significant.

Upzone Site: Based on the Fontana Water Company (FWC) UWMP's per capita water demand rate of 156 gallons per capita per day, the potential population increase of 725 persons (estimated full buildout) would result in an additional water demand of 126.7 AFY. The FWC has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that would meet the projected demand associated with existing and planned future uses within the company's service area. Therefore, impacts would be less than significant.

Impact Finding UT-3: The Project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects (Original Draft EIR Page 5.17-13).

Facts in Support of Finding:

Specific Plan Area: The Project would install a new onsite sewer system that includes force mains, gravity lines, a public sewer lift station and sewer easement on the southern portion of Site 3, and two private sewer lift stations adjacent to Sites 1 and 2 that would connect to off-site sewer facilities. A new 8-inch diameter gravity line will carry flows south along Maple Avenue from immediately south of Santa Ana Avenue to a public lift station on the southwest corner of Maple Avenue at Jurupa Avenue. A new 6-inch diameter force main would carry flows to the Santa Ana Avenue Trunk Sewer. A new 8-inch diameter gravity line would carry flows south along Locust Avenue from immediately south of Santa Ana Avenue to a public lift station just north of the Specific Plan boundary. A new 6-inch diameter force main would carry flows to the Santa Ana Avenue Trunk Sewer. A new 8-inch diameter gravity line along Laurel Avenue would collect flows and meet at a low point just north of the Specific Plan boundary. Flows would travel east across the Specific Plan area to the lift station serving the Locust Avenue facilities.

Rialto's wastewater treatment plant has a remaining treatment capacity of 4 million gallons per day (mgd). Buildout of the Specific Plan is anticipated to generate an additional 532,500 gallons per day or 0.53 mgd of wastewater based on wastewater generation rates previously approved by Inland Empire Utilities Agency (2,500 gallons per day per acre for industrial uses). This represents 13.3 percent of the available remaining capacity at Rialto's wastewater treatment plant. Thus, the addition of 532,500 gallons per day or 0.53 mgd from operation of the Project would not require or result in construction of new wastewater treatment facilities or expansion of existing facilities.

The necessary installation of onsite sewer line and connection to the existing line is included as part of the proposed Project and would not result in any physical environmental effects beyond those identified in the Original Draft EIR. Therefore, the Project would not result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Upzone Site: There is approximately 4 mgd of available wastewater treatment capacity at Inland Empire Utility Agency's Recycling Plant No. 4. Based on the Inland Empire Utility Agency's wastewater generation rate of 270 gallons per day per dwelling unit, buildout of the additional 459 new dwelling units within the Upzone Site would result in the generation of 123,930 gallons per day or 0.12 mgd. It is anticipated that this additional 0.12 mgd of wastewater would be accommodated by Plant No. 4 and would also be accommodated by existing sewer lines within the surrounding roadways. Therefore, the rezoning of the Upzone

Site would not require expansion of existing wastewater facilities and impacts would be less than significant.

Impact Finding UT-4: The Project would not result in a determination by the wastewater treatment provider which serves or may serve the Project that it does not have adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments (Original Draft EIR Page 5.17-14).

Facts in Support of Finding:

Specific Plan Area: Buildout of the proposed Specific Plan (including Planning Areas A and B) would generate approximately 532,500 gallons per day (gpd) (0.53 mgd) of wastewater that would be conveyed to the Rialto Wastewater Treatment Plant; and would be accommodated by the Plant's remaining capacity of 4 mgd. Impacts related to wastewater treatment plant capacity would be less than significant.

Upzone Site: Buildout of the proposed Upzone Site would generate approximately 123,930 gpd (0.12 mgd) of wastewater that would be conveyed to the Inland Empire Utilities Agency Recycling Plant No. 4 for disposal; and would be accommodated by the Plant's remaining capacity of 4 mgd. Impacts related to wastewater treatment plant capacity would be less than significant.

Impact Finding UT-5: The Project would not require or result in the relocation or construction of new or expanded drainage facilities, the construction or relocation of which could cause significant environmental effects (Original Draft EIR Page 5.17-16).

Facts in Support of Finding:

Specific Plan Area: The Project would install new stormwater drainage facilities including:

- Laurel Avenue: A new 48-inch diameter storm drain would convey stormwater south from Santa Ana Avenue approximately 1,800 feet to a new onsite 78-inch diameter storm drain near the southern boundary of the Specific Plan.
- A new onsite 78-inch diameter storm drain extension in Planning Area B near the southern boundary of the Specific Plan would connect with the new storm drain in Laurel Avenue to the west and Locust Avenue to the east.
- Locust Avenue: A new 78-inch diameter storm drain would convey stormwater south from Santa Ana Avenue to Jurupa Avenue.
- Jurupa Avenue: A new 90-inch diameter storm drain would convey stormwater from Locust Avenue for approximately 1,000 feet where the storm drain transitions to a new 60-inch diameter storm drain in Jurupa Avenue. The new 60-inch diameter storm drain would continue conveying stormwater easter to Linden Avenue. Additionally, flows exceeding the Specific Plan-mitigated flow rates would "bubble" out from a series of inlets located on Jurupa Avenue, at or near existing low points and travel south along its historical and natural watercourse.
- Linden Avenue: A new 60-inch diameter storm drain would convey stormwater south from Jurupa Avenue to 5th Street.
- 5th Street: A new 60-inch diameter storm drain would convey stormwater from Linden Avenue to an existing basin near the eastern terminus of 5th Street.
- A new 72-inch diameter storm drain from Alder Avenue crossing the southwestern area of the Specific Plan boundary in Planning Area B to Laurel Avenue and

connecting to the new onsite 78-inch diameter storm drain extension that connects Laurel Avenue and Locust Avenue.

The construction impacts of these drainage improvements have been analyzed as part of overall Project construction in other sections of the Original Draft EIR and would not result in any physical environmental effects beyond those identified. Therefore, the Project would not result in the relocation or construction of new or expanded stormwater facilities, the construction or relocation of which could cause significant environmental effects.

Upzone Site: No development is proposed at this time; however, future buildout of the Upzone Site according to its rezone would likely result in the addition of impervious surfaces, which would increase stormwater runoff. As such, it is assumed that buildout of the Upzone Site would require the construction of additional storm drains since the majority of roadways surrounding the Upzone Site do not currently contain storm drainage infrastructure. Development of additional storm drainage infrastructure would be conducted in accordance with planned improvements, as outlined in the County's Master Plan of Drainage and Comprehensive Storm Drain Plan. Therefore, the zone change within the Upzone Site would not result in the construction of new unplanned storm water drainage facilities or expansion of existing planned facilities, the construction of which could cause significant environmental effects and impacts would be less than significant.

Impact Finding UT-6: The Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Original Draft EIR Page 5.17-20).

Facts in Support of Finding:

Specific Plan Area (Opening Year Development, Options 1 and 2):

Construction: Demolition and construction activities would generate approximately 11,019 tons of solid waste for Development Option 1 and approximately 11,427 tons of solid waste for Development Option 2. This equates to approximately 30.2 tons of debris per day for Opening Year Development – Option 1 and 31.3 tons of debris per day for Opening Year Development – Option 2. The Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste. In 2019, the average tonnage received was 3,056 tons per day. Thus, the facility had additional capacity of 4,444 tons per day. Therefore, the Mid-Valley Sanitary Landfill would be able to accommodate the addition of 30.1 tons of waste per day during construction of the Industrial Business Park Development within Planning Area A.

Operation: Operation of Opening Year Development – Option 1 at buildout would generate approximately 5,477.5 tons of solid waste per year, at least 75 percent of which is required by California law to be recycled, which would reduce the volume of landfilled solid waste to approximately 1,369.4 tons per year, or 26.3 tons per week (Original Draft EIR Table 5.17-6). Opening Year Development – Option 2 would generate approximately 7,028.3 tons of solid waste per year which would be reduced to 1,757.1 tons per year, or 33.8 tons per week (Original Draft EIR Table 5.17-7). As described above, the Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste. In 2019, the average tonnage received was 3,056 tons per day. Thus, the facility had additional capacity of 4,444 tons per day. Therefore, the Mid-Valley Sanitary Landfill would be able to accommodate the addition of 26.3 tons of waste per week. Thus, the proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and the Project

would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

Future Development Area – Specific Plan Buildout

Construction: Demolition and construction of the future development site would generate approximately 1,559 tons of solid waste during demolition of construction, at least 35 percent of which is required by California law to be recycled, which would reduce the volume of landfilled solid waste to approximately 546 tons of solid waste over the entire period. As described above, the Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste. In 2019, the average tonnage received was 3,056 tons per day. Thus, the facility had additional capacity of 4,444 tons per day. Therefore, the Mid-Valley Sanitary Landfill would be able to accommodate the additional tonnage of waste per day during construction within Planning Area B.

Operation: Operation of the Project at buildout would generate approximately 404.1 tons of solid waste per year, at least 75 percent of which is required by California law to be recycled, which would reduce the volume of landfilled solid waste to approximately 101.03 tons per year, or 1.9 tons per week (Original Draft EIR Table 5.17-8). As described above, the Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste. In 2019, the average tonnage received was 3,056 tons per day. Thus, the facility had additional capacity of 4,444 tons per day. Therefore, the Mid-Valley Sanitary Landfill would be able to accommodate the addition of 1.9 tons of waste per week. Thus, future development would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and full buildout of Planning Area B would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

Upzone Site: Based on the CWP EIR's waste generation rate of 10 pounds per day per residential unit, buildout of the Upzone Site would generate approximately 392.4 additional tons of solid waste per year, at least 75 percent of which is required by California law to be recycled, which would reduce the volume of landfilled solid waste to approximately 98.1 tons per year, or 1.9 tons per week (Original Draft EIR Table 5.17-9). As described above, the Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste. In 2019, the average tonnage received was 3,056 tons per day. Thus, the facility had additional capacity of 4,444 tons per day. Therefore, the Mid-Valley Sanitary Landfill would be able to accommodate the addition of 1.9 tons of waste per week. Thus, future development within the Upzone Site would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs and full buildout of the Upzone Site would not impair the attainment of solid waste reduction goals. Impacts related to landfill capacity would be less than significant.

Impact Finding UT-7: The Project would comply with federal, State, and local statutes and regulations related to solid waste (Original Draft EIR Page 5.17-23).

Facts in Support of Finding:

Specific Plan Area & Upzone Site: The proposed Project would result in new development that would generate an increased amount of solid waste. All solid waste-generating activities within the County is subject to the requirements set forth in the 2019 California Green Building Standards Code that requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 that requires diversion of a minimum of 75 percent of operational solid waste. Implementation of the proposed Project would be consistent with all State regulations, as ensured through the

County's development project permitting process. Therefore, the proposed Project would comply with all solid waste statute and regulations; and impacts would not occur.

5. FINDINGS FOR IMPACTS MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT

The following potentially significant environmental impacts were analyzed in the Original and Recirculated DEIR, which determined that project design features, compliance with existing laws, codes and statutes, regulatory requirements, and implementation of the identified feasible mitigation measures would reduce potentially significant impacts to a level of less than significant. The County has found, in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1), that "[c]hanges or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment," which is referred to herein as "Finding 1".

Where the potential impact can be reduced to less than significant solely through adherence to and implementation of project design features, standard conditions, and regulatory requirements, these measures are considered "incorporated into the project," which mitigate or avoid the potentially significant effect, and in these situations, the County also makes "Finding 1" even though no mitigation measures are required.

Air Quality

Impact Finding AQ-2: Construction of the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (Recirculated DEIR Page 5.3-37 to 5.3-38).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Findings:

Specific Plan Area & Upzone Site

Construction

Construction emissions are short-term and temporary. The maximum daily construction emissions for the proposed Project were estimated using CalEEMod; and the modeling includes compliance with SCAQMD Rules 403 and 1113, which are included as RR AQ-3 and would reduce air contaminants during construction. Recirculated DEIR Table 5.3-9 shows that emissions resulting from construction would exceed criteria pollutant thresholds for VOC and NOx in all three scenarios. Thus, Mitigation Measures AQ-1 and AQ-2 are included to require the construction activities to utilize "Super-Compliant" low VOC paints that have no more than 10g/L of VOC and low VOC paints in parking lots that have no more than 50g/L of VOC, which exceeds the regulatory VOC limits put forth by SCAQMD's Rule 1113 and require that off-road diesel construction equipment greater than 50 horsepower (>50 HP) to be CARB certified Tier 4 Final or higher. In addition, while not quantifiable for emissions reduction, Mitigation Measures AQ-3 through AQ-9 require grading and equipment usage restrictions, a community liaison, provisions for worker meals, and transit information. With implementation of Mitigation Measures AQ-1 through AQ-9, emissions of VOC and NOx from construction activities would be reduced to below the SCAQMD significance thresholds in all three scenarios, and impacts would be less than significant (Recirculated DEIR Table 5.3-10).

Regulatory Requirements:

RR AIR-1: New buildings are required to achieve the current California Building Energy and Efficiency Standards (Title 24, Part 6) and California Green Building Standards Code (CALGreen) (Title 24, Part 11).

RR AIR-2: Construction activities are required to adhere to Title 13 California Code of Regulations (CCR) Section 2499, which requires that nonessential idling of construction equipment is restricted to five minutes or less.

RR AIR-3: As previously listed.

Mitigation Measures:**Construction Mitigation Measures**

Mitigation Measure AQ-1: Super-Compliant Low VOC. The construction plans and specifications shall state that the Project shall utilize “Super-Compliant” low volatile organic compound (VOC) paints for nonresidential interior and exterior surfaces and low VOC paint for parking lot surfaces. Super-Compliant low VOC and low VOC paints have been reformulated to exceed the regulatory VOC limits put forth by South Coast Air Quality Management District’s (SCAQMD) Rule 1113. Super-Compliant low VOC paints shall be no more than 10g/L of VOC and low VOC paints shall be no more than 50 g/L of VOC.

Mitigation Measure AQ-2: Tier 4 Final. The construction plans and specifications shall state that off-road diesel construction equipment rated at 50 horsepower (hp) or greater, complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 Final off-road emissions standards or equivalent and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer’s specifications.

Mitigation Measure AQ-3: Project construction plans and specifications shall require that during Project grading operations, Project contractors shall limit the amount of daily grading disturbance area to not exceed the assumptions specified in the Recirculated DEIR Air Quality Impact Analysis. Additionally, the Project Applicant/Developer/Contractor shall include a note on grading plans that prohibits grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone in the Project area. Daily Air Quality Index forecasts for the next day of grading shall be checked via the airnow.gov system the day prior by the Project Contractor.

Mitigation Measure AQ-4: The Project Applicant/Developer/Owner shall identify a person to act as a community liaison concerning onsite construction activities and operations and provide contact information for the community liaison to the surrounding community. The contact of the community liaison shall be provided to the County of San Bernardino Planning Division and posted on the construction site prior to issuance of a demolition permit.

Mitigation Measure AQ-5: Project construction plans and specifications shall require on-road heavy-duty haul trucks to be model year 2014 or newer if diesel-fueled, pursuant to California Air Resources Board’s (CARB) particulate matter filter requirements.

Mitigation Measure AQ-6: The construction plans and specifications shall prohibit off-road diesel-powered construction equipment from being in the “on” position for more than 10 hours per day during Project construction.

Mitigation Measure AQ-7: During Project construction, Project contractors shall keep all equipment maintenance records and data sheets, including design specifications and emission control tier classifications, onsite or at the contractor's office and shall furnish documents to the County of San Bernardino or other regulators, upon request.

Mitigation Measure AQ-8: The Project Applicant/Developer shall provide information on transit and ridesharing programs and services to construction employees.

Mitigation Measure AQ-9: The Project Applicant/Developer shall provide meal options onsite or shuttles between the construction site and nearby meal destinations for construction employees.

Impact Finding AQ-3: The Project would not expose sensitive receptors to substantial pollutant concentrations (Recirculated DEIR Page 5.3-49 to 5.3-66).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Findings:

CO Hotspots

Specific Plan Area: An adverse CO concentration, known as a “hot spot”, would occur if an exceedance of the State’s one-hour standard of 20 ppm or the eight-hour standard of 9 ppm were to occur. The 2003 AQMP estimated traffic volumes that could generate CO concentrations to result in a “hot spot”. As shown on Recirculated DEIR Table 5.3-16, the busiest intersection had a daily traffic volume of approximately 100,000 vehicles per day, and the 1-hour CO concentration was 4.6 ppm. This indicates that, even with a traffic volume of 400,000 vehicles per day, CO concentrations ($4.6 \text{ ppm} \times 4 = 18.4 \text{ ppm}$) would still not exceed the most stringent 1-hour CO standard (20.0 ppm).

As shown on Recirculated DEIR Table 5.3-17, with operation of the proposed Project in the opening year, trips are lower than the highest daily traffic volumes of 100,000 vehicles per day at the intersection of Wilshire Boulevard and Veteran Avenue in the City of Los Angeles. As such, Project-related traffic volumes are less than the traffic volumes identified in the 2003 AQMP; and are not high enough to generate a CO “hot spot”. Therefore, impacts related to CO “hot spots” from operation of the proposed Project would be less than significant.

Localized Construction Air Quality Impacts

Specific Plan Area: The closest sensitive receptor to the Project area is 11 feet from the Opening Year Development area boundary and 19 feet from the Future Development area boundary. Therefore, the localized significance thresholds (LSTs) for a receptor distance of 25 meters (82 feet) (the closest threshold) is used to evaluate LST emissions.

As shown on Recirculated DEIR Tables 5.3-19 and 5.3-20, emissions during the peak construction activity for Opening Year – Option 1 and 2 would not exceed the SCAQMD’s localized significance thresholds under this scenario, and impacts would be less than significant. Recirculated DEIR Table 5.3-21 identifies daily localized onsite emissions that are estimated to occur during construction of the Future Development Area – Specific Plan Buildout. As shown, emissions during the peak construction activity would exceed the

SCAQMD's localized significance thresholds for PM₁₀ during site preparation activities under this scenario. Therefore, Mitigation Measure AQ-2 would be implemented to reduce construction emissions.

After implementation of Mitigation Measure AQ-2, emissions during peak site preparation activities would not exceed the SCAQMD's localized significance threshold, as shown on Recirculated DEIR Table 5.3-22. Therefore, with implementation of regulatory requirements and mitigation measures, impacts related to localized significant emissions from construction activity would be less than significant.

Localized Operational Air Quality Impacts

As shown on Recirculated DEIR Tables 5.3-23 through 5.3-25, emissions from operation of the Opening Year – Option 1 and 2, and Future Development Area would not exceed the SCAQMD's localized significance thresholds for any criteria pollutant at the nearest sensitive receptor. Therefore, implementation of Opening Year – Option 1 and 2 and Future Development Area would result in a less than significant impact related to localized operational emissions.

Diesel Particulate Matter

Construction Health Risk

Residential Individual Exposure Scenario:

The residential receptor with the greatest potential exposure to Project construction-source diesel particulate matter (DPM) emissions is the residence located at 18665 Jurupa Avenue, approximately 1,080 feet southeast of the Specific Plan area. At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to Project-construction-source DPM emissions is estimated at 3.69 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled residential receptors are exposed to lesser concentrations and are located at a greater distance than the MEIR analyzed herein, and DPM generally dissipates with distance from the source, all other residential receptors in the vicinity of the Project site would be exposed to less emissions and therefore less risk than the MEIR identified herein. As such, Project construction would not cause a significant human health or cancer risk to nearby residences, and impacts would be less than significant.

Worker Exposure Scenario:

The employment receptor with the greatest potential exposure to Project-construction-source DPM emissions is Little Truck Sales, located at 11311 Cedar Avenue, approximately 1,420 feet southeast of the Specific Plan area. At the maximally exposed individual worker (MEIW) receptor, the maximum incremental cancer risk impact is 0.20 in one million, which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Because all other modeled worker receptors are located at a greater distance than the MEIW analyzed herein, and DPM dissipates with distance from the source, all other worker receptors in the vicinity of the Project would be exposed to less emissions and therefore less risk than the MEIW identified herein. As such, the Project would not cause a significant human health or cancer risk to adjacent workers, and impacts would be less than significant.

Student Exposure Scenario:

The school-site receptor with the greatest potential exposure to Project-construction-source DPM emissions is Walter Zimmerman Elementary School, located north of Project site. The analysis for school impacts utilized appropriate conservative assumptions based on the Office of Environmental Health Hazard Assessment (OEHHA) guidance in order to reflect potential impacts to school-age minors. At this maximally exposed school child (MEISC), the maximum incremental cancer risk impact attributable to the Project is calculated to be an estimated 0.06 in one million, which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the Project were calculated to be <0.01, which would not exceed the applicable significance threshold of 1.0. Any other schools near the Project site would be exposed to less emissions and consequently less impacts than what is disclosed for this MEISC. As such, the Project would not cause a significant human health or cancer risk to nearby students.

Operational Health Risk

Residential Individual Exposure

Opening Year – Option 1: The residential land use with the greatest potential exposure to toxic air contaminant (TAC) source emissions from the Opening Year – Option 1 would be the residence that is closest to the onsite truck activity (the location of the most concentrated emissions), which is the existing residence at 18507 Jurupa Avenue (OYD1-R9), that is approximately 154 feet southeast of the onsite truck activity. The Mobile Source Health Risk modeling identified the maximum incremental cancer risk at this location is estimated at 4.58 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. As such, operation of the Opening Year – Option 1 would not cause a significant human health or cancer risk to nearby residences and impacts would be less than significant.

Opening Year – Option 2: The residential land use with the greatest potential exposure to TAC source emissions from the Opening Year – Option 2 would be the residence that is closest to the onsite truck activity (the location of the most concentrated emissions), which is the existing residence at 18507 Jurupa Avenue (OYD2-R7), approximately 154 feet southeast of the onsite truck activity. At this location, the maximum incremental cancer risk attributable to TAC source emissions is estimated at 5.78 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. As such, the Opening Year – Option 2 would not cause a significant human health or cancer risk to nearby residences and impacts would be less than significant.

Future Development Area – Specific Plan Buildout: The residential land use with the greatest potential exposure to TAC source emissions from the Future Development Area – Specific Plan Buildout would be the residence that is closest to the onsite truck activity (the location of the most concentrated emissions), which is the existing residence at 18507 Jurupa Avenue (SP-R7), approximately 154 feet southeast of the onsite truck activity. At this location, the maximum incremental cancer risk attributable to TAC source emissions is estimated at 3.11 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At

this same location, non-cancer risks were estimated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. As such, operation of the Future Development Area – Specific Plan Buildout would not cause a significant human health or cancer risk to nearby residences and impacts would be less than significant.

Worker Exposure

Opening Year – Option 1: The worker receptor land use with the greatest potential exposure to TAC source emissions the Bloomington Commerce Center located immediately to the east of the Opening Year – Option 1 area. At the maximally exposed individual worker (MEIW), the maximum incremental cancer risk impact is 0.25 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. As such, operation of the Opening Year – Option 1 would not cause a significant human health or cancer risk to adjacent workers and impacts would be less than significant.

Opening Year – Option 2: The worker receptor land use with the greatest potential exposure to TAC source emissions is the Bloomington Commerce Center located immediately to the east of the Opening Year – Option 2 area. At this location, the maximum incremental cancer risk impact is 0.33 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. As such, operation of the Opening Year – Option 2 would not cause a significant human health or cancer risk to adjacent workers and impacts would be less than significant.

Future Development Area – Specific Plan Buildout: The worker receptor land use with the greatest potential exposure to TAC source emissions is the Bloomington Commerce Center located immediately to the east of the site. At this location, the maximum incremental cancer risk impact is 0.20 in one million which is less than the SCAQMD's threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. As such, operation of the Future Development Area – Specific Plan Buildout would not cause a significant human health or cancer risk to adjacent workers and impacts would be less than significant.

School Children Exposure

Opening Year – Option 1: The school site land use with the greatest potential exposure to DPM source emissions is at Bloomington High School located northwest of Opening Year – Option 1. At the maximally exposed individual school child (MEISC), the maximum incremental cancer risk impact attributable to the proposed development at this location is calculated to be an estimated 0.13 in one million which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the proposed development were calculated to be <0.01 , which would not exceed the applicable significance threshold of 1.0. As such, operation of the Opening Year – Option 1 would not cause a significant human health or cancer risk to nearby school children and impacts would be less than significant.

Opening Year – Option 2: The school site land use with the greatest potential exposure to DPM source emissions is at Bloomington High School located northwest of the Opening Year – Option 2. At this location, the maximum incremental cancer risk is calculated to be an estimated 0.17 in one million which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the proposed development were

calculated to be <0.01, which would not exceed the applicable significance threshold of 1.0. As such, operation of the Opening Year – Option 2 would not cause a significant human health or cancer risk to nearby school children and impacts would be less than significant.

Future Development Area – Specific Plan Buildout: The school site land use with the greatest potential exposure to DPM source emissions is at Bloomington High School located northwest of the site. At this location, the maximum incremental cancer risk is estimated to be 0.17 in one million which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the Future Development Area – Specific Plan Buildout were calculated to be <0.01, which would not exceed the applicable significance threshold of 1.0. As such, operation of the Future Development Area – Specific Plan Buildout would not cause a significant human health or cancer risk to nearby school children and impacts would be less than significant.

Construction and Operational Impacts:

The land use with the greatest potential exposure to the Project's construction and operational-source DPM emissions from the most conservative Specific Plan Buildout scenario is the existing residence located at 18665 Jurupa Avenue, approximately 1,080 feet southeast of the Project site. At this MEIR, the maximum incremental cancer risk attributable to Project construction and operational-source DPM emissions is estimated at 4.91 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of the Project's construction and operational activities. All other receptors during construction and operational activities would experience less risk than what is identified for this location. Therefore, impacts would be less than significant.

Regulatory Requirements:

RR AIR-1: As listed previously.

RR AIR- 2: As listed previously.

RR AIR-3: As listed previously.

Mitigation Measures:

Mitigation Measure AQ-2: Tier 4 Final. As listed previously.

Biological Resources

Impact Finding BIO-1: The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Original DEIR Page 5.4-15).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Finding:

Specific Plan Area: As shown in Original DEIR Table 5.4-2, 12 rare plant species were recorded within the Fontana quadrangle database search conducted on the California Natural Diversity Database (CNDDB). None of the 12 identified special-status plants were observed during the

general biological surveys conducted on December 19, 2017, April 10, 2020, and January 20, 2021, and no suitable habitat for special-status plant species was detected within the Specific Plan Area. However, while it is not expected that the Future Development-Specific Plan Buildout Area, including full buildout of all infrastructure areas would support suitable habitat for rare plant species, general biological surveys will be performed for future developments outside of the Opening Year-Options 1 and 2 Development areas to confirm whether suitable habitat exists. As such, MM BIO-1 is included to require habitat surveys for special-status plant species prior to developments in the Future Development-Specific Plan Buildout Area

As shown in Original DEIR Table 5.4-3, a total of 17 sensitive animal species have been recorded within the Fontana quadrangle database search conducted on CNDDDB. Of the 17 species, 13 are considered to have no potential to occur and 4 have low to moderate potential to occur in the Specific Plan Area. None of the 17 special-status animal species were observed during the general biological surveys conducted on December 19, 2017, April 10, 2020, and January 20, 2021. However, several special-status wildlife species have the potential to occur onsite.

Opening Year Development - Options 1, 2

The four species that could occur in the Opening Year Development – Option 1 and Option 2 areas are the burrowing owl, Delhi Sands Flower-Loving Fly, San Diego Black-tailed Jackrabbit, and two sensitive bats: the Pocketed free-tailed bat and the Western Yellow Bat.

Burrowing Owl. The San Bernardino County Biotic Resources Map shows the Specific Plan Area as an area that may support habitat for burrowing owls. Burrowing owl habitat assessments and surveys were conducted for all four Development Sites of the Opening Year Development and found that no burrowing owls were; however, the site has potential to support burrowing owls due to the presence of suitable habitat. Mitigation Measure BIO-2 has been included to require take avoidance surveys to be conducted prior to ground disturbance for the Opening Year Development—Options 1 and 2 areas and offsite infrastructure areas

Delhi Sands Flower-Loving Fly. The San Bernardino County Biotic Resources Map shows the Specific Plan Area as an area that may support habitat for the Delhi Sands Flower-Loving Fly (DSF). A Habitat Suitability Assessment (Appendix D2) prepared for the entire Specific Plan Area found that the Delhi Sands mapped within the Specific Plan Area and within the offsite infrastructure areas are either unsuitable or very low-quality Delhi Sands due to mixing with other soils and adverse changes in soil chemistry. Additionally, there have been no DSF sightings in the Specific Plan Area. Therefore, the Opening Year Options 1 and 2 Development Areas and offsite infrastructure areas do not contain suitable habitat for DSF. No impact to DSF would occur.

San Diego Black-tailed Jackrabbit. Planning Area A does not support suitable habitat for this species, and the San Diego black-tailed jackrabbit is not expected to occur. Additionally, no suitable habitat for San Diego black-tailed jackrabbit was identified within the offsite infrastructure areas outside of the Specific Plan Area. Impacts to San Diego Black-tailed Jackrabbit caused by the proposed Opening Year Development Options 1 and 2 would be less than significant.

Pocketed free-tailed bat. Residential buildings and other structures located throughout the Specific Plan Area may support suitable roosting habitat for this species, and the nurseries and other trees may provide suitable foraging habitat. Offsite infrastructure areas for the Opening Year Development Options 1 and 2 areas do not support suitable roosting or foraging habitat but are adjacent to potentially suitable habitat.

Western Yellow Bat. Planning Area A supports some roosting and foraging habitat based on the presence plant nurseries and other trees in the Planning Area. Offsite infrastructure areas within the Opening Year Development Options 1 and 2 areas do not support suitable roosting or foraging habitat but are adjacent to potentially suitable habitat.

The Opening Year Development Options 1 and 2 areas support potentially suitable roosting and foraging habitat for pocketed free-tail bat and western yellow bat; therefore, MM BIO-3 has been incorporated into the Project to require construction and demolition activities to occur outside the bat maternity roosting season when feasible, which is generally defined as April 1 through August 31.

Future Development Area – Specific Plan Buildout: The general biological survey and aerial review found that the Future Development Area may be a suitable habitat for burrowing owl, pocketed free-tailed bat, western yellow bat, and San Diego black-tailed jackrabbit. As such, mitigation measures related to burrowing owl and sensitive bats are included and outlined in MMs BIO-2 and BIO-3, respectively. MM BIO-4 has been included to require general biological surveys for sensitive animal species, including San Diego black-tailed jackrabbit, prior to future developments in the Future Development Area.

Upzone Site: The proposed rezoning of the Upzone Site is not expected to be developed at this time; however, future development within the Upzone Site has the potential to impact special-status species. Therefore, future development within the Upzone Site would require further biological surveys for special-status plant species, as outlined in MM BIO-1. With the incorporation of MM BIO-1, impacts to special-status plant species within the Upzone Site would be less than significant.

The San Bernardino County Biotic Resources Map shows the Upzone Site as within an overlay area for burrowing owl, which demonstrates that there is potential habitat for burrowing owl. Future development of the Upzone Site would also require biological surveys for special-status wildlife species, as outlined in MM BIO-2, MM BIO-3, and MM BIO-4. With the incorporation of MM BIO-2, MM BIO-3, and MM BIO-4, impacts to special-status wildlife species within the Upzone Site would be less than significant.

Mitigation Measures:

Mitigation Measure BIO-1: Rare Plants. Future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas) shall be surveyed to determine if any rare plant species have the potential to occur. If suitable habitat is present, a qualified biologist shall survey for sensitive plants during the appropriate time of year (i.e., when the species is readily identifiable, such as during its blooming period) prior to initiating construction activities in a given area. The focused surveys shall be conducted in accordance with published agency guidelines (CDFW 2009, CDFW 2000, USFWS 2000). If rare plants are identified and cannot be avoided, the project-level biological survey report would justify why species-specific mitigation is necessary and propose mitigation to reduce project impacts to a less than significant level.

Mitigation Measure BIO-2: Burrowing Owl. Prior to commencement of construction activities (i.e., demolition, earthwork, clearing, and grubbing), habitat assessments to determine whether suitable burrows are present as defined by the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012) shall be conducted within future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The assessment shall also include a 500-foot (150-meter) buffer around proposed development footprints. If suitable burrows are identified, focused surveys shall be conducted by a qualified biologist during the breeding season in accordance with the most recent CDFW guidelines.

Take avoidance surveys shall be conducted within all areas of the Specific Plan Area & Upzone Site (including Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The take avoidance surveys shall be conducted within 14 days and repeated 24 hours prior to construction activities (i.e., demolition, earthwork, clearing, and grubbing) to determine presence of burrowing owl (BUOW). If take avoidance surveys are negative and BUOW is confirmed absent, then ground-disturbing activities shall be allowed to commence, and no further mitigation would be required.

If BUOW is observed during focused surveys and/or take avoidance surveys within any portion of the Study Area (including Opening Year Development—Options 1 and 2 and offsite infrastructure areas), active burrows shall be avoided by the project in accordance with the CDFW's Staff Report (CDFG 2012). The County shall be immediately informed of any BUOW observations. The Project applicant/developer shall consult with the County to determine how to mitigate the impacts to any active burrows. If the County determines that active relocation is required, a BUOW Protection and Relocation Plan (plan) shall be prepared by a qualified biologist, which must be sent for approval by CDFW prior to initiating ground disturbance. The plan shall detail avoidance measures that shall be implemented during construction and passive or active relocation methodology. Relocation shall only occur between September 1 through January 31, outside of the breeding season.

Mitigation Measure BIO-3: Sensitive Bat Species. Prior to commencement of construction activities, habitat assessments for sensitive bat species shall be conducted for all future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The following avoidance and minimization measures shall be implemented within all areas of the Specific Plan Area & Upzone Site that support suitable habitat for sensitive bat species. These measures shall also be implemented for Opening Year Development—Options 1 and 2 and offsite infrastructure areas since suitable habitat was identified.

1. Construction activities (i.e., earthwork, clearing, grubbing, etc.) shall occur from September 1 through March 31 and outside the bat maternity roosting season to the extent possible.
2. If construction activities are proposed within the bat maternity roosting season (April 1 through August 31), a qualified biologist experienced with bats shall conduct a pre-construction survey within all suitable habitat. The pre-construction survey shall be conducted 30 days prior to commencing construction/demolition activities and shall consist of two separate surveys conducted no more than a week apart. The second and final survey should be conducted no more than seven days prior to commencing construction/demolition activities. The pre-construction surveys should be conducted using a detector for echolocation calls, such as an Anabat bat detector system. The results of the pre-construction survey shall be documented by the qualified biologist.

If the qualified biologist determines that no sensitive bat maternity roosts are present, the construction activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that sensitive bat maternity roosts are present, the following avoidance and minimization measures shall be implemented:

- a. No construction activities may occur within 300 feet of any sensitive bat maternity roosts. A qualified biologist shall clearly delineate any bat maternity roosts and any required avoidance buffers, which shall be clearly marked with flags and/or fencing prior to the initiation of construction activities.

- b. If construction activities are proposed within 300 feet of a sensitive bat maternity roost, a biological monitor shall be required to observe the behavior of any roosting bats. The construction supervisor shall be notified if the construction activities appear to be altering the bats' normal roosting behavior. No construction activities will be allowed within 300 feet of bat maternity roosts until the additional minimization measures are taken, as determined by the biological monitor in coordination with the County. The biological monitor shall prepare written documentation of all monitoring activities and any additional minimization measures that were taken, which shall be submitted to the County at the completion of construction activities.

Mitigation Measure BIO-4: Sensitive Animals. Future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas) shall be surveyed for any other sensitive animal species that may be present. The project-level biological survey report shall analyze these projects' impacts on sensitive animal species and shall propose mitigation to reduce project impacts to a less than significant level.

Mitigation Measure WVLC BIO-1: Pre-Construction Focused Surveys of Proposed Conservation Area and Development Area to Confirm Absence of Special-Status Species. Pre-construction Survey within the Proposed Development Area for Western Burrowing Owl. The project applicant shall retain a qualified biologist to conduct preconstruction surveys for burrowing owls no fewer than 14 days prior to any ground-disturbing activities, to be repeated 24 hours prior to grading. The preconstruction surveys shall be approved by the City of Fontana Director of Community Development and conducted in accordance with current survey protocols provided in the CDFW Staff Report on Burrowing Owl Mitigation (March 7, 2012). In the event a burrowing owl is found to be present on site during the preconstruction survey, the project applicant shall ensure that the applicable avoidance measures outlined in the CDFW Staff Report on Burrowing Owl Mitigation (March 7, 2012) are applied to the proposed project (e.g., avoid direct impacts on occupied burrows during nesting season). Any active avoidance measures during the breeding season must to be coordinated with CDFW.

Pre-construction Nesting Bird Survey of the Proposed Development Area. Nesting birds are protected pursuant to the MBTA and California Fish and Game Code. If ground-disturbing activities or removal of any trees, shrubs, or any other potential nesting habitat are scheduled within the avian nesting season (January 1 to August 31), a preconstruction clearance survey for nesting birds shall be completed no more than 3 days prior to ground disturbance. This will ensure that no nesting birds adjacent to the construction area will be disturbed during construction. If nesting birds are found, an avoidance buffer no less than 300 feet shall be established around the nest until all young have fledged and the nest is confirmed by a qualified biologist to be no longer active.

Impact Finding BIO-2: The Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Original DEIR Page 5.4-20).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Finding:

Specific Plan Area: No sensitive vegetation communities are located within the Specific Plan Area. Based on the biological survey conducted in Planning Area A, there are no jurisdictional features or riparian habitat. Therefore, no impact to sensitive vegetation communities would occur within the Opening Year Development and mitigation is not warranted. Based on the general biological survey and aerial review, the Future Development Area is not expected to support sensitive vegetation communities pursuant to California Department of Fish and Wildlife (CDFW) regulations. However, future developments should be surveyed to confirm. As such, MM BIO-5 is included to require biological surveys for sensitive vegetation within the Future Development Area.

Planning Area B is not expected to contain jurisdictional features or riparian habitat, however, future developments proposed within Planning Area B will be required to undertake surveys to confirm the lack of jurisdictional features and riparian habitat prior to the approval of any development applications. As such, MM BIO-6 is included to require jurisdictional surveys to determine the presence or absence of jurisdictional features and riparian habitat within Planning Area B. With implementation of MMs BIO-5 and BIO-6, impacts to sensitive vegetation communities within the Specific Plan Area would be less than significant.

Upzone Site: There are no jurisdictional features within the Upzone Site. However, future development of the Upzone Site has the potential to impact sensitive vegetation communities. Therefore, future development proposed within the Upzone Site would require further biological surveys for sensitive vegetation communities and jurisdictional features to be undertaken prior to the approval of any development applications, as outlined in MMs BIO-5 and BIO-6. With incorporation of MMs BIO-5 and BIO-6, impacts to sensitive vegetation communities within the Upzone Site would be less than significant.

Mitigation Measures:

Mitigation Measure BIO-5: Sensitive Vegetation Communities. Future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas) shall be surveyed for sensitive vegetation communities as defined by CDFW. Impacts to sensitive vegetation communities shall first be avoided. Where avoidance is not feasible, sensitive vegetation communities shall be mitigated through habitat acquisition/preservation, restoration, and/or creation.

Mitigation Measure BIO-6: Jurisdictional Resources. A jurisdictional assessment shall be conducted for future projects proposed within the Specific Plan Area & Upzone Site (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). Jurisdictional resources shall be avoided when feasible. Where avoidance is not feasible, project-specific impacts to jurisdictional resources shall be addressed and mitigated by federal and state regulators via applicable consulting and permitting process. The types of mitigation required may include onsite or offsite preservation, enhancement, creation, and/or restoration. Mitigation is typically required at a 1:1 ratio or higher and to be accomplished in close proximity to the impacts or at least in the same watershed. Final requirements and locations are, however, subject to change during applicable consultation/permit processes required by the USACE, RWQCB, and CDFW.

Best Management Practices (BMPs) to minimize and avoid impacts to jurisdictional resources during and after construction shall include, but are not limited to, the following:

- Construction-related equipment will be stored in developed areas, outside of the drainage. No equipment maintenance will be done within or adjacent to the drainage.

- Source control and treatment control BMPs will be implemented to minimize the potential contaminants that are generated during and after construction. Water quality BMPs will be implemented throughout the project to capture and treat potential contaminants.
- Substances harmful to aquatic life will not be discharged into the drainage. All hazardous substances will be properly handled and stored.
- A Storm Water Pollution Prevention Plan will be prepared to prevent sediment from entering the drainage during construction.
- To avoid attracting predators during construction, the project will be kept clean of debris to the extent possible. All food-related trash items will be enclosed in sealed containers and regularly removed from site.
- Construction personnel will strictly limit their activities, vehicles, equipment and construction material to the proposed project footprint, staging areas, and designated routes of travel.
- Exclusion fencing will be installed to demarcate the limits of disturbance. The exclusion fencing should be maintained until the completion of construction activities.

Impact Finding BIO-3: The Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Original DEIR Page 5.4-21).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Findings:

Specific Plan Area: No wetland features have been documented within or adjacent to the Specific Plan Area. Planning Area A does not support jurisdictional resources, therefore, no impacts to California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers (USACE), or Santa Ana Regional Water Quality Control Board (RWQCB) jurisdiction would occur, and mitigation is not warranted.

Planning Area B is not expected to support jurisdictional resources, however, future developments proposed in Planning Area B should be surveyed to confirm there are no resources under USACE or RWQCB jurisdiction. Therefore, MM BIO-6 is included to require jurisdictional assessments for projects within Planning Area B.

Upzone Site: No wetland features have been documented within or adjacent to the Upzone Site. However, future development on the Upzone Site has the potential to impact wetlands if any are located on site at the time future development occurs. Therefore, future development within the Upzone Site will need to be surveyed for jurisdictional features prior to construction, as outlined in MM BIO-6. With incorporation of MM BIO-6, impacts to federally protected wetlands within the Upzone Site would be less than significant.

Mitigation Measures:

Mitigation Measure BIO-6: Jurisdictional Resources. As listed previously.

Impact Finding BIO-4: The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Original DEIR Page 5.4-22).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Finding:

Specific Plan Area & Upzone Site: The Project site contains vegetation with the potential to support native nesting birds. Disturbing or destroying active nests is a violation of the MBTA (16 U.S.C. 703 et seq.) and California Fish and Game Code Section 3503. Mitigation Measure BIO-7 states that vegetation clearing should be conducted outside of the nesting season, which is generally identified as March 15 through August 31 for songbirds and January 1 through August 31 for raptors. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, and to implement buffer measures to protect active nests, if any are observed on site. With implementation of Mitigation Measure BIO-7, impacts related to nesting birds would be reduced to a less than significant level.

Mitigation Measures:

Mitigation Measure BIO-7: Nesting Birds. Nesting Birds: To the extent possible, construction activities (i.e., demolition, earthwork, clearing, and grubbing) within the Specific Plan Area & Upzone Site, including Opening Year Development—Options 1 and 2 and offsite infrastructure areas, shall occur outside of the general bird nesting season for migratory birds, which is March 15 through August 31 for songbirds and January 1 through August 31 for raptors.

If construction activities (i.e., earthwork, clearing, and grubbing) must occur during the general bird nesting season for migratory songbirds (March 15 through August 31) and raptors (January 1 to August 31), a qualified biologist shall perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and CFG Code. The pre-construction survey shall be performed no more than three days prior to the commencement of construction activities. The results of the pre-construction survey shall be documented by the qualified biologist. If construction is inactive for more than seven days, an additional survey shall be conducted.

If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. If the qualified biologist determines that an active migratory bird or raptor nest is present, no impacts within 300 feet (500 feet for raptors) of the active nest shall occur until the young have fledged the nest and the nest is confirmed to no longer be active, or as determined by the qualified biologist. The biological monitor may modify the buffer or propose other recommendations in order to minimize disturbance to nesting birds.

Impact Finding BIO-6: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (Original DEIR Page 5.4-23).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Finding:

Opening Year Development: Based on the tree survey conducted for the Opening Year Development, no regulated trees existing within Sites 1 through 4 or within the offsite infrastructure areas. As such, construction of the Opening Year Development and offsite infrastructure would not conflict with any local policy and impacts would be less than significant.

Future Development Area – Specific Plan Buildout: The general biological survey conducted for the Future Development Area identified one tree that would be regulated under San Bernardino County Development Code Section 88.01. Implementation of MM BIO-8 would require a tree inventory to be prepared, within the footprint of all sites where development applications are submitted to identify County-regulated trees, as defined by the County's Plant Protection and Management regulations. MM BIO-8 also requires that any impacts to regulated trees would require a removal permit from the County. With the implementation of MM BIO-8, the construction within the Future Development Area would not conflict with any local policies or ordinances protecting biological resources, and impacts would be less than significant.

Upzone Site: Future developments will require project-specific environmental review to determine potential impacts and to obtain a Native Tree Removal Permit pursuant to Development Code section 88.01.050, if necessary, as outlined in MM BIO-8. Compliance with this mandatory regulatory requirement and implementation of MM BIO-8 would ensure that impacts related to the Upzone Site would be less than significant.

Mitigation Measures:

Mitigation Measure BIO-8: County Regulated Trees. A tree survey shall be conducted for future projects proposed within the Specific Plan Area (excluding Opening Year Development—Options 1 and 2 and offsite infrastructure areas). The survey shall be conducted by an ISA-certified arborist to identify trees regulated under the Section 88.01.070 of the County's Code of Ordinances. If regulated trees will be impacted by a project, a tree removal permit must be obtained prior to impacts.

Cultural Resources

Impact Finding CUL-1: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 (Original DEIR Page 5.5-8).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures as detailed below.

Facts in Support of Finding:

Specific Plan Area & Upzone Site: None of the properties within the Specific Plan Area and Upzone Site are listed on the National Register, California Register, the Office of Historic Preservation's Built Environment Resources Directory (BERD), or local registers. However, some of the properties meet the historic resources threshold of being at least 50 years of age for eligibility of listing, i.e., structures on the properties were constructed prior to 1971.

Therefore, Mitigation Measure CUL-1 has been included to require preparation of a Historical Resources Assessment for future development of Planning Area B of the Specific Plan and the Upzone Site to verify that historic-age structures are not eligible for listing as historical resources. With implementation of Mitigation Measure CUL-1, impacts related to a substantial adverse change in the significance of a historical resource would be less than significant.

Mitigation Measures:

Mitigation Measure CUL-1: Historical Resources Assessment for Future Development of Planning Area B of the Specific Plan and Upzone Site. Prior to issuance of a grading permit, future development projects in Planning Area B of the Specific Plan or the Upzone Site shall include the preparation of a historical resources assessment prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history to verify that any buildings, structures, or objects over 45 years of age are not eligible for listing as a historical resource. The qualified architectural historian or historian shall conduct an evaluation of the potential historic resources in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation (OHP) and shall document the evaluation in a report meeting the State OHP guidelines or on Department of Parks and Recreation Series 523 forms. The report shall be submitted to the County Planning Department for review and concurrence.

Impact Finding CUL-2: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 (Original DEIR Page 5.5-11).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Finding:

Specific Plan Area - Opening Year Development – Options 1 and 2: No prehistoric or historic-period archaeological resources were identified during the pedestrian and reconnaissance surveys within the Specific Plan Area. However, the Specific Plan Area is considered sensitive to archaeological resources due to a number of previously recorded prehistoric and historical archaeological sites in the vicinity of the Project area. Due to the disturbed nature of the Specific Plan Area (i.e., current development and landscaping, and historic agricultural operations), Planning Area A has very little, if any, undisturbed land. However, as Project construction requires grading and excavation, there may be undiscovered archaeological resources beneath the surface. Mitigation Measure CUL-2 has been incorporated into the Project to require archaeological monitoring of all developments in the Specific Plan Area. With implementation of Mitigation Measure CUL-2, impacts to archaeological resources would be less than significant.

Future Development – Specific Plan Buildout and Upzone Site: The Specific Plan Area and the Upzone Site are considered sensitive to archaeological resources. Therefore, it is possible that ground-disturbing construction activities in Planning Area B and in the Upzone Site could uncover archaeological resources, and impacts could be potentially significant. As such, Mitigation Measure CUL-2 and CUL-3 have been incorporated into the Project to require archaeological monitoring for all developments within the Specific Plan Area and Upzone Site. With implementation of Mitigation Measure CUL-2 and CUL-3, impacts to archaeological resources would be less than significant.

Mitigation Measures:

Mitigation Measure CUL-2: Archaeological Monitoring of All Developments in the Specific Plan Area and Upzone Site.

- a) Prior to the issuance of each grading permit for the Specific Plan Area and Upzone Site, the Applicant or construction contractor shall provide evidence to the County of San Bernardino that a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61) has been retained to conduct monitoring of rough grading activities. The archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities.
- b) The archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan, which would be approved by the County and describe processes for archaeological and tribal monitoring and for handling incidental discovery of cultural resources for all ground-disturbing construction and pre-construction activities. The monitoring plan shall be provided to the San Manuel Band of Mission Indians and Gabrieleño Band of Mission Indians – Kizh Nation for review and comment, as detailed in MM TCR-2. Prior to the issuance of a grading permit, the Applicant or construction contractor shall provide evidence to the County of San Bernardino that all construction workers involved with grading and trenching operations have received training by the archaeologist to recognize archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. Pursuant to MM TCR-1, all Native American Tribal Representatives, including the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians – Kizh Nation, shall be allowed to attend the training session.
- c) The training of all construction workers involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the archaeologist shall be available to provide the training on an as-needed basis.
- d) In the event archaeological resources (artifacts or features) are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 100-foot radius of the discovery and see identification and evaluation and evaluation of the suspected resource by the archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note.
- e) After the archaeologist makes his/her initial assessment of the nature of the find, the archaeologist shall notify the Native American Tribal Representatives—including the San Manuel Band of Mission Indians Cultural Resources Department and the Gabrieleño Band of Mission Indians – Kizh Nation —as to provide Tribal input with regards to the significance and treatment. If it is not of Native American heritage, the archaeologist shall

pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage, and treatment protocols shall be developed in accordance with applicable provisions of Public Resource Code Section 21083.2 and State CEQA Guidelines 15064.5 and 15126.4 in consultation with the County or a with a recognized scientific or educational repository, including the SCCIC. Per CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources, consistent with CEQA Guidelines Section 15126.4(b)(3)(C). If unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage and treatment shall be required at the Applicant's expense.

- f) If a significant tribal cultural resource is discovered on the property, ground disturbing activities shall be suspended 50 feet around the resource until a tribal resource treatment plan is implemented. A tribal resource treatment plan shall be prepared and implemented, subject to approval by the County of San Bernardino, to protect the identified resource(s) from damage and destruction. The treatment plan shall contain a research design and data recovery program necessary to document the size and content of the discovery such that the resource(s) can be evaluated for significance under CEQA criteria. The research design shall list the sampling procedures appropriate to exhaust the research potential of the archaeological or tribal cultural resource(s) in accordance with current professional archaeology standards. The treatment plan shall require monitoring by the appropriate Native American Tribe(s) during data recovery and shall require that all recovered artifacts undergo basic field analysis and documentation or laboratory analysis, whichever is appropriate. At the completion of the basic field analysis and documentation or laboratory analysis, any recovered resource(s) shall be processed and curated according to current professional repository standards. The collections and associated records shall be donated to an appropriate curation facility, or the artifacts may be delivered to the appropriate Native American Tribe(s) if that is recommended by the County of San Bernardino. A final report containing the significance and treatment findings shall be prepared by the archaeologist and submitted to the County of San Bernardino, the South Central Coastal Information Center (SCCIC) at California State University (CSU), Fullerton, and the appropriate Native American Tribe(s).

Mitigation Measure CUL-3: Archaeological Resources Assessment for Future Developments in Planning Area B of the Specific Plan and Upzone Site. Prior to the issuance of a grading permit, future developments within Planning Area B of the Specific Plan and Upzone Site will be required to prepare archaeological resource assessments in accordance with the California Office of Historic Preservation: Archaeological Resources Management Report Guidelines, with the purpose to assess, avoid, and mitigate potential impacts to archeological and tribal cultural resources as set forth in CEQA Regulations: Appendix G. Archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's PQS in either prehistoric or historic archaeology. The archaeological resources assessment for undeveloped, large open areas—including along Laurel Avenue within the Specific Plan and the northwest parcel of the Upzone Site—shall include a Phase I pedestrian survey, undertaken to locate any surface cultural materials that may be present. To the extent applicable, the archaeological resources assessment conducted for projects in the Specific Plan Area shall consider analysis and recommendations included in the Phase 1 CRA prepared for the Bloomington Business Park Specific Plan Project (Appendix E of the Original DEIR). In the event archaeological resources are identified by the archaeological resource assessment, Mitigation Measure CUL-2 shall apply.

Energy

Impact Finding E-1: The Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation (Recirculated DEIR Page 5.6-6 to 5.6-22).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Findings:

Specific Plan Area & Upzone Site:

Construction

During construction of the proposed Specific Plan scenarios and buildout of the Upzone Site, energy would be consumed in three general forms, petroleum-based fuels, electricity, and energy used in the production of construction materials. Construction activities related to the proposed business park buildings, residences in the Upzone Site, and the associated infrastructure are not expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California.

Recirculated DEIR Table 5.6-1 details estimated construction electricity usage for the Specific Plan Development scenarios. Total construction electricity usage for Opening Year – Option 1 would be approximately 1,740,046 kWh, construction of Opening Year – Option 2 would utilize 2,133,770 kWh, and construction of the Future Development Area - Specific Plan Buildout would utilize 385,800 kWh. Recirculated DEIR Tables 5.6-2, 5.6-3, and 5.6-4 estimates the amount of diesel fuel that would be needed to construct each of the Specific Plan Development scenarios. Construction of Opening Year – Option 1 is estimated to result in the need for 183,525 gallons of diesel fuel. Construction of Opening Year – Option 2 is estimated to result in the need for 103,357 gallons of diesel fuel. Construction of the Future Development Area - Specific Plan Buildout is estimated to result in the need for 67,674 gallons of diesel fuel.

Recirculated DEIR Table 5.6-5 shows that construction workers would use approximately 84,643 gallons of fuel in automobiles for the Opening Year – Option 1. Recirculated DEIR Tables 5.6-6 and 5.6-7 show that approximately 103,357 gallons of fuel would be used by automobiles for Opening Year – Option 2, and 17,617 gallons of fuel would be used by automobiles for the Future Development Area - Specific Plan Buildout.

Recirculated DEIR Table 5.6-8 shows that approximately 50,568 gallons of fuel would be used by light duty trucks for construction of Opening Year – Option 1. Recirculated DEIR Table 5.6-9 shows that approximately 61,679 gallons of fuel would be used by light duty trucks for construction of Opening Year – Option 2, and Recirculated DEIR Table 5.6-10 shows that approximately 10,531 gallons of fuel would be used by light duty trucks for construction of the Future Development Area - Specific Plan Buildout.

Recirculated DEIR Table 5.6-11 shows that approximately 53,877 gallons of fuel would be used by light duty 2 trucks for construction of Opening Year – Option 1. Recirculated DEIR Table 5.6-12 shows that approximately 65,716 gallons of fuel would be used by light duty 2 trucks for construction of Opening Year – Option 2, and Recirculated DEIR Table 5.6-13

shows that approximately 11,134 gallons of fuel would be used by light duty 2 trucks for construction of the Future Development Area - Specific Plan Buildout.

Recirculated DEIR Tables 5.6-14 shows that construction related vendor trips (vehicles that deliver materials to the site during construction) and hauling trips for Opening Year – Option 1 would use approximately 28,802 gallons of fuel would be used by medium high duty trucks. The same needs for construction of Opening Year – Option 2 would use approximately 35,303 gallons of fuel, as shown in Recirculated DEIR Table 5.6-15 and construction of the Future Development Area - Specific Plan Buildout would use approximately 6,198 gallons of fuel, as shown in Recirculated DEIR Table 5.6-16.

Recirculated DEIR Table 5.6-17 shows that construction related vendor trips (vehicles that deliver materials to the site during construction) and hauling trips for Opening Year – Option 1 would use approximately 113,453 gallons of fuel would be used by heavy high duty trucks. The construction of Opening Year – Option 2 would use approximately 123,765 gallons of fuel, as shown in Recirculated DEIR Table 5.6-18 and construction of the Future Development Area - Specific Plan Buildout would use approximately 12,599 gallons of fuel, as shown in Recirculated DEIR Table 5.6-19.

Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations and compliance with existing CARB idling restrictions and the use of newer engines and equipment would reduce fuel combustion and energy consumption. Overall, construction activities would require limited energy consumption, would comply with all existing regulations, and would therefore not be expected to use large amounts of energy or fuel in a wasteful manner. Nevertheless impacts would be potentially significant due to energy consumed and the Project would implement Mitigation Measure AQ-5, which would require the use of on-road heavy duty haul trucks that are model year 2014 or newer; Mitigation Measure AQ-8, which would provide information on transit and ridesharing programs to construction employees; and Mitigation Measure AQ-9, which would require provision of meal options onsite or shuttles between the construction site and nearby meal destinations. Implementation of Mitigation Measures AQ-5, AQ-8, and AQ-9 would serve to reduce diesel and gasoline consumption during construction, and further reduce construction energy demand. Thus, impacts related to construction energy usage would be less than significant.

Operations

Once operational, the business park uses would generate demand for electricity, natural gas, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of buildings, water heating, operation of electrical systems and plug-in appliances within buildings, parking lot and outdoor lighting, and the transport of electricity, natural gas, and water to the areas where they would be consumed.

Recirculated DEIR Table 5.6-20 shows operation of Opening Year – Option 1 is estimated to annually use 1,521,796 gallons of fuel. Recirculated DEIR Table 5.6-21 shows that operation of Opening Year – Option 2 is estimated to annually use 2,022,047 gallons of fuel, and Recirculated DEIR Table 5.6-22 shows that operation of the Future Development Area - Specific Plan Buildout is estimated to annually use 1,174,606 gallons of fuel. Additionally, Mitigation Measure AQ-10 has been included to enforce CCR Title 13, Section 2485, which limits vehicle idling to five minutes to prevent unnecessary fuel consumption. Furthermore, the Project would incorporate Mitigation Measure AQ-11 to provide information on incentive programs for energy efficient truck upgrades and Mitigation Measure AQ-12 to provide EV

charging stations and carpool parking to promote reduced fuel consumption. Implementation of Mitigation Measures AQ-10 through AQ-12 would further reduce diesel and gasoline consumption; however, due to the programmatic nature of the Project and unknown future tenants, quantification of these measures is speculative.

Recirculated DEIR Table 5.6-23 details that operation of Opening Year – Option 1 would use approximately 3,022,510 thousand British thermal units (kBtu) per year of natural gas. Opening Year – Option 2 would use approximately 3,878,220 kBtu and the Future Development Area - Specific Plan Buildout would use approximately 2,128,532 kBtu.

While no development within the Upzone Site is proposed at this time, Recirculated DEIR Table 5.6-23 shows that operation of 480 dwelling units at the Upzone Site at full buildout would result in an increase of 7,522,563 kBtu/year.

Recirculated DEIR Table 5.6-24 details that approximately 4,628,344 kilowatt-hour (kWh) per year of electricity would be used for operation of Opening Year – Option 1, approximately 5,353,275 kWh annually would be used for operation of Opening Year – Option 2, and approximately 5,065,430 kWh annually would be used for operation of the Future Development Area - Specific Plan Buildout. In addition, Recirculated DEIR Table 5.6-24 shows that operation of the Upzone at buildout would result in an increase of 3,149,821 kWh/year.

Because this use of energy is typical for urban development, no operational activities or land uses would occur that would result in extraordinary energy consumption, and through County permitting, assurance would be provided that existing regulations related to energy efficiency and consumption, such as Title 24 regulations and California Code of Regulations (CCR) Title 13, Motor Vehicles, section 2449(d)(3) related to idling, would be implemented.

Given the size of the proposed development, the Project could potentially result in inefficient or wasteful energy use; therefore, Mitigation Measure E-1 requires the Project buildings to meet LEED Silver standards to provide additional efficiency measures and energy reductions. While zero-emission heavy-duty trucks remain infeasible due to limited availability and infrastructure constraints, the Project would utilize zero-emission light-, medium-, and heavy-duty trucks once feasible, as required by Mitigation Measures AQ-19 and AQ-20, to reduce reliance on fossil fuels in future operations. Additionally, Mitigation Measure AQ-13, would require the Project to utilize electric yard hostlers, forklifts, and pallet jacks to further ensure the Project does not result in inefficient or wasteful energy consumption.

Pursuant to Mitigation Measure GHG-1, Project buildings would be required to incorporate energy efficiency measures including enhanced window insulation, enhanced duct insulation, an improved efficiency HVAC system, very high efficiency water heaters, and very high efficiency lights to achieve 100 points on the County's GHG Reduction Plan Screening Tables, as shown in Recirculated DEIR Table 5.8-6.

As required by Mitigation Measure AQ-23, the Project must provide 100 percent of building load from renewable energy through onsite solar or other systems, or by purchasing renewable energy, though future tenants are not known and it is too speculative to estimate the energy demand solar panels would offset.

Because future tenants are unknown and zero-emission trucks are not yet feasible, this analysis does not assume energy reductions from Mitigation Measures AQ-13, AQ-19, AQ-

20, AQ-23, E-1, and GHG-1; however, these measures would ensure incorporation of renewable energy and efficiency features into Project operations. Therefore, impacts related to inefficient and wasteful use of energy would be less than significant with incorporation of mitigation.

CEQA Guidelines Appendix F

Recirculated DEIR Table 5.6-25 analyzes factors identified in CEQA Guidelines Appendix F and details that, with implementation of Mitigation Measures AQ-13, AQ-19, AQ-20, AQ-23, E-1 and GHG-1, the Project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation and impacts would be less than significant with incorporation of mitigation.

Mitigation Measures:

Mitigation Measure E-1: LEED Certification. The Project plans and specifications shall require that all buildings shall achieve certification of compliance or demonstrate equivalency with LEED Silver building standards. Prior to the issuance of building permits, the Project Applicant or successor in interest shall provide documentation to the County of San Bernardino Planning Division demonstrating that each development is designed to achieve energy efficient buildings equivalent to LEED Silver building standards with the following design criteria options:

- Five percent of all parking spaces shall have Level 2 or Level 3 charging capacity.
- Ten percent of all parking spaces shall have EV-ready conduit.
- Building envelopes insulation of conditioned space within all commercial and industrial buildings shall be R15 or greater for walls and R30 or greater for attics/roofs.
- Windows of commercial and industrial buildings shall have an insulation factor of 0.28 or less U-factor and 0.22 or less solar heat gain coefficient (SHGC).
- All roofing material for commercial buildings shall be Cool Roof Rating Council (CRRC) Rated 0.15 aged solar reflectance or greater and 0.75 thermal emittance.
- All heating/cooling ducting within the commercial and industrial buildings shall be insulated with R6 or greater insulation.
- All heating and cooling equipment shall be ERR 14/78 percent Annual Fuel Utilization Efficiency (AFUE), or 7.7 Heating Seasonal Performance Factor (HSPF) levels of efficiency or greater.
- All water heaters in the commercial and industrial buildings shall be high efficiency electric water heaters with a minimum 0.72 Energy Factor or greater.
- Lighting within the commercial and industrial buildings shall be high efficiency LED lighting with a minimum of 40 lumens/watt for 15 watt or less fixtures, 50 lumens/watt for 15–40-watt fixtures, and 60 lumens/watt for fixtures greater than 40 watts.
- All appliances within the commercial and industrial land uses shall be energy star rated appliances.
- All water fixtures shall be water efficient (toilets/urinals [1.5 gallons per minute (GPM) or less], showerheads [2.0 GPM or less], and faucets [1.28 GPM or less]).

Mitigation Measure AQ-5: As previously listed under Impact Finding AQ-2 for construction.

Mitigation Measure AQ-8: As previously listed under Impact Finding AQ-2 for construction.

Mitigation Measure AQ-9: As previously listed under Impact Finding AQ-2 for construction.

Mitigation Measure AQ-10: Idling Regulations. As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-11: Energy Efficient Vendor Trucks. As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-12: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-13: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-19: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-20: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-23: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure GHG-1: As listed below under GHG-1.

Impact Finding E-2: The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency (Recirculated DEIR Page 5.6-21).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The proposed Specific Plan and residences within the Upzone would be required to meet the CCR Title 24 energy efficiency standards in effect during permitting of proposed or future developments within the Specific Plan and future developments within the Upzone Site. The County's administration of the CCR Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. In addition, as described in Recirculated DEIR Section 5.3 *Air Quality*, pursuant to Mitigation Measure AQ-10, the Specific Plan plans and specifications shall require signs at loading dock facilities that identify the anti-idling regulations. Thus, the Project would not conflict with the idling limits imposed by CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling. While buildout of the Specific Plan could potentially conflict with State and local renewable energy plans, Mitigation Measure AQ-23 ensures that each building will use 100 percent renewable energy through onsite generation or purchase. Future Upzone Site development must comply with CalGreen solar requirements, and with Mitigation Measure AQ-23 requiring 100 percent renewable energy through solar, purchase, or both, the Project would not conflict with renewable energy use and would further State goals.

To limit natural gas usage, the Project would use all-electric interior vehicles, as required by Mitigation Measure AQ-13, reducing or eliminating building natural gas use and supporting California's all-electric building goals under Title 24.

Mitigation Measure E-1 requires Project buildings to meet LEED Silver standards, providing additional energy efficiency and reductions. Pursuant to Mitigation Measure GHG-1, buildings must incorporate measures such as increased insulation and cool roof features to achieve 100 points on the County's GHG Reduction Plan Screening Tables. The Project would also

promote renewable energy and reduce fossil fuel reliance through Mitigation Measure AQ-12, which requires electric vehicle charging stations for each building, supporting State electric vehicle adoption goals.

Furthermore, future residential development within the Upzone Site would be required to install solar panels pursuant to Title 24 requirements. Thus, the proposed Project would not obstruct use of renewable energy or energy efficiency. Thus, the Specific Plan and Upzone would not obstruct use of renewable energy or energy efficiency and the Project would be consistent with Countywide Plan Conservation Element policies. Overall, with implementation of Mitigation Measures AQ-10, AQ-12, AQ-13, AQ-19, AQ-20, AQ-23, AQ-24, E-1, and GHG-1, the Specific Plan and Upzone Site would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency.

Mitigation Measures:

Mitigation Measure E-1: LEED Certification. As previously listed under Impact Finding E-1

Mitigation Measure AQ-10: Idling Regulations. As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-12: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-13: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-19: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-20: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-23: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure AQ-24: As listed below under Impact Finding AQ-2 for operations.

Mitigation Measure GHG-1: As listed below under Impact Finding GHG-1

Geology and Soils

Impact Finding GEO-1iv: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides (Original DEIR Page 5.7-16).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Finding:

Specific Plan Area: According to the Countywide Plan Geologic Hazards Overlay Map and the geotechnical investigation completed for the Specific Plan Area, the southwestern portion of Development Site 2 and a portion of Planning Area B south of Development Site 3 are mapped as having moderate to high susceptibility for landslides. No proposed structures are within the mapped landslide susceptibility area. The proposed structures in Development Site 2 are not within an identified with landslide potential. An addendum prepared by the geologist

determined no landslide susceptibility investigation was needed for Development Site 2 unless a structure is proposed in the area of the landslide area. Thus, future development in the mapped landslide susceptibility area within Planning Area B will require a landslide susceptibility investigation in accordance with Mitigation Measure GEO-1 and in compliance with CBC requirements (CWP EIR RR GEO-1).

Upzone Site: The Upzone Site is relatively flat, and there are no areas of landslide susceptibility mapped within or adjacent to the Upzone Site. Therefore, future development within the Upzone Site would not directly or indirectly cause substantial adverse effects involving landslides. As such, impacts would be less than significant.

Regulatory Requirements:

RR GEO-1, as listed previously under Impact Finding GEO-1iv.

Mitigation Measures:

Mitigation Measure GEO-1: Landslide Susceptibility Report. Future development of structures within the area mapped as having moderate to high landslide susceptibility in Planning Area B of the Specific Plan shall prepare a landslide susceptibility investigation by registered professionals (i.e., California Professional Civil Engineer and as necessary a Professional Engineering Geologist). The investigation shall be prepared in accordance with requirements of the latest version of the California Building Code, and as warranted include design and construction recommendations to mitigate potential risks and impacts related to potential landslide hazards.

Impact Finding GEO-3: The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (Original DEIR Page 5.7-18).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Finding:

Specific Plan Area: As discussed in Impact GEO-1iv (Original DEIR Pages 5.7-16 - 17), with the exception of the southwest corner of Development Site 2 and a portion of Planning Area B south of Development Site 3, which are mapped as having moderate to high landslide susceptibility, there is negligible landslide potential for the remainder of the Specific Plan Area. The mapped landslide area in Development Site 2 is outside the immediate development footprint. Future development within the area mapped for landslide potential in Planning Area B will require a landslide susceptibility investigation provided in Mitigation Measure GEO-1.

The Specific Plan Area has flat topography soils consisting of medium dense to dense sands and silty soils. Therefore, the potential for lateral spreading at the site is low. Liquefaction potential is also considered low due to the depth of groundwater. As such, impacts related to lateral spreading and liquefaction would be less than significant.

The near-surface soils at Development Sites 1, 2, and 3 of the proposed Project contain artificial/undocumented fill soils that have the potential to collapse when inundated with water.

As a result, the geotechnical report recommends remedial grading to remove most of these soils within the proposed foundations. Therefore, any potential impacts related to collapsible soils would be mitigated by standard geotechnical engineering practices. Compliance with the California Building Code (CBC), as required by RR GEO-1, and geotechnical recommendations provided to date (Mitigation Measure GEO-2) and those during construction would mitigate potential soil hazards to less than significant (Original DEIR Pages 5.7-18 – 19).

Upzone Site: There are no areas of landslide or liquefaction susceptibility within or adjacent to the Upzone Site, however, future developments within the Upzone Site would still be required to comply with RR GEO-1. Accordingly, the developments would be designed and constructed to address potential geological conditions in accordance with San Bernardino County Code and CBC requirements. Therefore, potential impacts related to landslide, lateral spreading, subsidence, liquefaction, or collapse would be less than significant.

Regulatory Requirements:

RR GEO-1. As listed previously under Impact Finding GEO-1iv.

Mitigation Measures:

Mitigation Measure GEO-1: Landslide Susceptibility Report. As listed previously.

Mitigation Measure GEO-2: Geotechnical Recommendations. The Geotechnical Investigations completed for development of the Specific Plan Area outside of Opening Year—Option 1 and for development of the Upzone Site shall be submitted to the County of San Bernardino for review and approval. The approved recommendations shall be incorporated into the final design of the improvements proposed at the Specific Plan and implemented during construction. Any subsequent recommendations required by the Project's certified geotechnical engineer or engineering geologist shall be implemented to ensure the Project meets structural requirements of the California Building Code.

Impact Finding GEO-6: The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Original DEIR Page 5.7-19).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures.

Facts in Support of Finding:

Specific Plan Area: Construction in the Specific Plan Area has the potential to impact paleontological resources. As such, impacts to paleontological resources within the Specific Plan Area are potentially significant. Therefore, Mitigation Measure GEO-3 has been included to require the retention of a paleontologist and the preparation of a paleontological resource mitigation program (PRMP), which would establish mitigation monitoring procedures and discovery protocols, based on industrywide best practices and would reduce potential impacts to a less than significant level.

Upzone Site: Due to the similar soil types found within the Upzone Site and Specific Plan Area, future development in the Upzone Site has the potential to impact paleontological

resources that may be unearthed during construction. As such, impacts to paleontological resources within the Upzone Site are potentially significant.

Mitigation Measures:

Mitigation Measure GEO-3: Paleontological Resources. Prior to grading activities, the Applicant and/or its contractor shall retain a paleontologist selected from the County's list of qualified paleontologists or one who meets the qualifications of the Society of Vertebrate Paleontology standards as Project Paleontologist. The Project Paleontologist shall prepare a paleontological resource mitigation program (PRMP), monitor, salvage, and curate any recovered fossils associated with the Project area, should these be unearthed during ground disturbance within the Project area. Specifically, the Project Paleontologist shall:

- Be present at the pre-grading conference to establish procedures for paleontological resource surveillance.
- Monitor all ground disturbing activities in subareas where unit Qof₃ and Qof₁ are exposed and for ground disturbing activities that are four feet or greater below ground surface where unit Qyf₅ is exposed. The Project Paleontologist may reduce monitoring to spot checks or discontinue at his/her discretion if no intact and significant paleontological resources are encountered after the initial period of full-time monitoring.
- Monitor excavations closely to quickly and professionally recover any fossil remains discovered while not impeding development.

The purpose of the PRMP is to establish mitigation monitoring procedures and discovery protocols, based on industrywide best practices (Murphey et al., 2019) and shall include the following procedures:

- Include a Worker's Environmental Awareness Program (WEAP) training. The WEAP shall be prepared prior to the start of ground disturbance and be presented in person by the Project Paleontologist to all field personnel to describe the types of fossils that may occur in sediments present within the construction areas and the procedures to follow if any are encountered.
- Indicate where construction monitoring will be required for the Project and the frequency of required monitoring (i.e., full time, spot checks, etc.).
- Address the collection and processing (e.g., wet- or dry-screening) of sediment samples to analyze for presence/absence of small-fraction and microscopic fossils.
- Specify the process to be followed in the event paleontological resources are encountered, including ceasing all ground-disturbing activity within 50 feet of the area of the discovery. The Project Paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered.
- Describe the different reporting standards to be used for monitoring with negative findings versus monitoring resulting in fossil discoveries.
- Provide details on what sediment samples should be collected, analyzed, and processed to determine the presence/absence of fossils in small-fraction and microscopic grain sizes within the Project area. Fossils uncovered during mitigation activities shall be deposited in an accredited and permanent scientific institution, such as the Western Science Center, for the benefit of current and future generations.
- Specify the criteria for discarding specific fossil specimens. If the Project Paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by Project planning, then recovery may be applied.

- o Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if an important fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes.
- o Recovery, salvage and treatment shall be done at the applicant's expense.
- o All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist.
- o Resources shall be identified and curated into an established accredited professional repository.
- o The Project Paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.

Greenhouse Gases

Impact Finding GHG-1: The Project would not generate Greenhouse Gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment (Recirculated DEIR Page 5.8-12 to 5.8-26).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Findings: San Bernardino County employs a GHG Development Review Process that specifies a two-step approach in quantifying GHG emissions. First, a screening threshold of 3,000 MTCO₂e/yr is used to determine if additional analysis is required. Projects that exceed the 3,000 MTCO₂e/yr are required to either achieve a minimum 100 points per the Screening Tables or a 31 percent reduction over 2007 emissions levels.

Specific Plan Area: Implementation of the proposed Specific Plan would generate GHG emissions from construction activities, operational transportation, energy, waste disposal, and area sources (such as onsite equipment).

As shown in Recirculated DEIR Table 5.8-2, construction and operation of Opening Year – Option 1 would generate a net total of approximately 17,347.57 MTCO₂e/yr. As shown in Recirculated DEIR Table 5.8-3, construction and operation of Opening Year – Option 2 would generate a net total of approximately 22,420.02 MTCO₂e/yr. As shown in Recirculated DEIR Table 5.8-4, construction and operation of the Future Development Area would generate a net total of approximately 30,515.40 MTCO₂e/yr. All three project options would exceed the screening threshold of 3,000 MTCO₂e/yr.

As shown in Recirculated DEIR Table 5.8-6, the proposed Specific Plan Project would earn 148 points on the County's proposed 2021 GHG Screening Tables, which would exceed 100 points. Mitigation Measure GHG-1 has been included to ensure application of the GHG reduction measures. Additionally, as stipulated by Mitigation Measure GHG-1, individual projects can utilize different measures than those chosen in Table 5.8-6 as long as the total of the measures that are utilized meet 100 points. Therefore, impacts related to greenhouse gas emissions would be less than significant with mitigation.

Upzone Site: As shown in Recirculated DEIR Table 5.8-5, buildout of the Upzone Site would result in an increase of approximately 7,416.48 MTCO₂e/yr; and would exceed the screening threshold of 3,000 MTCO₂e/yr.

As shown in Recirculated DEIR Table 5.8-7, the Upzone Site would earn 104 points on the County's proposed 2021 GHG Screening Tables, which would exceed 100 points. Mitigation Measure GHG-1 has been included to ensure application of the GHG reduction measures. Additionally, as stipulated by Mitigation Measure GHG-1, individual projects can utilize different measures than those chosen in Table 5.8-7 as long as the total of the measures that are utilized meet 100 points. Therefore, impacts related to greenhouse gas emissions would be less than significant with mitigation.

Regulatory Requirements:

RR GHG-1: As previously listed.

RR GHG-2: As previously listed.

RR GHG-3: As previously listed.

RR GHG-4: As previously listed.

RR GHG -5: The County of San Bernardino adheres to the requirements of AB 341, AB 1826, and SB 1383. The County of San Bernardino Solid Waste Management Division manages landfill capacity and implements programs to divert waste from landfills, which includes recycling and organics/food waste collection. AB 341 requires business that generate 4 cubic yards of waste or more per week (including multifamily with five or more units) to arrange for recycling services. AB 1826 requires business to recycle their organic waste depending on how much waste they generate per week and also requires the County to implement an organic waste recycling program for business (including multifamily of five or more uses). SB 1383 requires that operates of landfills achieve reductions in short-lived climate pollutants and establishes a target to achieve a 50 percent reduction in statewide disposal of organic waste from 2014 levels by 2020 and 75 percent reduction from 2014 levels by 2025. AB 1383 also establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

Mitigation Measures:

Mitigation Measure GHG-1: GHG Reduction Measures. Prior to issuance of certificate of occupancy for each building, the Project Applicant shall provide documentation to the County of San Bernardino Building Department demonstrating that the improvements and/or buildings covered by the certificate of occupancy incorporated measures from the 2021 County of San Bernardino Greenhouse Gas Reduction Plan Screening Tables (Adopted September 2021), as needed to achieve the required 100 points. Design criteria options in order to meet 100 points include:

- Enhanced Insulation (rigid wall insulation R-13, roof/attic R-38) (11 points)
- Greatly Enhanced Window Insulation (0.28 or less U-factor, 0.22 or less solar heat gain coefficient [SHGC]) (7 points)
- Greatly Enhanced Cool Roof (Cool Roof Rating Council [CRRC] Rated 0.35 aged solar reflectance, 0.75 thermal emittance) (10 points)
- Air barrier applied to exterior walls, caulking, and visual inspection such as the Home Energy Rating System [HERS] Verified Quality Insulation Installation (QII or equivalent) (7 points)
- Enhanced Thermal Mass (20% of floor or 20% of walls 12" or more thick exposed concrete or masonry with no permanently installed floor covering such as carpet, linoleum, wood, or other insulating materials) (4 points)
- Enhanced Duct Insulation (R-8) (6 points)

- High Efficiency Heating, Ventilation, Air Conditioning system (HVAC) (Seasonal Energy Efficiency Ratio [SEER] 15/80% Annual Fuel Utilization Efficiency [AFUE] or 8.5 Heating Seasonal Performance Factor [HSPF]) (5 points)
- High Efficiency Water Heater (0.72 Energy Factor) (10 points)
- All rooms within building have daylight (through use of windows, solar tubes, skylights, etc.) (1 point)
- Very High Efficiency Lights (100% of in-unit fixtures are high efficiency) (8 points)
- North/South alignment of building or other building placement such that the orientation of the buildings optimizes conditions for natural heating, cooling, and lighting (4 points)
- At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on June 21st (6 points)
- Only California Native landscape that requires no or only supplemental irrigation (5 points)
- Weather based irrigation control systems combined with drip irrigation (demonstrate 20 reduced water use) (3 points)
- Water Efficient Toilets/Urinals (1.5 gallons per minute [gpm]) (3 points)
- Water efficient faucets (1.28 gpm) (2 points)
- Provide reserved preferential parking spaces for car-share, carpool, and ultra-low or zero emission vehicles (1 point)
- Provide larger parking spaces that can accommodate vans used for ride-sharing programs and reserve them for vanpools and include adequate passenger waiting/loading areas (1 point)
- Installation of Level 2, 240-volt AC Fast Chargers for passenger electric vehicles (5 points/charger)
- Installation of Level 3, 480-volt DC Rapid Chargers for passenger electric vehicles (8 points/charger)
- Provide bicycle paths within project boundaries (1 point)
- Provide separated recycling bins within each commercial building/floor and provide large external recycling collection bins at central location for collection truck pick-up (2 points)
- Recycle construction waste (4 points)

Mitigation Measure AQ-12: As previously listed under Impact AQ-2.

Mitigation Measure E-1: As previously listed.

Impact Finding GHG-2: The Project would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases (GHGs) (Recirculated DEIR Page 5.8-26 to 5.8-32).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Findings:

Specific Plan Area & Upzone Site: San Bernardino County's Greenhouse Gas Reduction Plan was designed to implement GHG reduction efforts at the local level. The Project could potentially conflict with the County's Greenhouse Gas Reduction Plan, resulting in potentially significant impacts. However, with implementation of Mitigation Measure GHG-1, requiring individual developments within the Specific Plan and Upzone Site to achieve at least 100 points from the County's Screening Tables, the Project would be consistent with the Plan and no conflict would occur.

As detailed in Recirculated DEIR Tables 5.8-8 and 5.8-9, the Specific Plan development and the residences developed within the Upzone Site would include contemporary, energy-efficient/energy-conserving design features and operational procedures in order to meet the requirements set forth by Mitigation Measure GHG-1 and achieve consistency with the County's GHG Reduction Plan. Furthermore, the Project would be designed to achieve LEED Silver certification, as required by Mitigation Measure E-1.

Prior to mitigation, the Project would potentially interfere with the State's implementation of Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; or Executive Order S-3-05's target of reducing statewide GHG emissions to 80 percent below 1990 levels by 2050; or AB 1279's target of achieving carbon neutrality by 2045 because it would interfere with implementation of the GHG reduction measures listed in CARB's 2022 Scoping Plan and results in a substantial increase in GHG emissions that exceeds thresholds. However, with the incorporation of Mitigation Measures E-1 and GHG-1, the development resulting from the Project would be designed and constructed with sustainable features to achieve 100 points under the County's GHG Screening Tables, achieve LEED silver certification, and therefore would be consistent with existing regulatory requirements. Further, the Project is consistent with AB 32 and SB 32 through implementation of measures that address GHG emissions related to building energy, solid waste management, wastewater, and water conveyance.

As discussed in Recirculated DEIR Section 5.8.2, *Regulatory Setting*, the CARB Scoping Plan recommends actions for achieving carbon neutrality through reduced GHG emissions levels. New development resulting from the Project would include energy-efficient/energy-conserving design features in compliance with Mitigation Measures E-1 and GHG-1. The Project would not interfere with the State's implementation of AB 1279's carbon neutrality target as it would be consistent with the VMT reductions listed in CARB's 2022 Scoping Plan and the County of San Bernardino GHG Reduction Plan. As shown in Recirculated DEIR Table 5.8-8, the Project is consistent with the CARB Scoping Plan Actions with implementation of mitigation.

In addition, the County has included the efficient use of energy resources as a goal in the Countywide Plan Conservation Element. As detailed in Recirculated DEIR Table 5.8-9, the Project would not conflict with the relevant Countywide Plan goals and policies with implementation of mitigation.

Overall, the proposed Specific Plan and Upzone Site would not result in a conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs with implementation of Mitigation Measures GHG-1, E-1, and AQ-12. With mitigation, the Project would be implemented in compliance with State energy standards provided in Title 24, in addition to provision of sustainable design features. With mitigation, the Project would not interfere with the State's implementation of Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; or Executive Order S-3-05's target of reducing statewide GHG emissions to 80 percent below 1990 levels by 2050; and AB 1279's goal of statewide carbon neutrality by 2045 because it would be consistent with the CARB 2022 Scoping Plans, which is intended to achieve the reduction targets required by the State. In addition, with inclusion of Mitigation Measures GHG-1, E-1 and AQ-12, the Project would be consistent with the relevant County General Plan goal and policies. Thus, with implementation of Mitigation Measures E-1, GHG-1, and AQ-12, the proposed Project would not result in a conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

Regulatory Requirements:

RR GHG-1: As previously listed.

RR GHG-2: As previously listed.

RR GHG-3: As previously listed.

RR GHG-4: As previously listed.

RR GHG -5: As previously listed.

Mitigation Measures:

Mitigation Measure GHG-1: GHG Reduction Measures. As previously listed.

Mitigation Measure AQ-12: As listed under AQ-2.

Mitigation Measure E-1: As previously listed.

Hazards and Hazardous Materials

Impact Finding HAZ-2: The Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment (Original DEIR Page 5.9-17).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Finding:

Opening Year Development – Option 1: Phase 1 ESAs were prepared for each of the four proposed development footprints within the Opening Year Development — Option 1 development footprint (Appendices H2-H5). The Phase I ESAs evaluated 60 parcels. Of the 60 parcels, three Recognized Environmental Conditions (RECs), two Historic RECs (HRECs), and 23 De Minimis Conditions (DMCs) were identified; these are discussed on pages 5.9-17 - 27 of the Original Draft EIR. The Phase 1 ESAs did not identify any Controlled RECs (CRECs).

The constituents of concern related to the three properties with RECs are total petroleum hydrocarbons (TPH; gasoline, diesel, and oil ranges), volatile organic compounds (VOCs), organochlorine pesticides (OCPs), and metals. A Phase II subsurface investigation was conducted for TPH, VOCs, OCPs and metals on three properties within the Opening Year Development — Option 1 development footprint to determine the extent of the potential contamination and whether additional investigation and/or remediation would be necessary prior to the Project's construction activities.

- *Total Petroleum Hydrocarbons.* Only one of the soil samples detected TPH concentration in the equipment/ vehicle repair area at 11146 and 11250 Maple Avenue that is greater than the ESLs (Commercial / Industrial Shallow Soi) and SSLs. The area of impact is approximately 70 feet by 20 feet to a depth of 1.5 feet. As the impacted soil is localized, the Phase II ESA determined that the removal of the top 1 to 2 feet of soil prior to the proposed grading activities would reduce potentially significant impacts to less than significant. Mitigation Measures HAZ-1 and HAZ-2, which require the preparation of a Soil Management Plan and Health and Safety Plan, will ensure that the contaminated soils are

properly removed and disposed of, while minimizing exposure to workers and the environment. These Plans shall incorporate the recommendations of the Phase II ESA.

- *Volatile Organic Compounds.*
 - o *Soil.* All detections for VOCs in the soil samples were below the ESLs (Commercial / Industrial Shallow Soil) and RSLs (industrial soil).
 - o *Soil Vapor.* Acetone and chloromethane were detected in vapor from all five borings and benzene was detected in one boring. All detections were below their respective ESLs (Tier 1 Subslab / Soil Gas) and are not indicative of a significant impact.
- *Organochlorine Pesticides.* The only OCP detected was dieldrin. However, the concentration detected was below the ESLs (Commercial / Industrial Shallow Soil).
- *Metals.* Of the four metals (arsenic, barium, chromium, and lead) detected, only arsenic exceeded the ESLs (Commercial/ Industrial Shallow Soil). The value detected, however, is within the naturally-occurring ambient levels for Southern California that has been determined acceptable by the DTSC. Therefore, the level of arsenic detected does not represent a substantial environmental threat to the property and planned development.

De Minimis Conditions, Opening Year Development—Option 1. 20 incidences of minor hazardous conditions were identified within the proposed development area; however, according to the Phase I ESAs, they are not extensive. These DMCs will be removed and properly disposed of prior to grading activities of the proposed improvements (see Mitigation Measures HAZ-1 and HAZ-2).

Other Environmental Conditions. Notable environmental conditions exist for all of the properties within the Specific Plan Area (Original Draft EIR Pages 5.9-21 – 23). Implementation of Mitigation Measures HAZ-1 through HAZ-10 and adherence to additional Regulatory Requirements will minimize potential environmental impacts associated with these conditions to a less than significant level.

Future Development Area – Specific Plan Buildout and Opening Year Development—Option 2: The existing improvements and environmental setting of the areas outside of the development footprints of Opening Year Development—Option 1 in Planning Area A and the entire Planning Area B of the Specific Plan are similar to those of the proposed development area in the Opening Year Development – Option 1. That is, there are outbuildings and businesses that operate at some of the residential properties. These businesses include commercial nurseries, truck transportation shops, equestrian ranches, personal auto repair facilities, animal care and kennels, and vehicle and equipment storage facilities. A Desktop Environmental Due Diligence Review was prepared the Future Development Area of the Specific Plan Area (Appendix I1). The Desktop Review evaluated 58 parcels. Of the 58 parcels, fourteen areas of potential environmental concern (APECs) were identified; one REC was identified; and multiple notable findings were identified; these are discussed below. Additional information on environmental conditions of the Future Development Area is provided in Appendix H1.

Specific Plan Area: Areas of Potential Environmental Concern (APECs) and any hazardous material associated with the Recognized Environmental Conditions (REC) would be removed and properly disposed of prior to grading activities of any proposed improvements (see Mitigation Measures HAZ-1 and HAZ-2). The properties and residences within the Future Development Area may also contain PCBs, ASTs, USTs, septic tank systems, and ACM and LBP. Therefore, all future developments would be required to prepare site-specific environmental site assessments to determine whether environmental conditions exist that

would warrant further soil investigation and removal/remediation. Future developments would also be required to comply with Construction Safety Orders 1529 (pertaining to ACM) and Section 1532.1 (pertaining to LBP) from Title 8 of the California Code of Regulations, Part 61, Subpart M, of the Code of Federal Regulations (pertaining to ACM), Title 23 of the California Code of Regulations, Chapter 16 (pertaining to UST), Hazardous Waste Control Act, Title 29 of the Code of Federal Regulations, Code of Federal Regulations Title 49, Chapter I, and Hazardous Materials Transportation Act as imposed by the USDOT, CalOSHA, CalEPA and DTSC. Compliance with the existing policies and regulations would ensure that the redevelopment of the Future Development Area with industrial uses would minimize potentially significant foreseeable hazards to levels less than significant.

Upzone Site: The existing improvements and environmental setting at the Upzone Site are similar to those of the proposed development area. That is, there are outbuildings and businesses that operate at some of the residential properties. These businesses include commercial nurseries, truck transportation shops, equestrian ranches, personal auto repair facilities, animal care and kennels, and vehicle and equipment storage facilities. The operations of these businesses may handle and store hazardous materials of various types and quantities that if not properly managed could expose workers, surrounding areas, and the environment to safety hazards. The properties and residences may also contain PCBs, ASTs, USTs, septic tank systems, and ACM and LBP. Therefore, all future developments would be required to prepare site-specific environmental site assessments to determine whether environmental conditions exist that would warrant further soil investigation and removal/remediation. Future developments would also be required to comply with Construction Safety Orders 1529 (pertaining to ACM) and Section 1532.1 (pertaining to LBP) from Title 8 of the California Code of Regulations, Part 61, Subpart M, of the Code of Federal Regulations (pertaining to ACM), Title 23 of the California Code of Regulations, Chapter 16 (pertaining to UST), Hazardous Waste Control Act, Title 29 of the Code of Federal Regulations, Code of Federal Regulations Title 49, Chapter I, and Hazardous Materials Transportation Act as imposed by the USDOT, CalOSHA, CalEPA and DTSC. Compliance with the existing policies and regulations would ensure that the redevelopment of the Upzone Site with multifamily residential would minimize potentially significant foreseeable hazards to levels less than significant.

Operations

Specific Plan Area: The future tenants within the Specific Plan Area may use, store, and dispose of various types and quantities of hazardous materials that would be required to comply with regulations and standards (such as CFR, Title 49, Chapter I; CCR, Title 8; CFR, Title 40, Part 263; and San Bernardino County Code Sections 23.0602 and 23.0107) enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and San Bernardino County. The San Bernardino County Fire Department, as CUPA would require that future tenants prepare Business Emergency/Contingency Plans, which provide information to emergency responders and the general public regarding hazardous materials, and coordinates reporting of releases and spill response among businesses and local, state, and federal government authorities. Moreover, the proposed development Project would include a Low Impact Development Plan (LID; see Original Draft EIR Section 5.8, *Hydrology and Water Quality* and included as RR HYD-1). BMPs would be incorporated in the LID plan that would protect human health and the environment should any accidental spills or releases of hazardous materials occur during operation of the Project. Therefore, operations within the Specific Plan Area would not result in a significant hazard to the public or the environment through

reasonably foreseeable upset and accident involving hazardous material. Impacts would be less than significant.

Upzone Site: Rezoning of the Upzone Site would allow the development of up to 480 dwelling units on the site. Residential uses typically do not present a significant hazard associated with the accidental release of hazardous substances into the environment because residents are not anticipated to use, store, dispose, or transport large volumes of hazardous materials. Hazardous substances associated with residential uses are typically limited in both amount and use. Project operation would involve the use of potentially hazardous materials (e.g., solvents, cleaning agents, paints, fertilizers, and pesticides) that, when used correctly and in compliance with existing laws and regulations, including pesticide regulations as included in CCR Title 3, would not result in a significant hazard to people and the environment in the vicinity of the Project site.

Mitigation Measures:

Mitigation Measure HAZ-1: Soil Management Plan (SMP). The Project Applicant shall retain a qualified environmental consultant to prepare a SMP for all contaminated soils identified as environmental conditions in the Phase 1 and Phase 2 Environmental Site Assessments (Phase 1 and 2 ESAs) prepared for proposed development within the Specific Plan. The SMP shall be submitted to the San Bernardino County Fire Department, Hazardous Materials Division (SBCFD / HMD) for review and approval prior to the commencement of excavation and grading activities. The SMP shall be implemented during excavation and grading activities of the impacted area to ensure that contaminated soils are properly identified, excavated, and disposed of off-site, as follows:

- The SMP shall address field screening, air monitoring, impacted soil excavation and segregation, confirmation sampling, stockpile management and sampling, impacted soil disposal, backfill, import soil sampling and tracking, and documentation.
- The SMP shall be prepared and executed in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil. During excavation, Rule 1166 requires that soils identified as contaminated shall be sprayed with water or another approved vapor suppressant, or covered with sheeting during periods of inactivity of greater than an hour, to prevent contaminated soils from becoming airborne. Under Rule 1166, contaminated soils shall be transported from the Project Site by a licensed transporter and disposed of at a licensed storage/treatment facility to prevent contaminated soils from becoming airborne or otherwise released into the environment.
- Prior to the commencement of grading and excavation, the Phases 1 and 2 ESAs shall be submitted to reported to the SBCFD / HMD for review and comment. The recommendations of the SBCFD / HMD shall be incorporated in the SMP. After approval by SBCFD/HMD, the recommendations contained in all Phase 1 and 2 ESAs shall be incorporated into the SMP.
- A qualified environmental consultant shall be present on the Project Site during grading and excavation activities in the known or suspected locations of contaminated soils and shall be on call at other times as necessary, to monitor compliance with the SMP and to actively monitor the soils and excavations for evidence of contamination.
- During the Project's excavation phase, the Project Applicant shall remove and properly dispose of impacted materials in accordance with the provisions of the SMP. If soil is stockpiled prior to disposal, it will be managed in accordance with the Project's Storm Water Pollution Prevention Plan, prior to its transfer for treatment and/or disposal. All

impacted soils would be properly treated and disposed of in accordance with South Coast Air Quality Management District (SCAQMD) Rule 1166, Volatile Organic Compound Emissions from Decontamination of Soil, as well as applicable requirements of the Santa Ana Regional Water Quality Control Board.

Mitigation Measure HAZ-2: Health and Safety Plan. Given the presence of known soil contamination on at least a portion of the proposed development area within the Specific Plan, a Health and Safety Plan shall be prepared in compliance with OSHA Safety and Health Standards (29 Code of Federal Regulations 1910.120) and Cal/OSHA requirements (CCR Title 8, General Industry Safety Orders and California Labor Code, Division 5, Part 1, Sections 6300-6719) and submitted for review by the SBCFD / HMD. The Health and Safety Plan shall be submitted to the SBCFD / HMD for review and approval prior to the commencement of excavation and grading. The Health and Safety Plan shall address, as appropriate, safety requirements that would serve to avoid significant impacts or risks to workers or the public in the event that elevated levels of subsurface gases are encountered during grading and excavation and shall include any applicable recommendations contained in all Phase 1 and Phase II ESAs, after the ESAs are approved by SBCFD/HMD. The Health and Safety Plan shall address potential vapor encroachment from the soil contamination, and workers shall be trained to identify exposure symptoms and implement alarm response. The Health and Safety Plan shall have emergency contact numbers, maps to the nearest hospital, gas monitoring action levels, gas response actions, allowable worker exposure times, and mandatory personal protective equipment requirements. The Health and Safety Plan shall be signed by all workers involved in the removal of the contaminated soils to demonstrate their understanding of the risks of excavation.

Regulatory Requirements:

RR HAZ-1: Transportation of Hazardous Waste. As listed previously.

RR HAZ-2: Resource Conservation and Recovery Act. As listed previously.

RR HAZ-3: California UST Regulations. As listed previously.

RR HAZ-4: ACMs and LBPs. As listed previously.

RR HAZ-5: Removal of Hazardous Materials. As listed previously.

RR HAZ-6: California Code of Regulations (Title 8, Section 1541). As listed previously.

RR HAZ-10: San Bernardino County Fire Hazard Abatement (FHA) Program. As listed previously.

RR GEO-1: San Bernardino County Code. As listed previously under Impact Finding GEO-1iv.

RR HYD-1: National Pollutant Discharge Elimination System (NPDES). As listed previously.

RR HYD-3: Santa Ana RWQCB MS4 Permit. As listed previously.

Noise

Impact Finding NOI-1: The Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards

established in the local general plan or noise ordinance, or applicable standards of other agencies (Recirculated Draft EIR Page 5.12-28 to 5.12-56).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, regulatory requirements, and project design features, as described below.

Facts in Support of Finding:

Specific Plan Area & Upzone Site:

Construction

Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that, when combined, can reach high levels. Construction is expected to occur in the following stages: demolition, excavation, and grading, building construction, architectural coating, paving. Noise levels generated by heavy construction equipment range from approximately 67 dBA to 79 dBA at 50 feet from the noise source.

However, per Section 83.01.080(g)(3) of the County's Development Code, noise sources associated with construction activities are exempt from the County's established noise standards as long as the activities do not take place between the hours of 7:00 p.m. of any one day and to 7:00 a.m. of the next day, or on Sundays or federal holidays. The proposed Project's construction activities would occur pursuant to these regulations.

As shown on Recirculated Draft EIR Table 5.12-5, construction noise from the Opening Year – Option 1 at the nearby receiver locations would range from 65.8 to 69.1 dBA Leq. Recirculated Draft EIR Table 5.12-6 shows that construction noise from the Opening Year – Option 2 at the nearby receiver locations would range from 60.2 to 65.2 dBA Leq, and Recirculated Draft EIR Table 5.12-7 shows that construction noise from the Future Development Area - Specific Plan Construction Activity at the nearby receiver locations would range from 60.1 to 66.6 dBA Leq. As such, the construction activities would not exceed the 80 dba Leq daytime construction noise level threshold at receptor locations.

Peak hour Project construction equipment noise levels by stage were calculated at the limits of construction nearest to the noise sensitive receivers; however, because multiple pieces of construction equipment are unlikely to operate simultaneously for the entire construction period, the analysis likely overstates the potential Project related impacts. Recirculated Draft EIR Table 5.12-8 shows that the peak hour construction equipment noise levels for Opening Year Development – Option 1 are expected to range from 75.4 to 85.5 dBA Leq(1hr) at the nearby receiver locations. As shown on Recirculated Draft EIR Table 5.12-9, peak hour construction equipment noise levels for Opening Year Development – Option 2 are expected to range from 69.0 to 76.1 dBA Leq(1hr) and Recirculated Draft EIR Table 5.12-10 shows that peak hour construction equipment noise levels for Future Development – Specific Plan Buildout are expected to range from 68.9 to 86.1 dBA Leq(1hr). Peak hour construction noise levels would exceed the FTA 80 dBA Leq threshold at four receiver locations and are considered potentially significant. Therefore, the Project would implement Mitigation Measure NOI-1 requiring installation of temporary sound walls, Mitigation Measure NOI-2 requiring use of mufflers, Mitigation Measure NOI-3 requiring placement of stationary equipment away from sensitive receivers, Mitigation Measure NOI-4 requiring staging of equipment away from sensitive receivers, Mitigation Measure NOI-5 requiring equipment and material deliveries

during the times set forth by County Development Code 83.01.080(g)(3), Mitigation Measure NOI-6 requiring electrically-powered power tools where feasible, and Mitigation Measure NOI-7 prohibiting the use of music or speakers during construction. As shown in Recirculated Draft EIR Table 5.12-11, with implementation of Mitigation Measures NOI-1 through NOI-7, construction noise levels would be below the FTA 80 dBA Leq threshold.

The temporary noise level increases that would be experienced at sensitive receiver locations when the typical Project construction-source noise is added to the ambient daytime conditions are presented on Recirculated Draft EIR Table 5.12-12 and indicate that the Project would contribute to typical unmitigated construction noise increases ranging from 0.3 to 9.6 dBA Leq(8hr) during daytime hours at the closest receiver locations, which would not exceed the substantial noise level increase threshold of 12 dBA Leq. Recirculated Draft EIR Table 5.12-13 shows that the Project would contribute unmitigated peak hour construction noise increases at a range of 2.0 to 28.6 dBA Leq(1hr), which would exceed Caltrans' 12 dBA Leq noise increase significance threshold. Therefore, the noise impacts due to Project construction noise are considered potentially significant at 12 receiver locations. However, as shown on Recirculated Draft EIR Table 5.12-14, with implementation of Mitigation Measures NOI-1 through NOI-7, temporary ambient noise level increases would be less than significant. Therefore, construction noise impacts would be less than significant with mitigation incorporated.

Operational Noise Standard Compliance

Consistent with similar warehouse uses, the business operations of the proposed Specific Plan would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The onsite industrial use-related noise sources are expected to include: loading dock activity, trailer activity, truck movements, roof-top air conditioning units, parking lot vehicle movements, and trash enclosure activity.

Recirculated Draft EIR Tables 5.12-15 and 5.12-16 show the estimated Opening Year – Option 1 operational noise levels with the proposed 14-foot-high cement block walls at Site 2 and 9-foot-high cement walls at Site 4, included as Project Design Feature NOI-1. Recirculated Draft EIR Table 5.12-15 shows that the daytime hourly noise levels at the off-site receiver locations are expected to range from 52.3 to 55.8 dBA Leq and Recirculated Draft EIR Table 5.12-16 shows the operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. at the sensitive receptors would range from 45.3 to 57.9 dBA Leq. Recirculated Draft EIR Table 5.12-17 shows operational noise levels would not exceed the County's exterior noise level standards adjusted for ambient noise conditions at all nearby sensitive receivers. Thus, operational impacts related to the Opening Year – Option 1 would be less than significant.

Recirculated Draft EIR Tables 5.12-18 and 5.12-19 show the estimated Opening Year – Option 2 operational noise levels with the proposed 9-foot and 14-foot-high cement block walls at sites 2 and 4, included as PDF NOI-1. Recirculated Draft EIR Table 5.12-18 shows that the daytime hourly noise levels at the off-site receiver locations are expected to range from 47.7 to 52.9 dBA Leq and Recirculated Draft EIR Table 5.12-19 shows the operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. at the sensitive receptors would range from 43.2 to 50.5 dBA Leq. Recirculated Draft EIR Table 5.12-20 shows operational noise levels would not exceed the County's exterior noise level standards adjusted for ambient noise conditions at all nearby sensitive receivers. Thus, operational impacts related to the Opening Year – Option 2 would be less than significant.

Recirculated Draft EIR Tables 5.12-21 and 5.12-22 show the estimated Future Development Area - Specific Plan Buildout operational noise levels with the proposed 9-foot and 14-foot-high cement block walls at sites 2 and 4, included as PDF NOI-1. Recirculated Draft EIR Table 5.12-21 shows that the daytime hourly noise levels at the off-site receiver locations are expected to range from 47.9 to 55.8 dBA Leq and Recirculated Draft EIR Table 5.12-22 shows the operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. at the sensitive receptors would range from 46.7 to 54.6 dBA Leq. Recirculated Draft EIR Table 5.12-23 shows operational noise levels would not exceed the County's exterior noise level standards adjusted for ambient noise conditions at all nearby sensitive receivers for Specific Plan Buildout. Thus, operational impacts related to the Future Development Area - Specific Plan Buildout would be less than significant.

Operational Noise Level Increases

To evaluate if noise from operation of the proposed Specific Plan would result in a substantial increase in ambient noise levels, operational noise levels were combined with the existing ambient noise levels measurements at the nearby receiver locations. The difference between the combined Specific Plan operational and ambient noise levels describes the noise level increases to the existing ambient noise environment. As indicated on Recirculated Draft EIR Tables 5.12-24 through 5.12-29, the increase in noise would range from 0.1 to 3.0, which would not generate a significant daytime or nighttime operational noise level increase at the nearby receiver locations. Therefore, impacts would be less than significant.

Off-site Traffic Noise - Specific Plan Area

Opening Year with Specific Plan Conditions: The Opening Year without Project conditions exterior noise levels range from 64.5 to 72.8 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Recirculated Draft EIR Table 5.12-30 shows that the Opening Year with Project conditions would range from 65.5 to 72.8 dBA CNEL, and that off-site traffic noise level increases range from 0.0 to 1.0 dBA CNEL, which is less than the 1.5 dBA CNEL threshold. Thus, off-site traffic noise impacts in the opening year plus Project condition would be less than significant.

Year 2040 with Specific Plan Conditions: The General Plan Buildout 2040 without Project exterior noise levels range from 67.0 to 74.9 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. Recirculated Draft EIR Table 5.12-31 shows that the General Plan Buildout 2040 with Project conditions would range from 67.6 to 74.9 dBA CNEL, which would be an increase of 0.0 to 0.6 dBA CNEL, which is less than the 1.5 dBA CNEL threshold. Thus, off-site traffic noise impacts in the 2040 plus project condition would be less than significant.

Regulatory Requirements:

RR-NOI-1: The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Interior Environment, Section 1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.

The California Green Building Standards Code (CALGreen), Chapter 5, Division 5.5, has additional requirements for insulation that affect exterior-interior noise transmission for nonresidential structures: Pursuant to Section 5.507.4.1, Exterior Noise Transmission,

Prescriptive Method, wall and roof-ceiling assemblies making up the building or addition envelope or altered envelope and exposed to the noise source shall meet a composite sound transmission class (STC) rating of at least 50 or a composite outdoor-indoor transmission class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 within a 65 dBA CNEL noise contour of an airport, or within a 65 dBA CNEL or Ldn noise contour of a freeway, expressway, railroad, industrial source, or fixed-guideway source, as determined by the noise element. Where noise contours are not readily available, buildings exposed to a noise level of 65 dBA Leq for one hour during any hour of operation shall have building, addition, or alteration exterior wall and roof-ceiling assemblies that are exposed to the noise source meet a composite STC rating of at least 45 (or OITC 35), with exterior windows of a minimum of STC 40 (or OITC 30).

Prior to issuance of building permits for projects that include sensitive receptors and are located in ambient noise environments exceeding the “Normally Acceptable” noise and land use compatibility standards shown in Table 5.12-2, the project applicant shall submit an acoustical study to the County of San Bernardino that demonstrates that the proposed residential building design would provide an interior noise level of 45 dBA CNEL or less for residential uses, as required by the California Building Code, or acceptable levels for nonresidential uses per CALGreen standards. Acceptable methods for reducing noise exposure may include, but are not limited to:

- Noise barriers, berms, or other noise reduction techniques could be constructed to reduce noise transmission where reasonable and feasible. Final design of such barriers should be completed during project level review.
- Alternative noise reduction techniques could be implemented, such as repaving streets with “quiet” pavement types, including open-grade rubberized asphaltic concrete. The use of quiet pavement can reduce noise levels by up to 7 dBA, depending on the existing pavement type, traffic speed, traffic volumes, and other factors.
- Traffic-calming measures to slow traffic, such as speed bumps.
- Adequate building sound insulation, such as sound-rated windows and doors, on a case-by-case basis as a method of reducing noise levels in interior spaces.

RR-NOI-2: San Bernardino County Development Code, Construction Noise Sources. Section 83.01.080 establishes standards concerning acceptable noise levels for both noise-sensitive land uses and noise-generating land uses. It prohibits construction activities between 7:00 PM and 7:00 AM on weekdays, or at any time on Sunday or a federal holiday.

RR-NOI-3: San Bernardino County Development Code, Stationary Noise Sources. Section 83.01.080 establishes standards for stationary noise sources in Table 83-2.

RR-NOI-4: San Bernardino County Development Code Mobile Noise Sources. Section 83.01.080 establishes standards for mobile noise sources in Table 83-3 including:

- Limiting construction to the daytime hours between 7 AM to 7 PM on Monday through Friday and 9 AM to 6PM on Saturday. Construction is prohibited on Sundays.

Project Design Features:

PDF NOI-1: Screening Walls. Construction Plans, specifications, and permits for development of Development Sites 1, 2, and 4 shall include development of the following walls that shall be completed prior to receipt of certificates of occupancy or operational permits for industrial/warehousing uses on Development Sites 1, 2, and 4:

- Development Site 1: a 12-foot-tall masonry wall shall be constructed along the entire northern perimeter of Development Site 1.
- Development Site 2: a 12-foot-tall masonry wall shall be constructed along the entire northern perimeter of Development Site 2, and 14-foot-high masonry walls shall be constructed along Locust Avenue and Maple Avenue to screen the truck trailer parking and loading dock areas.
- Development Site 4: a 9-foot-high masonry wall shall be constructed along the perimeter of the truck trailer lot to screen the truck trailer parking lot.

Mitigation Measures:

Mitigation Measure NOI-1: Construction Sound Walls. The Project Contractor shall install minimum 8-foot-high temporary construction noise barriers at the limits of construction adjacent to any noise sensitive receiver located within 80 feet of the limits of construction (Project site boundary) and a 12-foot-high temporary construction noise barrier for any noise sensitive receiver located within 20 feet. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows:

- The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts.
- The noise barrier must be maintained, and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired.
- The noise control barrier and associated elements shall be completely removed, and the site appropriately restored upon the conclusion of the construction activity.

Mitigation Measure NOI-2: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.

Mitigation Measure NOI-3: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that all stationary construction equipment shall be placed in such a manner so that emitted noise is directed away from any sensitive receivers.

Mitigation Measure NOI-4: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits for construction state that construction equipment staging areas shall be located at the greatest feasible distance from the nearest sensitive receivers.

Mitigation Measure NOI-5: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that the construction

contractor shall limit equipment and material deliveries to between the hours of 7:00 am and 7:00 pm on weekdays and Saturdays.

Mitigation Measure NOI-6: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that electrically powered air compressors and similar power tools shall be used, whenever technologically feasible, in place of diesel equipment.

Mitigation Measure NOI-7: Prior to issuance of demolition and/or grading permits, County staff shall ensure that grading plans, construction specifications, and permits state that no music or electronically reinforced speech from construction workers shall be allowed.

Impact Finding NOI-2: The Project would not result in the generation of excessive groundborne vibration or groundborne noise levels (Recirculated Draft EIR Page 5.12-56 to 5.12-58).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as described below.

Facts in Support of Finding:

Construction

Demolition, excavation, and grading activities are required for the Project and can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Based on the reference vibration levels provided by the Federal Transit Administration (FTA), a large bulldozer represents the peak source of vibration with a reference velocity of 0.089 in/sec PPV at 25 feet. At distances ranging from 11 feet to 276 feet from construction activities, construction vibration levels are estimated to range from 0.002 to 0.305 in/sec PPV and would exceed the San Bernardino County 0.2 in/sec PPV threshold for vibration at sensitive receivers OYD1-R4 from the Opening Year – Option 1, SP-R6 from the Future Development Area - Specific Plan Buildout, and residences that are within 20 feet of construction of the Upzone Site. Therefore, Mitigation Measure NOI-8 is included, which would require a 20-foot buffer zone that would restrict the use of large, loaded trucks, heavy mobile equipment greater than 80,000 pounds, and the use of jack hammers within 20-feet of occupied sensitive receiver locations represented by OYD1-R4, SP-R6, and those within 20-feet of the Upzone Site.

As shown on Recirculated Draft EIR Tables 5.12-36 and 5.12-37, with implementation of Mitigation Measure NOI-8, construction vibration levels would be reduced to 0.124 in/sec PPV, which would satisfy the 0.2 in/sec PPV threshold for vibration and reduce impacts to a less than significant level. Loaded trucks, heavy equipment over 80,000 pounds, and jackhammers are prohibited within 20 feet of noise-sensitive uses; small rubber-tired or alternative equipment and soil compaction equipment shall be used during construction instead. Therefore, impacts related to construction vibration would be less than significant with mitigation.

Operation

Operation of the proposed business park, industrial, and residential uses would include heavy trucks for loading dock activities, deliveries, and moving trucks, and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, typical vibration levels for the heavy truck activity at normal traffic speeds would be approximately 0.006 in/sec PPV, based on the FTA Transit

Noise Impact and Vibration Assessment. Truck movements onsite would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receivers would be less than the County's Development Code vibration standard of 0.2 in/sec PPV, and therefore, would be less than significant.

Regulatory Requirements:

RR-NOI-5: San Bernardino County Development Code Vibration. Section 83.01.090 prohibits vibration that can be felt without the aid of instruments or produces a particle velocity greater than or equal to two-tenths inch per second peak particle velocity (i.e., 0.20 in/sec PPV) at or beyond the lot line of the source. Exceptions are made for temporary construction, maintenance, repair, or demolition activities between 7:00 AM and 7:00 PM, except Sundays and federal holidays, and motor vehicles not under control of the industrial or commercial use.

Mitigation Measures:

Mitigation Measure NOI-8: Construction Vibration: Construction Plans, specifications, and permits for construction activities within the Specific Plan Area and Upzone Site shall specify that large, loaded trucks, heavy mobile equipment greater than 80,000 pounds, and the use of jack hammers and soil compaction equipment are not to be used within 20 feet of occupied sensitive receiver locations. Construction activities within 20 feet of noise sensitive uses shall utilize small rubber-tired or alternative equipment to reduce construction-related vibration below the County's threshold of 0.2 in/sec PPV at sensitive receiver locations.

Tribal Cultural Resources

Impact Finding TRC-1: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) (Original Draft EIR Page 5.16-7).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures and regulatory requirements, as detailed below.

Facts in Support of Finding:

Specific Plan Area: No prehistoric resource sites or isolates have been identified within the Specific Plan Area and the initial development area has been substantially disturbed by residential and agricultural uses. Therefore, it is unlikely that intact tribal cultural resources exist on the surface, and any potential resources near the subsurface are likely to have been disturbed or destroyed. Nevertheless, due to the Project's proposed soil-disturbing activities that could extend beyond 11 feet below ground surface, it is possible that the development of the Project could disturb native soils that may inadvertently uncover historic archaeological resources, including those of tribal heritage. Mitigation Measures TCR-1 through TCR-3 have been incorporated to reduce impacts to potential tribal cultural resources to a less than significant level.

Upzone Site: According to the CWP EIR, there are no listed archaeological resources in Bloomington, and based on literature review, there are also no recorded prehistoric resource sites or isolates within the Upzone Site. However, future development at the Upzone Site may impact previously unknown TCRs due to earth-disturbing activities. Mitigation Measures TCR-1 through TCR-3 have been incorporated to reduce impacts to potential tribal cultural resources to a less than significant level.

Regulatory Requirements:

RR TCR-1: Per AB 52, within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.

RR TCR-2: Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

Mitigation Measures:

Mitigation Measure TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.

- A. The Project Applicant/Developer shall retain a Native American monitor from (or approved by) the San Manuel Band of Mission Indians and the Gabrieleno Band of Mission Indians-Kizh Nation ("Tribes"). The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject Project, at all Project locations (i.e., both on-site and any off-site locations that are included in the Project description/definition and/or required in connection with the Project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. Monitors from the San Manuel Band of Mission Indians and the Gabrieleno Band of Mission Indians-Kizh Nation shall provide Native America monitoring services on a rotating basis.
- B. The Project Applicant/Developer shall provide documentation of its retention of a Native American monitor, as provided in Mitigation Measure TCR-1, to the County Planning Department prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.
- C. The Project Applicant/Developer shall provide the Tribe with a minimum of 15 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.
- D. The Project Applicant/Developer shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe(s) will inform and educate the Project's construction and managerial crew and staff members (including any Project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the Project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the Project's compliance with the TCR mitigation measures. The Native American Tribe(s)

shall be notified of and allowed to attend the pre-grading meeting with the County and Project construction contractors and/or monitor all Project mass grading and trenching activities. In the event that suspected tribal cultural resources are unearthed, the Native American Tribe(s) shall have the authority to redirect earth moving activities in the affected area.

- E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project applicant/Lead Agency upon written request.
- F. Native American monitoring for the Project shall conclude upon the latter of the following: (1) written confirmation from a designated Project point of contact to the Tribe representatives that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site Project location are complete; or (2) written notice by the Tribe to the Project Applicant/Developer and the County Planning Department that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the Project site and at any off-site project location possesses the potential to impact TCRs.
- G. Any and all archaeological or cultural documents created as a part of the Project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the Project Applicant/Developer and the County Planning Department for dissemination to the San Manuel Band of Mission Indians and the Gabrieleno Band of Mission Indians-Kizh Nation. The County Planning Department and/or Project Applicant/Developer shall, in good faith, consult with both Tribes until all ground disturbing activities of the Project are completed.

Mitigation Measure TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods

- A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Mission Indians and Gabrieleno Band of Mission Indians-Kizh Nation and the San Manuel Band of Mission Indians Cultural Resources Department shall be contacted regarding any cultural resources discovered during construction activities and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. No Project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.

Should the find be deemed significant, as defined by CEQA, a Cultural Resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with the Mission Indians and Gabrieleno Band of Mission Indians-Kizh Nation and San Manuel Band of Mission Indians, and all subsequent finds shall be subject to this Plan. The Project Applicant/Developer shall comply with all provisions of the Plan. The Plan shall allow for a Native American monitor to be present that represents Tribes until all ground disturbance

activities occurring at the Project site, including offsite areas, are completed, should they elect to place a monitor on-site.

- B. The appropriate Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its discretion, per the Cultural Resources Monitoring and Treatment Plan, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes.
- C. If Native American human remains and/or grave goods are discovered or recognized on the Project site or at any off-site project location, then all construction activities shall immediately cease within a 200' radius. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (Pub. Res. Code § 5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98 (a), d)(1) and (2).)
- D. Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code § 7050.5(c); 14 Cal. Code Regs. § 15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. § 15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- E. Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if, per the Cultural Resources Monitoring and Treatment Plan and the Tribes' discretion, resuming construction activities at that distance is acceptable and provides the Project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. § 15064.5(f).)
- F. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.
- G. Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

Mitigation Measure TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods:

- A. Inadvertent Discovery of Native American Human Remains: Public Resources Code §5097.98 This code invests the NAHC with the authority to designate a Most Likely Descendant (MLD) when Native American human remains and any associated grave items are inadvertently discovered. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.

- B. If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated “grave goods” (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.
- D. In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the Project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- E. In the event preservation in place is not possible despite good faith efforts by the Project applicant/developer and/or landowner, before ground-disturbing activities may resume on the Project site, the landowner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity.
- F. Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery.
- G. The Tribes will work closely with the Project’s qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

Impact Finding TRC-2: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, that considers the significance of the resource to a California Native American tribe (Original Draft EIR 5.16-8).

The County hereby makes Finding 1 and determines that this impact is Less Than Significant with implementation of mitigation measures, as detailed below.

Facts in Support of Finding:

Specific Plan Area and Upzone Site: San Bernardino County conducted consultation pursuant to SB 18 and AB 52. As a result of consultation, the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians-Kizh Nation responded and indicated that the Project site lies within the Serrano and Gabrieleño ancestral territory but did not provide specific information or substantial evidence indicating that potential TCR could be within the Specific Plan Area or Upzone Site. Although consultation with the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians-Kizh Nation did not support substantial evidence that listed or eligible TCRs are within the Specific Plan Area or Upzone Site, the County has considered the Tribe's requests and has included required regulations and mitigation measures, included as Mitigation Measures TCR-1 through TCR-3, to ensure that potential impacts on the inadvertent discovery of TCRs are less than significant (Original Draft EIR Page 5.16-8).

Mitigation Measures:

Mitigation Measure TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities. As listed previously.

Mitigation Measure TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods. As listed previously.

Mitigation Measure TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods. As listed previously.

6. FINDINGS FOR SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

Where the County has determined pursuant to CEQA Section 21081(a)(2) and CEQA Guidelines Section 15091(a)(2) that "Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency," the County's findings is referred to herein as "Finding 2". Based upon the analysis in the Original and Recirculated Draft EIRs, none of the potentially significant environmental impacts require changes or alterations that are within the responsibility and jurisdiction of another public agency, other than the County, and Finding 2 was not made for any of the potentially significant impacts.

Where, as a result of the environmental analysis of the Project, the County has determined that either (1) even with the identification of project design features, compliance with existing laws, codes and statutes, and/or the identification of feasible mitigation measures, potentially significant impacts cannot be reduced to a level of less than significant, or (2) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the County has found in accordance with CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3) that "Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report," referred to herein as "Finding 3".

Air Quality

Impact Finding AQ-1: The Project would result in a conflict with or obstruct implementation of the applicable air quality plan (Recirculated Draft EIR Page 5.3-36 to 5.3-37).

The County hereby makes Finding 3 and determines that this impact is Significant and Unavoidable after implementation of Mitigation Measures AQ-1 through AQ-24.

Facts in Support of Findings:

Specific Plan Area & Upzone Site: The SCAQMD's 2022 AQMP is the applicable air quality plan for the proposed Project. Pursuant to Consistency Criterion No. 1, projects that are consistent with the regional population, housing, and employment forecasts identified by SCAG are considered to be consistent with the AQMP growth projections, and thus also with the AQMP growth projections.

Implementation of the proposed Specific Plan would require approval of a Policy Plan Amendment to re-designate the Specific Plan area from Very Low Density Residential (VLDR) and Low Density Residential (LDR) to Special Development (SD), allowing up to 3,235,836 sf of industrial and business park uses over three phases. A Zoning Amendment would also be required to change the zoning from Single Residential with 1- Acre Minimum Lot and Additional Agriculture Overlay (RS-1-AA) and Single Residential with 20,000 SF Lot Minimums (RS-20M) to Specific Plan (SP). The buildout of the Specific Plan Area would be much greater under the proposed Project than under the existing Countywide Plan and zoning designations.

The Project for the Upzone Site would change the Countywide Plan land use from RS-20M, which allows up to 52 dwelling units, to Medium Density Residential (MDR) with a zoning designation of RM (Multiple Residential). Under the proposed Zoning, approximately 480 dwelling units could be developed, resulting in a net increase of 428 units on the Upzone Site.

As detailed in Section 5.13, *Population and Housing*, of the Original Draft EIR, buildout of the Specific Plan would result in an additional 2,709 jobs in Bloomington by 2040. Unincorporated San Bernardino County is projected to add 14,100 jobs between 2016 and 2045, and the Project's 2,709 jobs at full buildout would represent 19 percent of the anticipated growth. Therefore, the Project's growth is within existing projections, and the additional jobs would be within and consistent with SCAG's growth projections, and within the growth assumptions of the AQMP. Thus, the proposed Project would comply with AQMD AQMP Consistency Criterion No. 1.

An impact related to Consistency Criterion No. 2 would occur if the long-term emissions associated with the proposed Project would exceed SCAQMD's regional significance thresholds for operation-phase emissions. As detailed in the Recirculated Draft EIR Impact AQ-2 (Recirculated Draft EIR Page 5.3-35), each of the Project's scenarios would result in regional operational-source emissions that would exceed the thresholds of significance for VOC and NO_x emissions after implementation of requirements and Mitigation Measures AQ-10 through AQ-24. Therefore, the Project would result in an increase in the frequency or severity of existing air quality violations and contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. Thus, the proposed Project would result in an impact related to Consistency Criterion No. 2.

Overall, despite the Project's consistency with SCAG's regional growth forecasts, the Project would lead to increased regional air quality emissions that would exceed thresholds. Therefore, the proposed Specific Plan would result in a conflict with, or obstruct, implementation of the AQMP, and impacts would be significant and unavoidable after implementation of the mitigation measures detailed below.

Regulatory Requirements:

RR AIR-1: As previously listed under Impact Finding AQ-4.

RR AIR- 2: As previously listed under Impact Finding AQ-2 for construction.

RR AIR-3: As previously listed under Impact Finding AQ-2 for construction.

Mitigation Measures:Operational Mitigation Measures

Mitigation Measure AQ-10: Idling Regulations. The Project plans and specifications shall include signs at loading dock facilities that include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for truck drivers to restrict idling to no more than 3 minutes once the vehicle is stopped, the transmission is set to “neutral” or “park”, and the parking brake is engaged pursuant to Title 13 of the California Code of Regulations, Section 2485; and 3) telephone numbers of the building facilities manager and California Air Resources Board (CARB) to report violations. Signs shall be installed prior to receipt of an occupancy permit. The Project facility operators shall train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks.

Mitigation Measure AQ-11: Energy Efficient Vendor Trucks. Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino Planning Manager, or designee, shall ensure leasing agreements for each industrial building require that Project Applicant/Developer/Owner provide tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets, prior to issuance of each certificate of occupancy.

Mitigation Measure AQ-12: Electric Vehicle Charging Stations and Carpool Parking. The Project plans and specifications for the industrial buildings shall include electric vehicle charging stations and a minimum of 5 carpool parking spaces at each building for employees and the public to use.

Mitigation Measure AQ-13: Electric Interior Vehicles. The Project plans and specifications for all of the industrial buildings shall include infrastructure to support use of electric-powered forklifts and/or other interior vehicles. The requirement that all onsite yard hostlers, yard equipment, forklifts, and pallet jacks shall be zero-emissions equipment, or equivalent language, shall be incorporated in all Project facility lease documents. Prior to tenant occupancy or tenant business license issuance, facility owners or tenants shall provide documentation to the County of San Bernardino Planning Division and Business License Department verifying that signed lease documents incorporate the requirement that all onsite yard trucks/hostlers shall be zero-emissions equipment.

Mitigation Measure AQ-14: Transportation Management. The Project plans and specifications for the industrial buildings shall require that a Transportation Management Association (TMA) or similar mechanism shall be established by the Project to encourage and coordinate carpooling.

The TMA shall advertise its services to the building occupants. The TMA shall offer transit incentives to employees and shall provide shuttle service to and from public transit, should a minimum of 5 employees request and use such service from a transit stop at the same drop-off and/or pickup time. The TMA shall distribute public transportation information to its employees. The TMA shall provide electronic message board space for coordination rides. Prior to tenant occupancy or tenant business license issuance, facility owners or tenants shall provide documentation to the County of San Bernardino Planning Division and Business License Department verifying that a TMA shall be established.

Mitigation Measure AQ-15: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that all facility-owned and operated fleet equipment with a gross vehicle weight rating greater than 14,000 pounds accessing the site meet or exceed 2014 model-year emissions equivalent engine standards as currently defined in California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.5, Section 2025. Facility operators which own vehicles subject to Section 2025 shall maintain records onsite demonstrating compliance with this requirement and shall make records available for inspection by the local jurisdiction, air district, and state upon request.

Mitigation Measure AQ-16: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with California Air Resources Board (CARB) regulations, by attending CARB-approved courses. Also, if the tenant/facility operator owns its own fleet of vehicles, subject to 13 California Code of Regulations section 2025, require such tenants/facility operators to maintain records onsite demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.

Mitigation Measure AQ-17: Prior to tenant occupancy or tenant business license issuance, the Project Applicant/Developer/Owner shall post signs at every truck exit driveway providing directional information to the truck route.

Mitigation Measure AQ-18: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements require that Project Tenants provide meal options onsite or shuttles between the facility and nearby meal destinations.

Mitigation Measure AQ-19: Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require that all of the tenant's heavy-duty trucks entering or operated on the Project site to be zero-emission, once such trucks are widely commercially available as reasonably determined by the County Planning Division. A zero-emission heavy-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a Class 7 or 8 heavy-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates.) For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is

widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.

Mitigation Measure AQ-20: Prior to the issuance of the final Certificate of Occupancy for the first building tenant for each building within the Project, documentation shall be provided to the County of San Bernardino that lease agreements for such building require tenants to use zero-emission light- and medium-duty trucks as part of business operations, once such trucks are widely commercially available, as reasonably determined by the County Planning Division. A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.

Mitigation Measure AQ-21: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements shall require all stand-by emergency generators to be powered by a non-diesel fuel, if technologically feasible, if emergency generators are required for Project buildings.

Mitigation Measure AQ-22: Prior to tenant occupancy or tenant business license issuance, the County of San Bernardino shall ensure that lease agreements encourage tenants to enroll in the United States Environmental Protection Agency's SmartWay program and encourage tenants to use carriers that are SmartWay carriers.

Mitigation Measure AQ-23: Solar. Prior to the issuance of final Certificate of Occupancy for the first building tenant of a building within the Project, documentation shall be provided to the County of San Bernardino demonstrating that the Project has either: 1) installed solar photovoltaic (PV) panels or other source of renewable energy generation on the site, or 2) otherwise acquired energy that has been generated by renewable sources, such that either option will provide 100 percent of the expected building load for such building. Alternatively, the Project shall achieve 100 percent of the building's expected energy load through a combination of onsite renewable energy generation and renewable energy purchase. The final PV generation facility size requires approval by SCE. Should SCE limit the facility size, the amounts above shall be limited to the amount of SCE's approval.

MM AQ-24: The Project plans and specifications shall require that the Project Applicant/Developer shall construct electric truck charging infrastructure within truck parking areas consisting of infrastructure (i.e., conduit) to support future installation of charging stations when such trucks are widely commercially available, as reasonably determined by the County Planning Division. Conduit shall be provided proportional to parking spaces at a ratio of conduit for one charging station for every 10 truck parking spaces. Additionally, the Project Applicant/Developer shall construct electric light- duty truck charging infrastructure consisting of infrastructure (i.e., conduit) for one charging station for every five light-duty truck parking spaces.

A zero-emission light- or medium-duty truck (EV) shall ordinarily be considered widely commercially available if the vehicle is capable of serving the intended purpose and is widely available for purchase for less than 125% the cost of a light- or medium-duty combustion-engine truck meeting the emissions standards in place at the time the comparison is made (model year 2014 or later emissions standards). In order to be capable of serving the intended purpose, the EV must be able to perform the same function as a comparable combustion engine vehicle (miles travelled on a full tank/charge, access to fueling/charging infrastructure, load capacity, climbing ability, performance in different climates). For the purpose of this cost comparison, "cost" shall mean the total vehicle cost for the first five (5) years of ownership, including any purchase incentives, rebates, and fuel and electricity costs. Any comparison must be like-for-like, i.e., must compare an EV with a new production combustion engine truck of the same class and substantially similar trim level that is widely available for purchase and immediate delivery in the area of the Project at the time the comparison is made.

Impact Finding AQ-2: Operation of the Project would result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (Recirculated Draft EIR Page 5.3-39 to 5.3-42).

The County hereby makes Finding 3 and determines that this impact is Significant and Unavoidable after implementation of Mitigation Measures AQ-10 through AQ-24.

Facts in Support of Findings:

Specific Plan Area: As shown on Recirculated Draft EIR Tables 5.3-11 through 5.3-12, the Opening Year – Option 1, Opening Year – Option 2, and the Future Development Area – Specific Plan Buildout operational activities would exceed the numerical thresholds of significance established by the SCAQMD for emissions of both VOC and NO_x.

The majority of VOC emissions are derived from consumer products. As such, the Project applicant cannot meaningfully control the use of consumer products by future building users via mitigation. On this basis, it is concluded that Project operational-source VOC emissions cannot be definitively reduced below applicable SCAQMD thresholds. Additionally, it should be noted that the majority of the Project's NO_x emissions are derived from vehicle usage. Since neither the Project applicant nor the County have regulatory authority to control tailpipe emissions, no additional feasible mitigation measures exist that would reduce these emissions to levels that are less-than-significant.

As a result, Mitigation Measure AQ-10 would be implemented to install signs at loading dock facilities that restrict idling to no more than 3 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485. Mitigation Measures AQ-11 and AQ-15 would incorporate energy efficient vendor trucks. Mitigation Measure AQ-12 requires electric vehicle charging stations and a minimum of 5 carpool parking spaces at each building. Mitigation Measure AQ-13 requires all buildings to be designed to provide infrastructure to support use of electric-powered forklifts and/or other interior vehicles. Mitigation Measure AQ-14 requires that a Transportation Management Association (TMA) or similar mechanism shall be established by the Project to encourage and coordinate carpooling. Mitigation Measure AQ-16 requires record keeping for trucks accessing the site. Mitigation Measure AQ-17 would include installation of onsite signage at truck exits providing directional information to the truck route and Mitigation Measure AQ-18 requires meal options onsite or shuttles to nearby meal destinations. Mitigation Measure AQ-21 requires use of non-diesel fueled emergency generators. Mitigation Measure AQ-23 requires installation of solar panels or acquisition of

renewable energy to supply 100 percent of the expected building load for each building. However, with compliance with existing rules, and implementation of the mitigation measures, emissions would continue to exceed regional thresholds of significance established by the SCAQMD for emissions of VOC and NOx. Therefore, operation of the Specific Plan would result in VOC and NOx emissions that would be significant and unavoidable.

Feasibility of Zero Emission Trucks: As of 2025, zero-emission heavy-duty trucks remain largely infeasible for uses such as those proposed by the Project due to limited commercial availability, infrastructure limitation such as limited truck-accessible charging/refueling stations and electrical grid capacity, and production delays. While many heavy-duty truck manufacturers have released zero-emission battery electric and hydrogen-powered trucks, large-scale production has not been achieved and use remains extremely limited. The Tesla Semi was revealed in 2017, with an initial order of 100 trucks by PepsiCo, but production did not begin until 2022, and as of April 2024 only 36 trucks have been delivered, with additional orders from UPS, Walmart, Sysco, Schneider, and ASKO Norway unfulfilled due to battery production constraints. Companies have turned to alternatives like Daimler's eCascadia, which has a limited 230-mile range compared to the 500-mile Tesla Semi and 1,300–1,800-mile diesel trucks. As of late 2023, Schneider has received 92 eCascadias, representing 0.9 percent of its 10,600-truck fleet. Zero-emission medium- and heavy-duty vehicles remain limited, with CARB's 2024 Emission Factor (EMFAC) data showing battery electric trucks comprise 0.01 percent of medium-duty and 0.21 percent of heavy-duty fleets in California, and HVIP's Zero-Emission Vehicle Population Dashboard reporting 226 medium-duty and 197 heavy-duty zero-emission vehicles within the SCAQMD jurisdiction as of October 2024. Statewide deliveries totaled 183 medium-duty and 121 heavy-duty vehicles in 2023, while in 2024, there were no medium-duty and 13 heavy-duty truck deliveries.

The availability of truck-accessible charging and hydrogen refueling stations in California severely limits the feasibility of zero-emission trucks. California's first publicly accessible DC fast charging station for medium- and heavy-duty trucks opened in March 2023 and as of February 2025, there are currently 12 publicly accessible DC fast charging stations with a total of 129 EV charging ports capable of accommodating heavy-duty trucks across the United States and Canada. As of early 2024, medium- and heavy-duty truck DC fast charging depots are planned for three locations in California along Interstate (I) 5 in the Central Valley as well as in Blythe, the lack of charging stations severely limits the useful range of battery electric trucks, effectively restricting their use to local routes only. Hydrogen fuel cell trucks face similar challenges, with only five hydrogen refueling stations across the U.S. and Canada capable of serving heavy-duty trucks, while California's 68 hydrogen stations are limited to light-duty vehicles.

Further, as clarified in responses to comments received on the Recirculated DEIR, the Recirculated FEIR further clarified that the limited availability of zero-emission medium- and heavy-duty vehicles is borne out in CARB's Emission Factor (EMFAC) Model, as well as data published by California's Clean Truck and Bus Voucher Incentive Project (HVIP). EMFAC model outputs provide detailed information to the vehicle fleet in California, including fuel types for various vehicle classes and vehicle populations. Per EMFAC data, in 2024, battery electric trucks made up 0.01 percent of California's medium-duty truck fleet, and 0.21 percent of the heavy-duty truck fleet. Similarly, based on HVIP's Zero-Emission Vehicle Population Dashboard, as of October 2024, there are currently 226 medium-duty and 197 heavy-duty zero-emission vehicles within the SCAQMD jurisdiction, which includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. In 2023, statewide deliveries of ZE trucks totaled 183 medium-duty vehicles and 121 heavy-duty vehicles, while in 2024 there have been no zero-emission medium-duty truck vehicle

deliveries and 13 heavy-duty truck deliveries. Further, in February 2026, the EPA repealed all federal GHG emission standards for light-duty, medium-duty, and heavy-duty vehicles and engines, which may hinder market growth of zero-emission vehicles.

Although infrastructure improvements and the installation of medium- and heavy-duty zero-emission truck capable DC fast chargers and hydrogen fueling stations are currently in progress, the current state of charging and refueling infrastructure severely limits the feasibility of zero-emission trucks beyond local routes where charging or hydrogen refueling would not be necessary outside of the location where trucks would be domiciled. Based on the current state of the electrical grid and the increasing adoption of electric vehicles in California, significant investments in the grid will need to occur in the coming decades to keep pace. However, these upgrades will be spread out over a period of decades such that the costs of infrastructure upgrades in any given year may be kept reasonable.

Nevertheless, the Project would implement Mitigation Measures AQ-19 requiring the use of zero-emission heavy duty trucks when they are widely commercially available; AQ-20 requiring the use of zero-emission light- and medium-duty trucks when they are widely commercially available; AQ-22 requiring encouragement of enrollment in the United States Environmental Protection Agency's SmartWay program; and AQ-24 requiring the installation of infrastructure to support future truck charging stations.

Upzone Site: Recirculated Draft EIR Table 5.3-13 provides the daily regional emissions from operation of buildout of the existing zoning, and buildout of the proposed zoning, and details the net change from the Project. As shown, operation of the proposed zoning at buildout of the Upzone Site would not exceed any of the thresholds of significance, and impacts related to operation of the Upzone Site would be less than significant.

Health Impacts of Emissions: The Recirculated Draft EIR identifies a significant and unavoidable impact with respect to operational NOx and VOC emissions, due largely to the use of consumer products and trucking operations. In *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 ("Friant Ranch"), the Court held that an EIR's air quality analysis must meaningfully connect air quality impacts to health consequences or meaningfully explain why that analysis cannot be provided. The SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes.

The potential health impacts of criteria pollutants are analyzed regionally, not at the project level, as both the SCAQMD and San Joaquin Valley Unified APCD recognize that meaningful, accurate project-specific health impact analyses are not currently possible nor likely to yield substantive information that promotes informed decision making. The San Joaquin Valley Unified APCD has explained that currently available modeling tools are not suited for project-specific health analyses, which would not be practicable nor likely to yield valid information, and instead must be considered as regional cumulative impacts. The SCAQMD discusses that quantifying health risks from projects like the proposed Project may be infeasible for a speculative industrial building due to unknown emission sources, contaminant types, location of emission points and velocities, local meteorology and topography, and receptor locations. The CARB methodology author reported that PM_{2.5} methodology is not suited for small projects and may yield unreliable results. Additionally, SCAQMD staff currently cannot accurately quantify O₃ health impacts caused by Nox or VOC emission from small projects, due to photochemistry and regional model limitations. With respect to the Friant Ranch EIR, while it may be technically possible to apply existing methodologies, the results would not be reliable or meaningful.

The Friant Ranch decision emphasized the need to correlate project-specific emissions to health outcomes, but modeling secondary pollutants like ozone and PM_{2.5} is scientifically complex and unreliable at the project level. As noted in the Los Angeles County Guidance documents, incorporating the SJVAPCD and SCAQMD amicus briefs, current modeling tools cannot provide reliable project-level analyses, as individual project emissions are insufficient to meaningfully affect regional pollutant concentrations, and thus, health outcomes.

In response to the Friant Ranch decision, the Sacramento Metropolitan Air Quality Management District (SMAQMD) issued interim recommendations stating there is no reliable quantitative method to correlate emissions from individual projects with specific health consequences, which the proposed Project follows by relying on regional analyses and health impact conclusions drawn from other large projects, where no significant health impacts were identified at similar emission levels.

Per the Bay Area Air Quality Management District (BAAQMD) 2022 CEQA Guidelines, lead agencies should explain potential health impacts from criteria pollutants and either connect project emissions to foreseeable health impacts or explain why such analysis is not scientifically possible. Similarly, the City of Los Angeles created a guidance document which explains that directly correlating project- or regional-level emissions to quantifiable health outcomes is currently not scientifically feasible or reliable.

The Friant Ranch project, a 942-acre Specific Plan with 2,500 residential units and other uses, including a commercial center and a neighborhood electric vehicle network, underwent a comprehensive health impact assessment using CAMx and BenMAP-CE to quantify the potential health impacts NO_x, PM_{2.5}, and PM₁₀ emissions. Peak daily emissions were estimated at 342 pounds of ROG/VOC, 438 pounds of NO_x, 174.7 pounds of PM₁₀, and 70.7 pounds of PM_{2.5}, yet modeling concluded that the resulting health risks were not significant or were within a margin of error. CAMx modeling showed maximum regional pollutant increases of 0.019% for ozone and 0.41% for PM_{2.5}, and BenMAP estimates found that potential increases in mortality were negligible relative to background health conditions of the region.

The CSU Dominguez Hills (CSUDH) project, a 344-acre campus with student housing, university buildings, and a 30,000-seat stadium, underwent air quality and health impact analysis using CAMx and BenMAP-CE. Peak daily emissions were estimated at 482.6 pounds of ROG/VOC, 240.1 pounds of NO_x, and 79.5 pounds of PM_{2.5}, yet modeling concluded that the resulting health risks were not significant or were within a margin of error. Conservative health impact modeling, using peak operational emissions over the full year, resulted in negligible increases in mortality, asthma-related ER visits, and respiratory hospital admissions, less than 0.0058% of background incidences, indicating impacts were well within the margin of error.

Project Comparison to Friant Ranch and CSUDH: As shown in Recirculated Draft EIR Table 5.3-14, the proposed Project's emissions of ROG/VOC, SO₂, and PM_{2.5} are lower than those observed for CSUDH, and the proposed Project's ROG/VOC, NO_x, SO₂, PM₁₀, and PM_{2.5} emissions are lower than those observed for Friant Ranch. However, while the proposed Project's NO_x emissions are approximately 24 percent higher than those associated with the CSUDH project, the proposed Project's NO_x emissions are 32 percent lower than those associated with the Friant Ranch project. Because the proposed Project's emissions are generally less and do not exceed the emissions of the Friant Ranch and CSUDH projects, the proposed Project's potential health impacts are expected to be similar to or less than those

expected to result from these projects, resulting in minimal increases in pollutant concentrations and negligible health risk.

The Friant Ranch decision emphasized the need to correlate project-specific emissions to health outcomes, but modeling secondary pollutants like ozone and PM_{2.5} is scientifically complex and unreliable at the project level. The SJVAPCD and SCAQMD note that current modeling tools cannot provide reliable project-level analyses, as individual project emissions are insufficient to meaningfully affect regional pollutant concentrations, and thus, health outcomes. However, the information provided is available for consideration of the potential for health effects to occur from implementation of the Project.

Proposed Project Health Effects: In order to estimate regional health impacts that may result from criteria and precursor pollutants emitted by the proposed Project, the peak daily emissions of ROG/VOC, NO_x, SO₂, and PM_{2.5} were utilized in the COBRA model. As shown in Recirculated FEIR Table 5.3-15a, the proposed Project is estimated to result in an incremental increase in mortality of 0.436 percent (high estimate) as a result of increased regional concentrations of ozone (0.124) and PM_{2.5} (0.311) due to Project emissions. Compared to baseline mortality estimates for the region, this represents an increase of approximately 0.00035 percent. Furthermore, Recirculated FEIR Table 5.3-15b presented the estimated health effects and incremental increase in mortality from all causes utilizing SCAQMD's recommended incidence-per-ton methodology presented in Comment Letter A5. This incremental increase in mortality is consistent with other large projects as the Friant Ranch project was estimated for a total incremental increase of 0.00041 percent (0.000014 attributable to ozone and 0.00039 attributable to PM_{2.5}), while the CSUDH project was estimated to result in an increase in mortality of 0.0032 percent attributable to ozone and PM_{2.5} combined, which is significantly higher than would be expected for the proposed Project. As such, emissions associated with the proposed Project would not result in significant health impacts due to increases in ozone and PM_{2.5} concentrations in the region.

Comparisons to the Friant Ranch and CSUDH projects, along with USEPA COBRA modeling and SCAQMD's incidents-per-ton analysis, indicate that emissions from the proposed Project would be similar and result in negligible health impacts, with no significant health risks expected to occur associated with emissions from the Project.

Regulatory Requirements:

RR AIR-1: As previously listed under Impact Finding AQ-2 for construction.

RR AIR- 2: As previously listed under Impact Finding AQ-2 for construction.

RR AIR-3: As previously listed under Impact Finding AQ-4.

Mitigation Measures:

Mitigation Measure AQ-10: Idling Regulations. As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-11: Energy Efficient Vendor Trucks. As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-12: Electric Vehicle Charging Stations and Carpool Parking. As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-13: Electric Interior Vehicles. As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-14: Transportation Management. As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-15: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-16: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-17: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-18: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-19: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-20: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-21: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-22: As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-23: Solar. As listed previously under Impact Finding AQ-1.

Mitigation Measure AQ-24: As listed previously under Impact Finding AQ-1.

7. FINDINGS FOR GROWTH INDUCEMENT

Section 15126.2(e) of the CEQA Guidelines requires the EIR to address the growth-inducing impact of the Project. Original and Recirculated DEIR Section 6.2 evaluate the potential for the Project to affect economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Employment Related Growth

The Project would contribute to economic and population growth in the Bloomington community and the surrounding areas; however, the growth would not constitute substantial unplanned growth. The Project would create up to an additional 2,709 jobs in Bloomington by buildout in 2040, including up to 2,578 jobs in Planning Area A and up to 131 jobs in Planning Area B, for a total of 2,709 jobs. (Original Draft EIR at 5.13-7). In addition, the proposed Specific Plan and development in Planning Area A may cause indirect economic growth as it would generate revenue to the County through taxes generated by the development. Additionally, employees (short-term construction and long-term operational employees) from the Specific Plan and households at the Upzone Site would purchase goods and services in the region. Any secondary increase in employment growth associated with meeting these incremental demands would be marginal, as these goods and services could be accommodated by existing providers.

The SCAG regional population projections for the unincorporated area of San Bernardino County projects the population to increase by 15 percent and housing stock to increase by 18 percent by 2045 at an annual growth rate of 3.4 percent (between 2016 and 2045). Over this same time period, employment in unincorporated County is expected to increase 3.4% annually. The employment generated by the Project would be within, and not exceed, SCAG's population

forecast. As such, the Project would result in direct employment growth at a level that is already anticipated in regional projections; and thus, would be less than significant. (RDEIR at 6-2).

Infrastructure Obstacles to Growth

Growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services that requires the construction of new public service facilities, or if it can be demonstrated that the potential growth significantly affects the environment in some other way. The proposed Specific Plan would increase the demand for fire protection and emergency response, police protection, and school services. However, as described in Original Draft EIR Section 5.14, *Public Services*, the proposed Specific Plan would not require development of additional facilities or expansion of existing facilities to maintain existing levels of service for public services. Based on service ratios and build out projections, the proposed Specific Plan would not create a demand for services beyond the capacity of existing facilities. Therefore, an indirect growth inducing impact as a result of expanded or new public facilities that could support other development in addition to the proposed Specific Plan would not occur. The proposed Specific Plan would not have significant growth inducing consequences that would require the need to expand public services to maintain desired levels of service.

Economic Growth

The Specific Plan would implement economic activity that would result in an improvement in the jobs-household ratio by providing employment within the largely residential area of unincorporated San Bernardino County, which is a benefit of the Project. In addition, the location of the new employment opportunities would be easily accessible from I-10 and would also accommodate employees in surrounding areas. San Bernardino County has had unemployment rates ranging between 3.4 and 17.1 percent over the last 10 years. Most of the new jobs that would be created by the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the Bloomington community and surrounding communities. Thus, due to existing unemployment and the availability of a workforce, it is anticipated that new jobs that would be generated from Specific Plan implementation would be filled by people within Bloomington and surrounding communities and would not induce an unanticipated influx of new labor into the region or the need for additional housing. (RDEIR at 6-2). In addition, employees from the Specific Plan and households at the Upzone Site would purchase goods and services in the region, but any incremental increase in employee growth would be marginal, as these goods and services could be provided by existing providers. Furthermore, the proposed development in Planning Area A would offer space for new warehouse, distribution e-commerce, light industrial, and business park companies. The Specific Plan would not result in the influx of new labor to serve the increased economic activities that would result from implementation of the Specific Plan.

Impacts of Growth

Similar to the surrounding cities, the unincorporated community of Bloomington is in the process of transitioning from its historical use of low-density residential and agricultural uses to more dense residential uses and other urbanized uses as planned in the San Bernardino Countywide Plan and through the construction of multiple industrial developments, residential developments and other types of development. Development of the Specific Plan Area may place development pressure on the undeveloped land to the south; however, this area, which is located in the City of Fontana, has already been approved for a light industrial project known as the West Valley Logistics Center. Additionally, development of the Specific Plan Area may place further development pressure on areas to the north, west, and east. However, areas to the north are already developed with residential, commercial, and public uses. Areas to the west are already developed with residential and public uses and areas to the east area already developed with

residential, public, and industrial uses. As such, while the Project could spur increased development in areas to the north, west, and east, these areas are already developed. Further, proposed infrastructure is only sized to serve the Specific Plan and would not have capacity to serve additional development projects in the area.

Project approval includes the rezone of the Upzone Site pursuant to SB 330, which in turn would increase the allowable residential density of the Upzone Site. The upzone site is analyzed primarily at a programmatic level in this Draft REIR in accordance with CEQA Guidelines Section 15168. At a time when a specific individual development project is considered, additional analysis and review will be conducted to analyze environmental impacts of proposed development in accordance with CEQA Guideline Sections 15161 and 15378(a), including potential growth impacts.” Based on the foregoing analysis, the Project would not directly or indirectly result in substantial, adverse growth-inducing impacts. (RDEIR at 6-3 to 6-4).

8. FINDINGS FOR SIGNIFICANT IRREVERSIBLE EFFECTS

Section 15126.2(d) of the CEQA Guidelines requires that an EIR discuss “any significant irreversible environmental changes which would be involved in the proposed action should it be implemented.” Generally, a project would result in significant irreversible environmental changes if one of the following scenarios is involved:

- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve a large commitment of nonrenewable resources;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The proposed irretrievable commitments of nonrenewable resources is not justified (e.g., the project involves the wasteful use of energy).

The Project would result in or contribute to the following irreversible environmental changes:

- Lands in the Specific Plan Area would be committed to light industrial, business park, warehousing, distribution, and e-commerce uses once the proposed buildings are constructed. Secondary effects associated with this irreversible commitment of land resources include:
 - o Changes in views associated with construction of the new buildings and associated development (Original Draft EIR Section 5.1, *Aesthetics*)
 - o Increased traffic on area roadways (Original Draft EIR Section 5.15, *Transportation*).
 - o Emissions of air pollutants associated with Specific Plan construction and operation (Recirculated Draft EIR Section 5.3, *Air Quality*).
 - o Consumption of non-renewable energy associated with construction and operation of the proposed Specific Plan due to the use of automobiles, trucks, lighting, heating and cooling systems, appliances, etc. (Recirculated Draft EIR Section 5.6, *Energy*).
 - o Increased ambient noise associated with an increase in activities and traffic from the Specific Plan (Recirculated Draft EIR Section 5.12, *Noise*).
- Construction of the proposed Specific Plan as described in Recirculated Draft EIR Section 3.0, *Project Description*, would require the use of energy produced from non-renewable resources and construction materials.

Regarding energy usage from the Project, as demonstrated in the analyses contained in Recirculated Draft EIR Section 5.6, *Energy*, the Project would not involve wasteful or unjustifiable use of non-renewable resources with mitigation, and conservation efforts would be enforced during construction and operation of the proposed development. The proposed development would incorporate energy-generating and conserving project design features, including those required by the California Building Code, California Energy Code Title 24, which specify green building standards for new developments. In addition, the Project includes sustainability features that result in additional energy-efficiency.

9. FINDINGS REGARDING ALTERNATIVES

Key provisions of the CEQA Guidelines relating to an alternatives analysis (Section 15126.6 et seq.) are summarized below:

- The discussion of alternatives shall focus on alternatives to the Project or its location that are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more-costly.
- The “No Project” alternative shall be evaluated along with its impact. The “No Project” analysis shall discuss the existing conditions, as well as what would be reasonably expected to occur in the foreseeable future if the Project is not approved.
- The range of alternatives required in an EIR is governed by a “rule of reason”; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR.
- An EIR need not consider an alternative if its effects cannot be reasonably ascertained and its implementation is remote and speculative.

Rationale for Selecting Potentially Feasible Alternatives

The alternatives must include a no-project alternative and a range of reasonable alternatives to the Project if those reasonable alternatives would attain most of the Project objectives while substantially lessening the potentially significant project impacts. The range of alternatives discussed in an EIR is governed by a “rule of reason,” which the CEQA Guidelines Section 15126.6(f)(3) defines as:

“ . . . set[ting] forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the Project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.”

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the CEQA Guidelines Section 15126.6(f)(1)) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans

or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative if its effects could not be reasonably identified and its implementation is remote or speculative.

For purposes of this analysis, the Project alternatives are evaluated to determine the extent to which they attain the basic Project objectives, while significantly lessening any significant effects of the Project.

Alternatives Considered and Rejected

Alternative Site: An alternate site for the Specific Plan was eliminated from further consideration. The Specific Plan's focus is to provide for a master planned industrial business park within an urbanized area of unincorporated San Bernardino County that benefits from the I-10 corridor's regional transportation network and generates employment opportunities in proximity to an available labor pool. There are no other suitable sites within the control of the Project applicant; however, in the event land could be purchased of suitable size, due to the built-out nature of the urbanized unincorporated communities in the Valley Region, development of a master planned industrial business park at a different location would likely require greater demolition of existing structures and require similar mitigation. CEQA specifies that the key question regarding alternative site consideration is whether the basic Project objectives would be attained and if any of the significant effects of the Project would be avoided or substantially lessened by having the Project at another location. It would be infeasible to develop and operate the Project on an alternate site with fewer environmental impacts while meeting the Project objectives. Therefore, the Alternative Site Alternative was rejected from further consideration.

Alternatives Selected for Analyses

The CEQA Guidelines indicate that an EIR must "describe a range of reasonable alternatives to the Project, or to the location of the Project, which could feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project and evaluate the comparative merits of the alternatives" (Guidelines Sec. 15126.6[a]). San Bernardino County analyzed the following 3 alternatives:

- No Project/No Development Alternative
- No Project/Buildout of Existing Zoning Alternative
- Reduced Project Alternative

Alternative 1: No Project/No Development Alternative

Under this alternative, the proposed Project would not be developed, and no development would occur. The Specific Plan Area and Upzone Site would remain in the conditions that existed at the time the Notice of Preparation was published (November 12, 2024). In accordance with the CEQA Guidelines, the No Project/No Development Alternative for a development project on an identifiable property consists of the circumstance under which the project does not proceed. Section 15126.6(e)(3)(B) of the CEQA Guidelines states that, "In certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained."

Accordingly, Alternative 1: No Project/No Development provides a comparison between the environmental impacts of approving the proposed Project to the environmental impacts that would occur if the property were to be left in its existing conditions for the foreseeable future. Under the

existing conditions, the Specific Plan Area is developed with rural, low density residential on large lots. Many properties have additional nonconforming commercial and light industrial uses, such as: horse ranch, commercial nurseries, truck transportation, auto repair, health services, dog club, tire distribution, welding, septic tank servicing, tree servicing, backhoe and pumping, air condition, drywall, restaurant, roofing, masonry, flooring, and utility locating. Under the existing conditions, the Upzone Site is developed with residential structures as well as non-conforming commercial uses. Under this alternative, no new development is presumed to occur in the Specific Plan Area and Upzone Site. Thus, this alternative is intended to meet the requirements of CEQA Guidelines Section 15126.6(e) for evaluation of a no project alternative.

Ability to Reduce Impacts: The No Project/No Development Alternative would result in continuation of the existing uses within the Specific Plan area and Upzone Site, and the adoption of a Specific Plan and Project-level development would not occur. As a result, this alternative would avoid the significant and unavoidable impacts to air quality that would occur under the Project. Additionally, impacts would be reduced in 16 of the 17 topic areas and the mitigation measures identified in Chapter 5.0 of the Recirculated Draft EIR would not be required, which include measures related to air quality, biological resources, cultural resources, geology and soils, GHGs, hazards and hazardous materials, noise, and tribal cultural resources.

However, the environmental benefits of the proposed Project would also not be realized including a broad water quality treatment system and stormwater drainage system to collect, treat, and convey stormwater to an existing basin from the entire 213-acre Specific Plan area. The Specific Plan area has no stormwater drainage facilities in its existing condition. Accordingly, hydrology and water quality impacts related to runoff would be worse under this alternative due to the lack of existing infrastructure.(RDEIR 7-4 to 7-9)

Ability to Achieve Project Objectives: Implementation of the No Project/No Development Alternative would stop any new development from occurring within the Project site, and none of the Project objectives would be achieved under this alternative. The No Project/No Development Alternative would not achieve any of the Project objectives listed in Recirculated Draft EIR Table 7-4.

Finding: San Bernardino County finds that the No Project/No Development Alternative is infeasible based on several economic and social factors. The No Project/No Development Alternative would not implement the Specific Plan, would not diversify Bloomington's economy with a mixed-use business park, would not rezone the Upzone Site to a higher density, and it would not redevelop the underutilized area to provide new employment needs that are compatible with surrounding land uses. The No Project/No Development Alternative fails to meet any of the Project objectives and is rejected on that basis. Thus, the Board of Supervisors rejects the No Project/No Development Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the No Project/No Development Alternative would not achieve any of the economic goals of the County with respect to redevelopment and re-utilization of the Project site; and (2) the No Project/No Development Alternative fails to meet any of the Project objectives.

Alternative 2: No Project / Buildout of Existing Zoning Alternative

The No Project/Buildout of Existing Zoning Alternative would redevelop and buildout the Specific Plan area per the existing underlying zoning. Approximately 199 acres of the Specific Plan are zoned Single Residential with 1-Acre Minimum Lot and Additional Agriculture Overlay (RS-1-AA),

and two parcels along Laurel Avenue, Assessor's Parcels Numbers 0256-091-07 and 0256-101-34, are zoned Single Residential with 20,000 SF Lot Minimums (RS-20M). The two parcels zoned RS-20M comprise approximately 14 acres. Under this alternative, the Specific Plan area would be redeveloped with approximately 230 detached single-family dwelling units, which would be a net increase of 113 dwelling units over existing conditions at the time the original NOP was published in 2020. Additionally, the Upzone Site is zoned RS-20M, and could be redeveloped with up to 52 dwelling units under the existing zoning; however, as this alternative would not rezone the Specific Plan area from residential to non-residential, the Upzone Site would not be necessary. As the Project does not propose any physical redevelopment or improvement of the Upzone Site, likewise this alternative would not include physical redevelopment or improvement of the Upzone Site. This alternative would not require a Policy Plan Amendment or Zoning Amendment as is required for the Project.

Ability to Reduce Impacts: The No Project/Buildout of Existing Zoning Alternative would result in development of the Specific Plan Area consistent with the existing zoning to its maximum buildout potential of 230 dwelling units (113 new dwelling units in addition to the existing 117 dwelling units). Since this alternative does not result in residential zoning being rezoned to a non-residential use, the Upzone Site would not be zoned to a higher density and would remain in its existing condition at the time the original NOP was published in 2020. Likewise, a Policy Plan Amendment and Zoning Amendment would not be required. This alternative would result in lessened impacts to 13 of the 17 environmental topics analyzed in the Recirculated Draft EIR and would avoid the significant and unavoidable Project impacts to air quality. Additionally, fewer mitigation measures would be required for this alternative (see Recirculated Draft EIR Table 7-3).

Ability to Achieve Project Objectives: Implementation of the No Project/Buildout of Existing Zoning Alternative would not achieve any of the Project objectives listed in Recirculated Draft EIR Table 7-4. The No Project/Buildout of Existing Zoning would not create a comprehensive master plan for the Specific Plan area to provide a mix of industrial and business park uses with supporting infrastructure facilities. In addition, other objectives that include diversification of the economy, providing additional employment opportunities, and provision of guidelines and standards for building and site development aesthetics as well as for sustainable development design, would not be met as compared to the proposed Project.

Finding: San Bernardino County finds that the No Project/Buildout of Existing Zoning Alternative is infeasible based on several economic and social factors. A key consideration for the County is to diversify the Bloomington economy and increase housing density. The No Project/Buildout of Existing Zoning Alternative would attract fewer businesses and less employment opportunities to area residents and would provide less flexibility to meet the needs of an ever-changing business market. In addition, this alternative does not result in residential zoning being rezoned to a non-residential use. This alternative would avoid significant and unavoidable impacts related to air quality. However, this alternative would not meet any of the Project's objectives. Thus, the Board of Supervisors rejects the No Project/Buildout of Existing Zoning Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the No Project/Buildout of Existing Zoning Alternative reduces the economic feasibility of the proposed Project by reducing development without eliminating the need for a similar level of mitigation and; (2) the No Project/Buildout of Existing Zoning Alternative fails to meet any of the Project objectives.

Alternative 3: Reduced Project Alternative

The Reduced Project Alternative would only develop Site 1 based on the Opening Year Development – Option 1, analyzed in this Recirculated Draft EIR, and would not include the adoption or implementation of the proposed Specific Plan or any proposed industrial development in Site 2, Site 3, Site 4, Opening Year Development—Option 2, or Planning Area B. Under this alternative, only 17.72 acres of the 213-acre Project site would be developed with a 383,000 square foot high cube warehouse. This alternative represents an approximately 88.2 percent decrease from the maximum buildout potential of the Specific Plan, and approximately 91.7 percent decrease in land acreage that would be developed by the Specific Plan. This alternative represents an 82 percent decrease in square footage resulting from development of Opening Year Development – Option 1 and approximately 85 percent decrease in land acreage that would be developed under the Opening Year Development – Option 1.

The remaining approximately 195.28 acres of the Specific Plan Area would not be included in this alternative and would remain in its existing condition with large-lot single-family residential and non-conforming commercial uses. A Policy Plan Amendment and Zoning Amendment would not be required for the 195.28-acre area as no Specific Plan would be adopted.

Infrastructure and circulation improvements would still be required to adequately serve the development; however, additional facilities that would otherwise be necessary to serve the full Specific Plan buildout would not be developed. Additionally, 11 existing residential structures would be demolished within the area of development for this alternative whereas up to 117 existing residential structures, which are within the Specific Plan Area, would be demolished with full Specific Plan buildout under the Project. As 17.72 acres would be rezoned from RS-1-AA to Community Industrial (IC), this alternative would result in the loss of zoning capacity for 17 dwelling units. However, pursuant to County Development Code Section 82.04.030, a minimum of 10 acres is required for the RM (Multiple Residential Designation); therefore, 10 acres of the Upzone Site would be rezoned to RM. Overall, this alternative would include development of 17.72 acres within Site 1 and rezoning of 10 acres within the Upzone Site.

Ability to Reduce Impacts: The Reduced Project Alternative would result in only the project-level development of Site 1 of the Opening Year Development – Option 1, and the Specific Plan land use document would not be adopted. Since this alternative results in approximately 17.72 acres of residential zoning being rezoned to a non-residential use, approximately 10 acres of the Upzone Site would be rezoned to a higher density to offset the lost dwelling unit capacity and impacts would be the same as they are analyzed in the 2021 Original Draft EIR and the Recirculated Draft EIR. Similar to the Project, this alternative would not physically develop or improve the Upzone Site. This alternative would result in lessened impacts to 15 of the 17 environmental topics analyzed in the 2021 Original Draft EIR and the Recirculated Draft EIR and this alternative would avoid the significant and unavoidable Project impacts to air quality. Additionally, fewer mitigation measures would be required for this alternative (see Recirculated Draft EIR Table 7-3).

Ability to Achieve Project Objectives: Implementation of the Reduced Project Alternative would partially meet the majority of Project objectives, but not to the same extent as the proposed Project (as listed in Recirculated Draft EIR Table 7-4). The alternative would not meet the main objective of the Project which is to create a comprehensive master plan for the Specific Plan area to provide a mix of industrial and business park uses with supporting infrastructure facilities as only one building would be developed. In addition, the alternative would provide fewer jobs than the proposed Project and reduced infrastructure improvements.

Further, this alternative would also not include development of a regional stormwater drainage system for the area as only a portion of the overall drainage system would be constructed. In addition, areas containing contaminated soils outside of Site 1 would continue to expose residences within the contaminated areas and no soil management plan would be fulfilled.

Finding: Among the factors that may be taken into account when addressing the feasibility of alternatives are attaining project objectives, site suitability and economic viability. San Bernardino County finds that the Reduced Project Alternative is infeasible based on several economic and social factors. The Reduced Project Alternative would not meet multiple Project objectives aimed at creating a comprehensive master plan to provide a mix of industrial and business park uses that would benefit from access to I-10. Further, the Reduced Project Alternative would not meet the objective to attract a range of uses as it would only include development of one alternative instead of multiple industrial and business park buildings. A key consideration for the County is to increase housing density and diversify the economy of Bloomington to provide additional housing and employment opportunities. The Reduced Project Alternative would likely only attract one business to the County and significantly fewer employment opportunities (321 jobs compared to the Project's 2,709 jobs) to area residents and would provide less flexibility to meet the needs of an ever-changing business market. Thus, the Reduced Project Alternative would not achieve the Project objectives nearly to the same extent as the proposed Project, and would also continue to require mitigation. Further, the significant reduction in total square footage (88.2 percent decrease in square footage compared to Specific Plan Buildout) associated with the Reduced Project Alternative is of a magnitude that is sufficiently severe as to render this alternative impractical. Development of only one 383,000 square foot building would not generate adequate revenue to cover the carrying costs necessary to cover associated taxes and related expenses. In addition, the Reduced Project Alternative would not qualify for the necessary financing to develop the building because of the low returns on investment due to high vacancy rates for single buildings of this square footage and costs associated with necessary infrastructure improvements. The Reduced Project Alternative is rejected on that basis.

Thus, the Board of Supervisors rejects the Reduced Project Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the Reduced Project Alternative reduces the economic viability of the proposed Project by reducing development to only one building when the Project Applicant already acquired the entire Opening Year Development area, the majority of which would remain vacant given the demolition of previous onsite structures; (2) the Reduced Project Alternative fails to meet the Project objectives to the same extent as the proposed Project; and (3) as demonstrated by the demolition permits presented in Comment Letter O2, the majority of the homes in the Opening Year Development area have been demolished since the certification of the Original EIR in 2022 and the area would be exposed to blight if it remains vacant undeveloped land.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

The Environmentally Superior Alternative for the proposed Project would be the No Project/No Development Alternative. The Environmentally Superior Alternative among the other alternatives

would be Alternative 3: Reduced Project Alternative, which would involve developing Site 1 of the Opening Year Development – Option 1 with a 383,000 SF high-cube warehouse. Development under the Reduced Project Alternative would reduce Project square footage by approximately 88.2 percent.

This alternative would result in lessened impacts to 15 of the 17 environmental topics analyzed in the Recirculated Draft EIR and would avoid the significant and unavoidable Project impacts to air quality. In addition, this alternative would avoid the need for mitigation measures related to buildout of Planning Area B and mitigation measures for air quality. However, this alternative would be required to implement applicable mitigation measures regarding cultural resources, geology and soils, GHGs, noise, and tribal cultural resources.

CEQA does not require the County to choose the environmentally superior alternative. Instead, CEQA requires the County to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the proposed Project, and make findings that the benefits of those considerations outweigh the harm.

10. STATEMENT OF OVERRIDING CONSIDERATIONS

Introduction

San Bernardino County is the Lead Agency under CEQA for preparation, review and certification of the Recirculated EIR for the Bloomington Business Park Specific Plan Project. As the Lead Agency, the County is also responsible for determining the potential environmental impacts of the proposed action and which of those impacts are significant, and which can be mitigated through imposition of mitigation measures to avoid or minimize those impacts to a level of less than significant. CEQA then requires the Lead Agency to balance the benefits of a proposed action against its significant unavoidable adverse environmental impacts in determining whether or not to approve the proposed Project. In making this determination the County is guided by CEQA Guidelines Section 15093 which states:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal (sic) project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

In addition, CEQA Section 21081(b) requires that where a public agency finds that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation

measures or alternatives identified in an EIR and thereby leave significant unavoidable effects, the public agency must also find that overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects of the project.

Pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the County has balanced the benefits of the proposed Project against the unavoidable adverse impacts associated with the Project and has adopted all feasible mitigation measures with respect to these impacts. The County also has examined alternatives to the proposed Project, none of which both meet the Project objectives and are environmentally preferable to the proposed Project for the reasons discussed in the Findings and Facts in Support of Findings.

San Bernardino County, as the Lead Agency for this Project, and having reviewed the Recirculated EIR for the Bloomington Business Park Specific Plan Project and reviewed all written materials within the County's public record and heard all oral testimony presented at public hearings, adopts this Statement of Overriding Considerations, which has balanced the benefits of the Project against its significant unavoidable adverse environmental impacts (Conflict with AQMP and Operational Regional Emissions) in reaching its decision to approve the Project.

Overriding Considerations

The County, after balancing the specific economic, legal, social, technological, and other benefits of the Project, 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 Project, each of which standing alone is sufficient to support approval of the Project, in accordance with CEQA Section 21081(b) and CEQA Guideline Section 15093.

- **The Project diversifies the local economy.** The Project enhances the local economy by providing for business diversification through the provision of a business park with multiple buildings; up to 2,709 additional jobs, as evidenced by the Original DEIR; and business development opportunities within the Specific Plan commensurate with forecasted growth. In addition, the Applicant has entered into multiple labor agreements and would utilize union labor for construction of the Project, which would provide additional job opportunities for unionized construction workers and trainees.
- **The Project facilitates economic development.** The Project is intended to facilitate the economic development of the County by creating an expanded employment base, providing new employment opportunities and attracting new businesses. Construction spending through purchase construction materials, salary for construction workers, and spending by construction workers in the community will also create a one-time stimulus to the local and regional economies.
- **The Project would enhance the County's fiscal health.** The Project would result in increased property taxes, sales taxes, and other local revenue streams and, as detailed in the Fiscal Impact Analysis prepared for the Project, could generate up to \$11.6 million dollars in annual recurring revenue for the County's General Fund. These revenues streams, including payment of development impact fees, will support essential public services such as public safety, parks, and infrastructure maintenance.
- **The Project would provide ordered development of the Specific Plan Area pursuant to the Specific Plan standards.** The Project would follow the design standards set forth in the Bloomington Business Park Specific Plan to provide for orderly development of the

Specific Plan Area with industrial and manufacturing uses. Ordered development of the Specific Plan would increase land use compatibility with surrounding industrial developments, located south of Interstate 10.

- **The Project provides both traditional and alternative transportation mode benefits.** The Project would implement roadway, pedestrian, and infrastructure improvements, as detailed on pages 3-12 to 3-14 of Section 3.0, *Project Description*, of the Recirculated Draft EIR, that would provide social and other benefits to the County's residents.
- **The Project creates a high quality and master planned development.** The Project proposes a high quality, master planned light industrial business park that will attract an array of businesses and provide a variety of employment opportunities in the community of Bloomington thereby reducing the need for members of the local workforce to commute outside the area for employment, which would in turn provide both an economic and social benefit to the community.
- **The Project would provide regional stormwater drainage improvements.** The Project would install stormwater drainage infrastructure throughout the Specific Plan area, which would help alleviate regional flooding issues in the Bloomington community, in addition to water, sewer and road infrastructure.
- **The Project would incorporate sustainability features.** The Project has committed, by way of binding enforceable mitigation, to provide 100 percent of the expected buildings' energy load from a combination of on-site renewable energy generation such as solar photovoltaic panels and/or renewable energy purchase. The Project will provide electric passenger car and electric truck charging infrastructure and will achieve LEED Silver Certification or the equivalent.
- **The Project would optimize goods movement.** The Project is strategically located in close proximity to Interstate 10 and the ports of Los Angeles and Long Beach, thereby improving the efficiency of movement of goods. By optimizing goods movement, the Project will indirectly reduce inefficiencies in the transportation system, which benefits local communities through improved access to goods and services.
- **The Project provides multiple community benefits.** The Project would include a Community Benefits Agreement, which would provide needed funding for multiple community facilities, services, and infrastructure. The Community Benefits Agreement would ensure that proper funding stays within the Community of Bloomington. The Community Benefits Agreement will include a Community Enhancement Fee, which will include funding for law and code enforcement, recreational programming, park operations and maintenance and enhanced public safety specifically for Bloomington.
- **The Project is consistent with the County's General Plan.** The Project is consistent with, and will contribute to, achieving the goals and objectives established by the General Plan as discussed in Section 5.11, *Land Use and Planning*, of the Original Draft EIR. Implementing the County's General Plan as a policy is a legal and social prerogative of the County.
- **The Project would provide an area in which replacement housing units could be built pursuant to Senate Bill 330.** The Project would increase the residential development capacity of the Upzone site by up to 428 dwelling units, offsetting the housing capacity that would be lost from rezoning the 213-acre Specific Plan area to a non-residential zone.

11. ADOPTION OF A MITIGATION MONITORING AND REPORTING PROGRAM

The County has prepared a Mitigation Monitoring and Reporting Program ("MMRP") pursuant to Section 21081.6 of CEQA, and that MMRP is included in the Recirculated Final EIR. The MMRP is designed to detail compliance with changes in the Project and Mitigation Measures imposed on the Project throughout Project implementation. The measures in the MMRP are fully enforceable through permit conditions, agreements, or other measures.

Pursuant to CEQA Section 21081.6, the Board hereby adopts the MMRP attached to the Recirculated Final EIR. Implementation of the Mitigation Measures contained in the MMRP is hereby made a condition of approval of the Project. In the event of any inconsistencies between the Mitigation Measures set forth herein and the MMRP, the MMRP shall control.

12. CONCLUSION

The Board of Supervisors finds that it has been presented with the Recirculated Final EIR, which it has reviewed and considered, and further finds that the Recirculated Final EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the CEQA Guidelines and that the Recirculated Final EIR reflects the independent judgment and analysis of the County. The Board of Supervisors declares that no evidence of new significant impacts as defined by the CEQA Guidelines Section 15088.5 have been received by the Board after circulation of the Recirculated Draft EIR which would require recirculation. Therefore, the Board hereby certifies the Recirculated Final EIR based on the entirety of the record of proceedings, including but not limited to the findings and conclusions reached herein.

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EXHIBIT C

The Findings are in support of the following actions:

BLOOMINGTON BUSINESS PARK SPECIFIC PLAN ADOPTION: The proposed 213-acre Bloomington Business Park Specific Plan (Specific Plan) sets forth a land use, building design, landscape design, a circulation and access plan, parking standards, infrastructure plan, and sustainability features for the development of industrial business park uses. The Specific Plan includes all required elements specified in Government Code section 65451, including text and diagrams specifying in detail the distribution, location and extent of the uses of land, including open space; the proposed distribution, location, and extent and intensity of major components of public and private transportation, sewer, water, drainage, solid waste disposal, energy and other essential facilities needed to support the Specific Plan's land uses; standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable; a program of implementation measures including regulations, programs, public works projects and financing measures; and a statement of the relationship of the Bloomington Business Park Specific Plan to the San Bernardino Policy Plan.

UPZONE SITE: 1) Policy Plan Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) and 2) Zoning Amendment from Single Residential with 20,000-square foot Minimum Lot Size (BL/RS-20M) to Multiple Residential (RM), on approximately 24 acres located at the northeast corner of Locust Avenue and San Bernardino Avenue for the Upzone Site.

BLOOMINGTON BUSINESS PARK SPECIFIC PLAN SITE: 1) Policy Plan Amendment from Very Low Density Residential (VLDR) and Low Density Residential (LDR) to Special Development (SD), and 2) Zoning Amendment from Single Residential with 1-Acre Minimum Lot Size Additional Agricultural (BL/RS-1-AA) and Single Residential 20,000-square foot Minimum Lot Size (BL/RS-20M) to Bloomington Business Park Specific Plan – Industrial/Business Park (BP/SP-I/BP) on approximately 213 acres, generally bounded by Santa Ana Avenue to the north, Maple Avenue and Linden Avenue to the east, Jurupa Avenue to the south, and Alder Avenue to the west, for the Specific Plan Site, proposed in conjunction with 3) Conditional Use Permit/PROJ-2020-00238 to construct a 383,000-square foot industrial warehouse building with 10,000 square feet of office space on 17.67 acres, and Vesting Parcel Map No. 20300 to consolidate 31 parcels into one parcel of approximately 17.67 acres, 4) Conditional Use Permit/PROJ-2020-00034 to construct a 1.25-million square foot high-cube warehouse building with 10,000 square feet of office space, on 57.60 acres, and Vesting Parcel Map No. 19973 to consolidate 32 parcels into one parcel of approximately 57.60 acres, 5) Conditional Use Permit/PROJ-2020-00241 to construct a 479,000-square foot high-cube warehouse building with 10,000 square feet of office space on 30.52 acres, and Vesting Parcel Map No. 20340 to consolidate 23 parcels into one parcel of approximately 32.46 acres, and 6) Conditional Use Permit/PROJ-2020-00242 for the construction of a parking lot to accommodate 289 parking spaces for truck trailers on 9.55 acres.

FINDINGS: BLOOMINGTON BUSINESS PARK SPECIFIC PLAN [Development Code Section 86.14.070]

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.14.070 and supporting facts for adoption of the Bloomington Business Park Specific Plan (Specific Plan).

1. The proposed development is generally in compliance with the actions, goals, objectives, and policies of the San Bernardino County Policy Plan.

The Specific Plan reflects the actions, goals, objectives, and policies of the Policy Plan and the Bloomington Community Action Guide in its vision, land use designations, infrastructure and facility plans, development standards and design guidelines. The Specific Plan is consistent with the policies set forth in the Policy Plan as described in the Bloomington Business Park Specific Plan Project Final Environmental Impact Report (EIR)(SCH No. 2020120545), Table 5.11-2 which is incorporated herein by reference as substantial evidence in support of this finding. Further, the Specific Plan plans for new industrial development in an area of the County, and adjacent cities, which are also planned for and developed with industrial uses,

including multiple surrounding warehouse and light industrial developments. Specifically, the proposed Specific Plan is in an area that abuts a large industrial warehouse to the east and a planned industrial development to the south. The approval of the Specific Plan will create an integrated and balanced living pattern in the Bloomington community, consistent with the Policy Plan. The Specific Plan implements significant community benefits to the community of Bloomington, through development impact fees as well as a Memorandum of Understanding for Public Benefit Contributions (CBA). The CBA for the Specific Plan includes extensive infrastructure and community-serving investments that include: water, sewer, and storm drainage facilities (with the developer contributing up to \$3 million for facility acquisition and an estimated \$22.45 million for construction), sidewalks, curbs, gutters, bike paths, utility undergrounding, a one-time \$2 per net usable square foot contribution for each of the warehouse buildings (estimated \$10.7 million) and an annual \$0.34 per square foot payment for each of the warehouse buildings (estimated \$1.8 million) for infrastructure and service enhancement activities, along with a local hiring commitment; the total community benefits of which have been estimated to exceed \$500 million for Bloomington. These investments directly address housing constraints in Bloomington—including sewer capacity needed for added housing stock, sidewalk access to opportunity, and city-level infrastructure gaps—and is consistent with identified programs in the Policy Plan's Housing Element including Program 2 (Sewer Expansion in Bloomington); Program 12 (Zoning for a Variety of Housing Types); and Program 24 (Community Benefits, Health, and Wellness). In addition, the Specific Plan's paired Senate Bill 330 (SB 330) upzone action expands and preserves local housing capacity in Bloomington. The concurrent upzoning associated with the Specific Plan will increase residential capacity from approximately 52 units to up to 480 multifamily units, with a maximum net increase of approximately 198–215 units—thereby maintaining and expanding residential opportunity in Bloomington. While no current development at the Upzone Site is proposed along with the Specific Plan project, population and housing impacts, including potential displacement, associated with the Specific Plan are less than significant, with growth within regional forecasts and added capacity at the Upzone Site addressing future housing availability concerns. The Specific Plan will not physically divide an established community and is consistent with County plans, while circulation, pedestrian, and bicycle improvements enhance neighborhood connectivity. Considering the entire record, the Specific Plan maintains and expands residential capacity through the SB 330 Upzone Site; avoids significant population, housing, or displacement impacts; does not physically divide the community; includes enforceable mitigation and community benefits that remove infrastructure barriers and enhance access to opportunity; and occurs within a comprehensive County program for housing production and place-based investments in compliance with the actions, goals, objectives, and policies of the Policy Plan.

2. The design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities (e.g., drainage, fire protection, sewers, water, etc.), would ensure that the proposed development would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the vicinity and land use zoning district in which the property is located.

The Specific Plan has been analyzed, and it has been determined through the preparation of an EIR that the Specific Plan will not have a significant impact on public and emergency vehicle access, public services, or utilities and the proposed Specific Plan would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the proposed plan area and its vicinity. The proposed Specific Plan will not jeopardize or constitute a hazard to property or improvement in the vicinity given that Project traffic will utilize existing roadways, and the Project applicant is required to install improvements to existing roadways in the surrounding area. A Traffic Impact Analysis (TIA) has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project applicant to construct roadway improvements identified in the TIA. The EIR is incorporated by reference as substantial evidence in support of this finding. Additionally, future development within the Specific Plan Area would be subject to Specific Plan and Countywide development standards designed specifically to protect the public interest, health and safety of the County.

3. The proposed development would:

a. Ensure quality development by encouraging greater flexibility with more creative and aesthetically pleasing designs for major developments.

The Specific Plan includes development standards and design guidelines which are to be followed which promote creativity and flexibility in the Project's site layouts and building designs, while insuring compatibility with adjacent existing and planned uses. The development standards and design guidelines set forth in the Specific Plan will provide for a well-defined and consistent aesthetic identity for the Specific Plan Area. Further, the Specific Plan requires the Project applicant to maintain private and public improvements, and requires the construction of a high-quality development.

b. Ensure the timely provision of essential public services and facilities consistent with the demand for the services and facilities.

The Specific Plan includes infrastructure and phasing plans that identifies the required infrastructure to serve the Project and the planned implementation of the public services and facilities concurrently or in advance of the need for such services and facilities. In addition, the TIA prepared for the Specific Plan identifies road improvements required to serve the Project, which have been incorporated into the Project's conditions of approval, with implementation requirements aligning with the phasing of the Project. Regarding public services, the Project will generate recurring annual income as identified in the Economic Impact Study for the Proposed Bloomington Business Park Project dated March 21, 2021, which will provide funding for police and fire services, which would help offset any potential increase in the demand for services. The Project applicant is also required to pay development impact fees and connection fees that fund services and facilities required to serve the Specific Plan. Finally, as detailed in the Economic Impact Study for the Proposed Bloomington Business Park Project dated March 21, 2021, and due to the annual contributions of the Project applicant to the County through perpetual payment of a Community Enhancement Fee, a contribution to an infrastructure improvement fund, and funding or installation of storm drain improvements pursuant to a CBA. The Community Enhancement Fee shall be used by the County to fund service enhancement activities for the Bloomington Community area, including but not limited to code enforcement, recreational programming, park operations and maintenance and enhanced public safety specifically for Bloomington.

c. Promote a harmonious variety of housing choices and commercial and industrial activities; attain a desirable balance of residential and employment opportunities; and result in a high level of amenities and the preservation of the natural and scenic qualities of open space.

The Specific Plan provides for a mix of employment opportunities by allowing warehouse, distribution, e-commerce, manufacturing, office, and business park development. These uses will improve the balance of housing and employment in the area by providing a significant source of local jobs. The Specific Plan provides a management tool to guide land use and development within the Specific Plan Area and establishes a pattern for land use change as the Bloomington area south of the I-10 corridor transitions from generally low-density residential and industrial uses to a master planned business area. As described in the EIR, the Project also includes a Policy Plan Amendment modifying the Upzone Site with higher density residential development which allows for more attainable housing for current and future residents of the Bloomington Community. By creating a master plan for development of jobs-producing uses in a consistent manner pursuant to the Specific Plan, established development standards and design guidelines, a harmonious variety of buildings and site improvements will occur. Through the payment of development impact fees and the Community Enhancement Fees and other fees imposed in the CBA, community amenities will be provided and enhanced. Additionally, the Project's planned development is located in an area where existing and planned infrastructure can serve the development and the allowance of higher density residential at the Upzone Site will occur in appropriate areas that may relieve the pressure to build in other undeveloped areas in the County with less infrastructure availability.

4. The subject property is physically suitable for the proposed land use zoning district designation(s).

The Specific Plan establishes development standards and design guidelines that will lead to industrial and business park development that will be similar in character (i.e., building massing, floor area ratio (FAR), setbacks, and allowed uses) to other existing or allowed industrial and business park development in the County pursuant to the current County Development Code and Countywide Plan. Physically, the Specific Plan Area would be of adequate size to support large industrial developments, as proposed, that would include adequate setbacks and FAR and the Specific Plan Area does not include any hazards or sensitive environmental resources that would prohibit development on the site. In addition, the Upzone Site is of adequate size to support a higher density of residential development and does not include any hazards or sensitive environmental resources that would prohibit development on the site. In addition, the EIR, associated technical studies prepared in conjunction with the EIR analyzed the Project and the Project site and identified mitigation measures and conditions of approval required to accommodate the Project and ensure the Project site and area are physically suitable for the planned industrial and business park uses.

5. The proposed Project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the County's Environmental Review Procedures.

An EIR was prepared in accordance with all criteria, standards, and procedures of CEQA (California Public Resource Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.), including the preparation of a recirculated EIR to address the San Bernardino County Superior Court's September 17, 2024, ruling granting a CEQA writ petition (CEQA Ruling). County staff and an outside independent peer review has occurred for the Project and associated CEQA documents to ensure that the Project approvals comply with CEQA and the CEQA Ruling. The findings and conclusions of the EIR, including the recirculated EIR, will be presented for approval concurrent with the Specific Plan, with a recommendation to the Board of Supervisors to certify the EIR.

6. There would be no potential significant negative effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted by the Board.

The EIR has identified two areas of significant impacts related to air quality that would not be mitigated to less than significant levels despite implementation of the recommended mitigation measures. A Statement of Overriding Considerations will be presented for consideration by the Board of Supervisors concurrent with the proposal to certify the EIR and adopt the Specific Plan. A copy of the EIR and EIR Findings and Statement of Overriding Considerations are incorporated herein by reference.

FINDINGS: POLICY PLAN AMENDMENT – UPZONE SITE

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for adoption of the Policy Plan Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) (Proposed Amendment) for approximately 24 acres, located at the northeast corner of Locust Avenue and San Bernardino Avenue (Upzone Site):

1. The proposed amendment is internally consistent with all other provisions of the Policy Plan.

The proposed amendment is consistent with the goals and policies set forth in the Policy Plan as described in the EIR, Table 5.11-2 and Specific Plan Findings No. 1, which are incorporated herein by reference as substantial evidence in support of this finding and as further indicated below:

Policy LU-1.3 Fiscal Sustainability. When determining fiscal impacts, we consider initial capital investments, long-term operations and maintenance, desired levels of service for public facilities and

services, capital reserves for replacement, and impacts to existing uses in incorporated and unincorporated areas.

Consistent. The proposed amendment will facilitate a Project that would include annual contributions by the Project applicant to the County through perpetual payment of a Community Enhancement Fee, a contribution to an infrastructure improvement fund, and funding or installation of storm drain improvements pursuant to a CBA. The Community Enhancement Fee shall be used by the County to fund service enhancement activities for the Bloomington Community area, including but not limited to code enforcement, recreational programming, park operations and maintenance, and enhanced public safety specifically for Bloomington.

Policy LU-2.7 Countywide jobs-housing balance. We prioritize growth that furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and household income, and improve quality of life. We also strive for growth that furthers a balance of jobs and housing in the North Desert region and the Valley region.

Consistent. The proposed amendment would include upzoning the Upzone Site from LDR to MDR to allow for the development of up to 480 residential units. The allowance of higher density residential at the Upzone Site will occur in appropriate areas that may relieve the pressure to build in other undeveloped areas in the County with less infrastructure availability, thus improving quality of life, reducing vehicle miles traveled, and balancing housing within the County. The Upzone Site is also necessary for the adoption of the Specific Plan, which will provide for a mix of employment opportunities by allowing warehouse, distribution, e-commerce, manufacturing, office, and business park development. These uses will improve the balance of housing and employment in the area by providing a significant source of local jobs.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

The proposed amendment associated with the Upzone Site has been analyzed, and it has been determined through the preparation of an EIR that the proposed amendment will not have a significant impact on public and emergency vehicle access, public services, or utilities and the Project will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the proposed plan area and its vicinity. The public interest will be served in that the Project will generate increased revenue to the community as a result of increased property taxes, payment of development impact fees once future development is constructed on the Upzone Site, and a Community Enhancement Fee, which will result in improved infrastructure and enhanced local public services. The Project will promote significant economic development within the local community, including construction jobs and allowing more attainable housing opportunities with the ability to build higher density residential development, all of which support local businesses and improve the jobs and housing balance and economic diversity in the area. The EIR determined that the Project will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. The EIR is incorporated by reference as substantial evidence in support of this finding. The proposed land use for the Upzone Site would increase the density for the properties to the next higher land use category, which would allow a range of residential density that remains in character to the development allowed under the current land uses applied to the surrounding area.

3. The proposed amendment is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.

The proposed amendment associated with the Upzone Site will allow for a higher density of residential development in the future in an area characterized by and planned for residential development by the Countywide Plan. The densities remain compatible with surrounding land uses and creates more opportunities for lower cost, attainable housing for current and future residents in the area.

4. The proposed amendment will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.

The proposed amendment associated with the Upzone Site will serve as an extension of existing Medium Density Residential (MDR) land uses to the south of the Upzone Site and will therefore provide a reasonable and logical extension of the existing MDR land uses occurring in the surrounding area.

5. The proposed amendment does not conflict with provisions of this Development Code.

The proposed amendment will occur in conjunction with the adoption of a specific plan and design guidelines from the County's Development Code will be applied to future development in the Upzone Site. Future development of the Upzone Site will be required to comply with the Development Code, which will be confirmed by County staff and decision makers during their review of implementing permits. The Development Code will allow for the continued operations of all existing legal non-conforming uses while also allowing the higher density residential uses that are being proposed in conjunction with the proposed amendment associated with the Upzone Site.

6. The proposed amendment will not have a substantial adverse effect on surrounding property.

The proposed amendment has been analyzed and it has been determined through the preparation of an EIR that the amendment will not have a significant impact on the public health, safety, convenience, or welfare of the surrounding properties. Approval of the amendment will not result in a reduction of public services to properties in the vicinity. Adequate public services and facilities will be required for future ministerial and discretionary projects and all projects will be required to comply with countywide development standards and EIR mitigation measures intended to mitigate adverse effects on surrounding property.

7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

The proposed amendment will not jeopardize or constitute a hazard to property or improvements in the vicinity, given that future development within the Upzone Site will utilize and improve upon existing roadways and services offered to the surrounding area. The proposed amendment will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR that the amendment is appropriate for the site. Application of the Development Code and Countywide Plan policies to future development proposals will ensure the development will not have a significant impact on public and emergency vehicle access, public services, or utilities or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the proposed Upzone Site and its vicinity. The proposed amendments will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. The EIR is incorporated by reference as substantial evidence in support of this finding.

FINDINGS: ZONING AMENDMENT- UPZONE SITE

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for the adopt of a Zoning Amendment from Single

Residential with 20,000-square foot Minimum Lot Size (BL/RS-20M) to Multiple Residential (RM) (Proposed Amendment) for approximately 24 acres, located at the northeast corner of Locust Avenue and San Bernardino Avenue for the Upzone Site.

1. The proposed amendment is internally consistent with all other provisions of the respective plan, the General Plan or an applicable specific plan.

The proposed amendment is consistent with the goals and policies set forth in the Policy Plan as described in the EIR, Table 5.11-2 and Specific Plan Findings No. 1, which are incorporated herein by reference as substantial evidence in support of this finding and as further indicated below

Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Consistency: Upon approval of the rezone of the Upzone Site, future developments within the Upzone Site would comply with Policy LU-2.1 and site-specific project-level environmental review for the Upzone Site would also be conducted when future development is proposed. The proposed amendment associated with the Upzone Site will serve as an extension of existing Multiple Residential (RM) land uses to the south of the Upzone Site and will therefore provide a reasonable and logical extension of the surrounding area to ensure future projects are scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. Further development specific review of consistency with Development Code standards would be conducted as future developments are proposed within the Upzone Site.

Policy LU-2.2 Compatibility with planned uses. We require that new residential development is located, scaled, buffered, and designed to minimize negative impacts both on and from adjacent areas designated for nonresidential land uses.

Consistency: The Project includes rezoning the Upzone Site with higher density residential development; no residential development is currently proposed. Future residential development in the Upzone Site would comply with Policy LU-2.2 through consistency with applicable Development Code standards and design guidelines.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR that the proposed amendment will not have a significant impact on the public interest, health, safety, convenience, or welfare of the County. The public interest will be served in that the Project will generate increased revenue to the community as a result of increased property taxes and development impact fees, resulting in enhanced local public services. The Project will promote significant economic development within the local community, including construction jobs and increased housing, all of which support local businesses. The EIR is incorporated by reference as substantial evidence in support of this finding.

3. The proposed amendment is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.

The proposed amendment would allow for a higher density of residential development in the future in an area characterized by and planned for similar residential development by the Countywide Plan. The densities remain compatible with surrounding land uses and creates more opportunities for lower cost, attainable housing for current and future residents in the area.

4. The proposed amendment will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.

The proposed amendment will serve as an extension of existing RM to the southwest of the Upzone site and will therefore provide a reasonable and logical extension of the existing RM zoning occurring in the surrounding area.

5. The proposed amendment does not conflict with provisions of this Development Code.

The proposed amendment will occur in conjunction with the adoption of a specific plan and design guidelines from the County's Development Code will be applied to future development in the Upzone Site. Future development of the Upzone Site will be required to comply with the Development Code, which will be confirmed by County staff and decision makers during their review of implementing permits. The Development Code will allow for the continued operations of all existing legal non-conforming uses while also allowing the higher density residential uses that are being proposed in conjunction with the proposed amendment associated with the Upzone Site.

6. The proposed amendment will not have a substantial adverse effect on surrounding property.

The proposed amendment has been analyzed and it has been determined through the preparation of an EIR that the changes will not have a significant impact on the public health, safety, convenience, or welfare of the surrounding properties. Approval of the proposed amendment will not result in a reduction of public services to properties in the vicinity. Adequate public services and facilities will be required for future ministerial and discretionary projects and all projects will be required to comply with countywide development standards intended to mitigate adverse effects on surrounding property.

7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

The proposed amendment will not jeopardize or constitute a hazard to property or improvements in the vicinity, given that future development within the Upzone Site will utilize and improve upon existing roadways and services offered to the surrounding area. The proposed amendment will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR that the amendment is appropriate for the site. Application of the Development Code to future development proposals will ensure the development will not have a significant impact on public and emergency vehicle access, public services, or utilities or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the Upzone Site and its vicinity. The proposed amendment will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. The EIR is incorporated by reference as substantial evidence in support of this finding.

FINDINGS: POLICY PLAN AMENDMENT – SPECIFIC PLAN SITE

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for adoption of the Policy Plan Amendment from Very Low

Density Residential (VLDR) and Low Density Residential (LDR) to Special Development (SD) (Proposed Amendment) for 213 acres, generally bounded by Santa Ana Avenue to the north, Maple Avenue and Linden Avenue to the east, Jurupa Avenue to the south, and Alder Avenue to the west for the Specific Plan Site.

1. The proposed amendment is internally consistent with all other provisions of the Policy Plan and any applicable specific plan.

The proposed amendment is intended to facilitate the adoption of the Specific Plan and is consistent with the goals and policies set forth in the Policy Plan as described in the EIR, Table 5.11-2 and Specific Plan Findings No. 1, which are incorporated herein by reference as substantial evidence in support of this finding and as further indicated below:

Policy LU-1.3 Fiscal Sustainability. When determining fiscal impacts, we consider initial capital investments, long-term operations and maintenance, desired levels of service for public facilities and services, capital reserves for replacement, and impacts to existing uses in incorporated and unincorporated areas.

Consistent. The Project would include annual contributions of the Project applicant to the County through perpetual payment of a Community Enhancement Fee, a contribution to an infrastructure improvement fund, and funding or installation of storm drain improvements pursuant to a CBA. The Community Enhancement Fee shall be used by the County to fund service enhancement activities for the Bloomington Community area, including but not limited to code enforcement, recreational programming, park operations and maintenance, and enhanced public safety specifically for Bloomington.

Policy LU-2.7 Countywide jobs-housing balance. We prioritize growth that furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and household income, and improve quality of life. We also strive for growth that furthers a balance of jobs and housing in the North Desert region and the Valley region.

Consistent. This Project would provide a land use mix of warehouse, distribution, e-commerce, manufacturing, office, and business park. Employment opportunities would increase by generating 525-700 employees, furthering a balance of jobs in the housing-rich Valley region that Bloomington lies within. In addition, the Project will help reduce vehicle miles traveled by providing jobs within an area dominated by housing, which would reduce commuting in the area. Thus, the proposed Project is consistent with Policy LU- 2.7.

Policy LU-2.10 Unincorporated commercial development. We intend that new commercial development in the unincorporated areas serve unincorporated residential areas, tourists, and/or freeway travelers. We encourage new commercial development to be concentrated to enhance pedestrian circulation and reduce vehicular congestion and vehicle miles traveled, with new development directed into existing centralized areas when possible.

Consistent. The Specific Plan would provide new industrial and business park uses such as manufacturing, research and development, e-commerce centers, and general warehouse distribution along with limited supporting commercial uses.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR and TIA that the proposed amendment will not have a significant impact on public and emergency vehicle access, public services, or utilities and the Project will not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the proposed plan area and its vicinity. The public interest will be served in that the

Project will generate increased revenue to the community as a result of increased property taxes, payment development impact fees, and a Community Enhancement Fee, which will result in improved infrastructure and enhanced local public services. The Project will promote significant economic development within the local community, including construction and permanent jobs and allowing more attainable housing opportunities with the ability to build higher density residential development, all of which support local businesses and improve the jobs and housing balance and economic diversity in the area. The EIR and TIA determined that the Project will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. The EIR is incorporated by reference as substantial evidence in support of this finding. Additionally, future development pursuant to the Specific Plan would be subject to specific plan and countywide development standards designed specifically to protect the public interest, health and safety of the County.

3. The proposed amendment is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.

The proposed amendment is necessary and associated with the adoption of the Specific Plan, which will promote significant economic development within the community, including construction and permanent full-time jobs. The Specific Plan Area is currently developed with residential and commercial structures, some of which operate as noncompliant truck yards and auto repair facilities. A variety of existing and proposed warehouse and light industrial land uses exist near the Specific Plan Area. Approval of the proposed amendment for the Specific Plan Site will allow existing surrounding industrial uses to be more compatible with the proposed land use contemplated by the Specific Plan by providing for development of industrial uses in an industrializing area. As such, the proposed amendment will be a benefit to the community and will not compromise existing development in the area. During the transition of land uses over time, existing uses such as low density residential will continue as legal non-conforming uses. The new uses planned for the Specific Plan Area will attract economic investment in the area that will lead to master planned improvements benefiting the Bloomington community. New development in the Specific Plan Area will result in property tax increases and creation of more jobs. Higher employment will also have a ripple effect of spending that will benefit commercial businesses in the area. Further, the Project would include annual contributions of the Project applicant to the County through perpetual payment of a Community Enhancement Fee, a contribution to an infrastructure improvement fund, and funding or installation of storm drain improvements pursuant to the CBA. The Community Enhancement Fee shall be used by the County to fund service enhancement activities for the Bloomington Community area, including but not limited to code enforcement, recreational programming, park operations and maintenance, and enhanced public safety specifically for Bloomington.

4. The proposed amendment will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.

The proposed amendment associated with the Specific Plan Site will serve as an extension of the existing industrial land uses to the east of the Specific Plan Area and will therefore provide a reasonable and logical extension of the existing industrial land uses occurring in the surrounding area and within the Specific Plan Site.

5. The proposed amendment does not conflict with provisions of this Development Code.

The proposed amendment will occur in conjunction with the adoption of a Specific Plan that includes development standards and design guidelines that will be applied to future development in the Specific Plan. Future development of the Specific Plan Site will be required to comply with the Specific Plan standards and/or the Development Code, which will be confirmed by County staff and decision makers during their review of implementing permits. The Specific Plan and Development Code will allow for the continued operations of all existing legal non-conforming uses while also allowing the industrial uses that are being proposed in conjunction with the proposed amendment associated with the Specific Plan Site.

6. The proposed amendment will not have a substantial adverse effect on surrounding property.

The proposed amendment associated with the Specific Plan has been analyzed and it has been determined through the preparation of an EIR that the amendment will not have a significant impact on the public health, safety, convenience, or welfare of the surrounding properties. Approval of the amendments will not result in a reduction of public services to properties in the vicinity. Adequate public services and facilities will be required for future ministerial and discretionary projects and all projects will be required to comply with countywide development standards and EIR mitigation measures intended to mitigate adverse effects on surrounding property.

7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

The proposed amendment will not jeopardize or constitute a hazard to property or improvements in the vicinity, given that future development within the Specific Plan Area will utilize and improve upon existing roadways and services offered to the surrounding area. The proposed amendment will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR that the amendments are appropriate for the site. The Specific Plan that will be adopted in concert with the amendments will ensure the development will not have a significant impact on public and emergency vehicle access, public services, or utilities or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the proposed plan area and its vicinity. The proposed amendment will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. A TIA has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA. The EIR is incorporated by reference as substantial evidence in support of this finding.

FINDINGS: ZONING AMENDMENT – SPECIFIC PLAN SITE

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for adoption of the Zoning Amendment from from Single Residential with 1-Acre Minimum Lot Size Additional Agricultural (RS-1-AA), and Single Residential 20,000-square foot Minimum Lot Size (BL/RS-20M) to Bloomington Business Park Specific Plan-Industrial/Business Park (BP/SP-I/BP) (Proposed Amendment), on parcels totaling 213 acres, generally bounded by Santa Ana Avenue to the north, Maple Avenue and Linden Avenue to the east, Jurupa Avenue to the south, and Alder Avenue to the west for the Specific Plan Site.

1. The proposed amendment is internally consistent with all other provisions of the respective plan, the Policy Plan or an applicable specific plan.

The proposed amendment is intended to facilitate the adoption of the Specific Plan and is consistent with the goals and policies set forth in the Policy Plan as described in the EIR, Table 5.11-2 and Specific Plan Findings No. 1, which are incorporated herein by reference as substantial evidence in support of this finding and as further indicated below:

Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent

neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Consistency: Upon approval of the Specific Plan, future developments within the Project sites, including the Opening Year Development – Options 1 and 2, would comply with Policy LU-2.1. Proposed developments would be properly buffered from surrounding residential uses and would include multiple design features, such as Project Design Feature NOI-2 requiring 12-foot to 14-foot-high walls, to screen proposed industrial uses from surrounding residences. The Project would also include landscaping to buffer and screen the proposed industrial buildings.

2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR that the proposed amendment will not have a significant impact on the public interest, health, safety, convenience, or welfare of the County. The public interest will be served in that the Project will generate increased revenue to the community as a result of increased property taxes and development impact fees, resulting in enhanced local public services. The Project will promote significant economic development within the local community, including construction and permanent full-time jobs, all of which support local businesses. The EIR is incorporated by reference as substantial evidence in support of this finding.

3. The proposed amendment is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.

The proposed amendment is necessary for the adoption of Specific Plan, which will promote significant economic development within the community, including construction jobs. The Specific Plan Area is currently developed with residential and commercial structures, some of which operate noncompliant truck yards and auto repair facilities. A variety of existing and proposed warehouse and light industrial land uses exist near the Specific Plan Area. Approval of the proposed amendment for the Specific Plan Site will allow existing surrounding uses to be more compatible with the proposed land use and Specific Plan. As such, the proposed amendment will be a benefit to the community and will not compromise existing development in the area. During the transition of land uses over time, existing uses such as low density residential will continue as legal non-conforming uses. The new uses planned for the Specific Plan Area will attract economic investment in the area that will lead to master planned improvements benefitting the Bloomington community. New development in the Specific Plan Area will result in property tax increases and creation of more jobs. Higher employment will also have a ripple effect of spending that will benefit commercial businesses in the area. Further, infrastructure improvements will improve utility service and reduce flooding. Finally, a CBA for the Project will bring funding to the local area for additional public safety officers, road improvements and enhanced maintenance.

4. The proposed amendment will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.

The proposed amendment is in conjunction with the adoption and implementation of the Specific Plan which will serve as an extension of the existing industrial land uses to the east of the Specific Plan Area and will therefore provide a reasonable and logical extension of the existing and planned industrial land uses occurring in the surrounding area.

5. The proposed amendment does not conflict with provisions of this Development Code.

The proposed amendment will occur in conjunction with the adoption of the Specific Plan that includes development standards and design guidelines that will be applied to future development in the Specific Plan Area. Future development within the Specific Plan Area will be required to comply with the Specific Plan standards and/or the Development Code, which will be confirmed by County staff and decision makers during their review of implementing permits. The Specific Plan and Development Code will allow for the

continued operations of all existing legal non-conforming uses and will authorize the approval of the proposed industrial uses that are being proposed in conjunction with the proposed amendment associated with the Specific Plan Site.

6. The proposed amendment will not have a substantial adverse effect on surrounding property.

The proposed amendment has been analyzed and it has been determined through the preparation of an EIR that the change will not have a significant impact on the public health, safety, convenience, or welfare of the surrounding properties. Approval of the proposed amendment will not result in a reduction of public services to properties in the vicinity. Adequate public services and facilities will be required for future ministerial and discretionary projects and all projects will be required to comply with countywide development standards intended to mitigate adverse effects on surrounding property.

7. The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development would not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.

The proposed amendment will not jeopardize or constitute a hazard to property or improvements in the vicinity, given that future development within the Specific Plan Area will utilize and improve upon existing roadways and services offered to the surrounding area. The proposed amendment will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.

The proposed amendment has been analyzed, and it has been determined through the preparation of an EIR that the amendment is appropriate for the site. The Specific Plan that will be adopted in concert with the amendments will ensure the development will not have a significant impact on public and emergency vehicle access, public services, or utilities or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or welfare, or injurious to the property or improvements in the proposed plan area and its vicinity. The proposed amendments will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. A TIA has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA. The EIR is incorporated by reference as substantial evidence in support of this finding.

CONDITIONAL USE PERMIT FINDINGS -Site 1

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for adoption of the Conditional Use Permit to construct a 383,000 square-foot (SF) industrial warehouse building with 10,000 square feet of office space for a high-cube warehouse facility (Project), in conjunction with Vesting Tentative Parcel Map No. 20300 to consolidate 31 parcels into one parcel of approximately 17.67 acres (Project Site 1), located at the northeast corner of Jurupa Avenue and Maple Avenue.

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.

Site 1: Project Site 1 is adequate in size and shape to accommodate the proposed 383,000 SF industrial warehouse building associated with the Project. The proposed site plan is in compliance with the Specific Plan and applicable Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.

The site plan for the Project has been reviewed by the County Planning and Public Works departments and determined to have adequate access to the abutting roadways with the proposed and roadway improvements which must be constructed in connection with Project development. Additionally, a TIA has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA.

Vehicular access to Project Site 1 will be provided via five driveways. Two driveways, one on Linden Avenue and the other on Maple Avenue, will provide access to the northern non-trailer back lot. Three driveways from Linden Avenue, Jurupa Avenue, and Maple Avenue will provide access to the truck trailer and visitor parking lots on the south side of the proposed warehouse structure.

3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.

The proposed uses set forth for Project Site 1 are consistent with the development allowed in the Industrial/Business Park (I/BP) land use designation and the Specific Plan. The proposed industrial warehouse building and Project improvements have been designed to incorporate sufficient road improvements and to conform to industrial performance standards, including those for noise and vibration. The surrounding properties will be protected under specific plan and countywide development standards for noise vibration and lighting. Per Specific Plan design guidelines, the industrial development within Project Site 1 would be required to provide an adequate level of separation, landscaping, and appropriate screen walls. The industrial development on Project Site 1 would include a 12-foot-high screen wall along the entire northern perimeter of the site. In addition, the uses will not interfere with the present or future ability to use solar energy systems.

4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the Policy Plan and any applicable community or specific plan.

The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the Countywide Plan and the Specific Plan. The proposed Conditional Use Permit's site plan, together with the provisions for its design and improvement are consistent with the Countywide Plan. The Project specifically implements the following goals and policies:

Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Implementation: Project Site 1 development would be consistent with the development standards of the Specific Plan, which includes setbacks from adjacent roadways and residential uses, screening features such as walls and fencing, decorative block walls, and landscape within buffer areas, and variation and articulation of wall treatments to minimize long block walls. Thus, as the Project would not conflict with the policy and includes design standards that account for offsite uses, the Project is therefore consistent with Policy LU-2.1.

Policy LU-2.4 Land Use Map consistency. We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the

Development Code, may be required to maximize compatibility with surrounding land uses and community identity

Implementation: Bloomington has a transitional character and appearance due to its mix of residential, commercial, light industrial development mixed with vacant parcels. Upon approval of the Specific Plan, the development within Site 1 would be compatible with the amended Land Use Map. Future developments within the Specific Plan Area—including the maximum reasonable development—and would be required to comply with Policy LU-2.4. The Project complies with the development standards, including building design and landscape design treatments, and screening requirements of the Specific Plan. Its development would be compatible with the surrounding mixed land uses and community identity.

5. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.

There is supporting infrastructure, existing or available, consistent with the intensity of the development to accommodate the proposed development in Site 1 without significantly lowering service levels. The developer will be required to construct roadway and sidewalk improvements, as well as water, sewer, drainage and dry utility improvements pursuant to Specific Plan and countywide standards.

6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare.

Conditions of approval include measures to protect neighboring residences, businesses, and property owners to minimize noise, vibration, lighting, air quality, hazardous material, greenhouse gas emission and traffic impacts and enforce performance standards to protect the overall public health, safety and general welfare. Also, mandatory compliance with the EIR mitigation measures will facilitate the protection of the public health, safety and general welfare.

7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

The design of the Site 1 has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, through the orientation and design with adequate building setbacks and the future ability to construct rooftop solar facilities, as required by the California Building Code.

VESTING TENTATIVE PARCEL MAP FINDINGS - Site 1

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 87.02.060, and supporting facts for adoption of Vesting Tentative Parcel Map No. 20300 to consolidate 31 parcels into one parcel of approximately 17.67 acres (Project Site 1), located at the northeast corner of Jurupa Avenue and Maple Avenue:

1. The proposed map, subdivision design, and improvements are consistent with the Policy Plan, any applicable community plan, and any applicable specific plan.

Site 1: The Vesting Tentative Parcel Map will consolidate Project Site 1 to allow for construction of a 383,000 SF industrial warehouse building associated with the Project. The proposed map is consistent with the Countywide Plan, the Specific Plan, and Development Code standards and guidelines. There is adequate room to construct and locate the building pad on and operate the proposed use on the site. The Project's proposed site plan is in compliance with the Specific Plan and Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site is physically suitable for the type and proposed density of development.

Project Site 1 can be legally subdivided and will provide adequate access, water service, and utilities to serve the development for Project Site 1. The site is physically suitable for industrial development and proposed intensity of the 383,000 SF industrial warehouse building associated with the Project.

3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The environmental impacts of the proposed Vesting Tentative Parcel Map for Site 1 (PROJ-2020-00245) have been considered in the EIR. As discussed in the EIR, there is no suitable habitat for special-status plant species within Site 1. Five special-status animal species have the potential to occur in Site 1, burrowing owl, Dehli Sands Flower-Loving Fly, San Diego Black-tailed jackrabbit, Pocketed free-tailed bat, and Western Yellow Bat. There is no suitable habitat for Dehli Sands Flower-Loving Fly or San Diego Black-tailed Jackrabbit within Sites 1 or offsite infrastructure areas. Mitigation is included to require take avoidance surveys for burrowing owl prior to ground disturbance and to require construction and demolition activities to occur outside of bat maternity season. The EIR has identified two areas of significant impacts related to air quality that would not be mitigated to less than significant levels despite implementation of the recommended mitigation measures. A Statement of Overriding Considerations will be presented for consideration by the Board of Supervisors concurrent with the proposal to certify the EIR and adopt the Project. A copy of the EIR and EIR Findings and Statement of Overriding Considerations are incorporated herein by reference.

4. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.

The design of the subdivision follows a logical and orderly progression of industrial development pursuant to the Specific Plan. The proposed subdivision has been reviewed by all agencies with jurisdiction over the Project and has been found to not cause significant public health or safety problems, as further discussed in the EIR, either through design, or through the adoption of Conditions of Approval.

5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision.

The recorded maps will require all necessary public rights of easements to be shown. The development will provide legal and physical access to the site with proper documentation of those access rights. The Conditions of Approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.

6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

The Project applicant is required to construct sewer lines and sewer lift station facilities. As wastewater service would be provided by the City of Rialto, the proposed wastewater infrastructure is required to be designed and constructed in accordance with City of Rialto standards. Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board and San Bernardino County, the Project will be required to obtain a National Pollutant Discharge Elimination System (NPDES) permit for construction activities. The NPDES permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.

The design of the subdivision allows for future structures to be designed in any alignment to take advantage of passive or natural heating and cooling opportunities that exist on the Project site.

8. The proposed subdivision, its design, density, and type of development and improvements conforms to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.

The size and shape of Project Site 1 is adequate for the type of development proposed, and the appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, and County Building and Safety) have all reviewed and approved the Project design, the proposed Conditions of Approval, and the mitigation measures. The proposed Project conforms to the regulations of the Development Code as well as the Subdivision Map Act.

CONDITIONAL USE PERMIT FINDINGS - Site 2

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for the adoption of Conditional Use Permit to construct a 1.25-million square foot industrial warehouse building with 10,000 square feet of office space for a high-cube warehouse (Project), in conjunction with Vesting Tentative Parcel Map No. 19973 to consolidate 32 parcels into one parcel of approximately 57.60 acres (Project Site 2), located at the northeast corner of Jurupa Avenue and Locust Avenue.

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.

Site 2: Project Site 2 is of adequate size and shape to accommodate the proposed 1,251,640 SF industrial warehouse building associated with the Project. The proposed site plan is in compliance with the Specific Plan and applicable Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.

The site plan for Project Site 2 has been reviewed by the County Planning and Public Works departments and determined to have adequate access to the abutting roadways with the proposed and roadway improvements which must be constructed in connection with Project development. Additionally, a TIA has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA. Vehicular access will be via five driveways, two from Locust Avenue, one on Jurupa Avenue, and two from Maple Avenue.

3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.

The Project is consistent with the land uses and development allowed in the Industrial/Business Park (I/BP) land use designation and Specific Plan. The proposed industrial warehouse building and Project improvements have been designed to incorporate sufficient road improvements and to conform to industrial performance standards, including those for noise and vibration. The surrounding properties will be protected under specific plan and countywide development standards for noise vibration and lighting. Per Specific Plan design guidelines, the Site 2 development would be required to provide an adequate level of separation, landscaping, and appropriate screen walls. The industrial development on Site 2 would include a 12-foot-tall masonry wall along the entire northern perimeter and 14-foot-high masonry walls along Locust

Avenue and Maple Avenue to screen the truck trailer parking and loading dock areas. In addition, the uses will not interfere with the present or future ability to use solar energy systems.

4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.

The Project's site plan, together with the provisions for its design and improvements are consistent with the Countywide Plan and Specific Plan. The Project specifically implements the following goals and policies:

Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Implementation: The proposed buildout of Site 2 would be consistent with the development standards of the Specific Plan, which includes setbacks from adjacent roadways and residential uses, screening features such as walls and fencing, decorative block walls, and landscape within buffer areas, and variation and articulation of wall treatments to minimize long block walls.

Policy LU-2.4 - Land Use Map consistency. We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity

Implementation: The Project is proposed in the Bloomington Community Planning Area. Bloomington has a transitional character and appearance due to its mix of residential, commercial, light industrial development mixed with vacant parcels. Upon approval of the Specific Plan, the development within Site 2 would be compatible with the amended Land Use Map. The proposed development in Site 2 complies with the development standards, including building design and landscape design treatments, and screening requirements of the Specific Plan. Its development would be compatible with the surrounding mixed land uses and community identity.

5. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.

The developer will be required to construct roadway and sidewalk improvements, as well as water, sewer, drainage and dry utility improvements pursuant to Specific Plan and countywide standards to accommodate the Project and will not significantly lower service levels.

6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare.

Conditions of approval include measures to protect neighboring residences, businesses, and property owners to minimize noise, vibration, lighting, air quality, hazardous material, greenhouse gas emission and traffic impacts and enforce performance standards to protect the overall public health, safety and general welfare. Also, mandatory compliance with the EIR mitigation measures will facilitate the protection of the public health, safety and general welfare.

7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

The design of the Site 2 development has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, through the orientation and design with adequate building setbacks and the future ability to construct rooftop solar facilities, as required by the California Building Code.

VESTING TENTATIVE PARCEL MAP FINDINGS - Site 2

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 87.02.060, and supporting facts for the adoption of Vesting Tentative Parcel Map No 19973 to consolidate 32 parcels into one parcel of approximately 57.60 acres (Project Site 2), located at the northeast corner of Jurupa Avenue and Locust Avenue:

1. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan.

Site 2: The Vesting Tentative Parcel Map will consolidate the parcels within Project Site 2 to allow for construction of a 1,251,640 SF industrial warehouse building. The proposed map is consistent with the Countywide Plan, the Specific Plan, and Development Code standards and guidelines. There is adequate room to construct and locate the building pad on the site. The Project's proposed site plan is in compliance with the Specific Plan and Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site is physically suitable for the type and proposed density of development.

Project Site 2 can be legally subdivided and will provide adequate access, water service and utilities to serve the Project. The site is physically suitable for industrial development and proposed intensity of development.

3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The environmental impacts of the proposed Vesting Tentative Parcel Map (PROJ-2020-00246) have been considered in the EIR. As discussed in the EIR, there is no suitable habitat for special-status plant species within Site 2. Five special-status animal species have the potential to occur in the Specific Plan Area, burrowing owl, Dehli Sands Flower-Loving Fly, San Diego Black-tailed jackrabbit, Pocketed free-tailed bat, and Western Yellow Bat. There is no suitable habitat for Dehli Sands Flower-Loving Fly or San Diego Black-tailed Jackrabbit within Site 2 or offsite infrastructure areas. Mitigation is included to require take avoidance surveys for burrowing owl prior to ground disturbance and to require construction and demolition activities to occur outside of bat maternity season. The EIR has identified two areas of significant impacts related to air quality that would not be mitigated to less than significant levels despite implementation of the recommended mitigation measures. A Statement of Overriding Considerations will be presented for consideration by the Board of Supervisors concurrent with the proposal to certify the EIR and adopt the Project. A copy of the EIR and EIR Findings and Statement of Overriding Considerations are incorporated herein by reference.

4. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.

The design of the subdivision follows a logical and orderly progression of industrial development pursuant to the Specific Plan. The proposed subdivision has been reviewed by all agencies with jurisdiction over the Project and has been found to not cause significant public health or safety problems, as further discussed in the EIR, either through design, or through the adoption of Conditions of Approval.

5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision.

The recorded maps will require all necessary public rights of easements to be shown. The development will provide legal and physical access to the site with proper documentation of those access rights. The Conditions of Approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.

6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

The Project applicant is required to construct sewer lines and sewer lift station facilities. As wastewater service would be provided by the City of Rialto, the proposed wastewater infrastructure is required to be designed and constructed in accordance with City of Rialto standards. Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board and the County of San Bernardino, the Project will be required to obtain a NPDES permit for construction activities. The NPDES permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.

The design of the subdivision allows for future structures to be designed in any alignment to take advantage of passive or natural heating and cooling opportunities that exist on Site 2.

8. The proposed subdivision, its design, density, and type of development and improvements conforms to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.

The size and shape of Site 2 is adequate for the type of development proposed, and the appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, and County Building and Safety) have all reviewed and approved the Project design, the proposed Conditions of Approval, and the mitigation measures. The proposed Project conforms to the regulations of the Development Code as well as the Subdivision Map Act.

CONDITIONAL USE PERMIT FINDINGS-Site 3

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for adoption of the Conditional Use Permit to construct a 479,000-square foot industrial warehouse building with 10,000 square feet of office space for a high-cube warehouse facility (Project), in conjunction with Vesting Tentative Parcel Map No. 20340 to consolidate 23 parcels into one parcel of approximately 32.46 acres (Project Site 3), located at the southeast corner of Laurel Avenue and Santa Ana Avenue.

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.

Site 3: Project Site 3 is of adequate size and shape to accommodate the proposed 479,000 SF industrial warehouse building associated with the Project. The proposed site plan is in compliance with the Specific Plan and applicable Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.

The Site 3 site plan has been reviewed by the County Planning and Public Works departments and determined to have adequate access to the abutting roadways with the proposed and roadway improvements which must be constructed in connection with Project development. Additionally, a TIA has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA. Vehicular access will be provided from five driveways. Non-trailer access will be from Santa Ana Avenue into the northeast visitor parking and northern two driveways on Laurel Avenue into the employee parking area. Truck trailer access will be provided from the southernmost driveway on Laurel Avenue and driveway on Locust Avenue.

3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.

The proposed Site 3 development is consistent with the development allowed in the Industrial/Business Park (I/BP) land use designation and Specific Plan. The proposed industrial warehouse building and Project improvements have been designed to incorporate sufficient road improvements and to conform to industrial performance standards, including those for noise and vibration. The surrounding properties will be protected under specific plan and countywide development standards for noise vibration and lighting. Per Specific Plan design guidelines, industrial developments would be required to provide an adequate level of separation, landscaping, and appropriate screen walls. In addition, the uses will not interfere with the present or future ability to use solar energy systems.

4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.

The proposed Site 3 development and manner of development are consistent with the goals, maps, policies, and standards of the Countywide Plan and the Specific Plan. The Project's site plans, together with the provisions for its design and improvement are consistent with the Countywide Plan. The Project specifically implements the following goals and policies:

Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Implementation: The proposed Site 3 development would be consistent with the development standards of the Specific Plan, which includes setbacks from adjacent roadways and residential uses, screening features such as walls and fencing, decorative block walls, and landscape within buffer areas, and variation and articulation of wall treatments to minimize long block walls.

Policy LU-2.4 Land Use Map consistency. We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity

Implementation: The Project is proposed in the Bloomington Community Planning Area. Bloomington has a transitional character and appearance due to its mix of residential, commercial, light industrial development mixed with vacant parcels. Upon approval of the Specific Plan, the Site 3 development would

be compatible with the amended Land Use Map. The proposed development within Site 3 complies with the development standards, including building design and landscape design treatments, and screening requirements of the Specific Plan. Its development would be compatible with the surrounding mixed land uses and community identity.

5. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.

The developer will be required to construct roadway and sidewalk improvements, as well as water, sewer, drainage and dry utility improvements pursuant to Specific Plan and countywide standards to accommodate the Project without significantly lowering services.

6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare.

Conditions of approval include measures to protect neighboring residences, businesses, and property owners to minimize noise, vibration, lighting, air quality, hazardous material, greenhouse gas emission and traffic impacts and enforce performance standards to protect the overall public health, safety and general welfare. Also, mandatory compliance with the EIR mitigation measures will facilitate the protection of the public health, safety and general welfare.

7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

The design of Site 3 has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, through the orientation and design with adequate building setbacks and the future ability to construct rooftop solar facilities, as required by the California Building Code.

VESTING TENTATIVE PARCEL MAP FINDINGS - Site 3

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 87.02.060, and supporting facts for adoption of Vesting Tentative Parcel Map No. 20340 to consolidate 23 parcels into one parcel of approximately 32.46 acres (Project Site 3), located at the southeast corner of Laurel Avenue and Santa Ana Avenue:

1. The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan.

Site 3: The Vesting Tentative Parcel Map will consolidate the existing parcels within Project Site 3 to allow for construction of a 479,000 SF industrial warehouse building. The proposed map is consistent with the Countywide Plan, the Specific Plan, and Development Code standards and guidelines. There is adequate room to construct and locate the building pad on the site. The proposed site plan is in compliance with Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site is physically suitable for the type and proposed density of development.

Project Site 3 can be legally subdivided and provide adequate access, water service and utilities to serve the Project. The site is physically suitable for industrial development and the proposed intensity of development.

3. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

The environmental impacts of the proposed Vesting Tentative Parcel Map (PROJ-2021-00004) have been considered in the EIR. As discussed in the EIR, there is no suitable habitat for special-status plant species within Site 3. Five special-status animal species have the potential to occur in the Specific Plan Area, burrowing owl, Dehli Sands Flower-Loving Fly, San Diego Black-tailed jackrabbit, Pocketed free-tailed bat, and Western Yellow Bat. There is no suitable habitat for Dehli Sands Flower-Loving Fly or San Diego Black-tailed Jackrabbit within Site 3 or offsite infrastructure areas. Mitigation is included to require take avoidance surveys for burrowing owl prior to ground disturbance and to require construction and demolition activities to occur outside of bat maternity season. The EIR has identified two areas of significant impacts related to air quality that would not be mitigated to less than significant levels despite implementation of the recommended mitigation measures. A Statement of Overriding Considerations will be presented for consideration by the Board of Supervisors concurrent with the proposal to certify the EIR and adopt the Project. A copy of the EIR and EIR Findings and Statement of Overriding Considerations are incorporated herein by reference.

4. The design of the subdivision or type of improvements is not likely to cause serious public health or safety problems.

The design of the subdivision follows a logical and orderly progression of industrial development pursuant to the Specific Plan. The proposed subdivision has been reviewed by all agencies with jurisdiction over the Project and has been found to not cause significant public health or safety problems, as further discussed in the EIR, either through design, or through the adoption of Conditions of Approval.

5. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision.

The recorded maps will require all necessary public rights of easements to be shown. The development will provide legal and physical access to the site with proper documentation of those access rights. The Conditions of Approval shall require that any easement conflicts be resolved and that statements of concurrence be provided from utility companies, whose easements may be affected by the proposed development prior to recordation.

6. The discharge of sewage from the proposed subdivision into the community sewer system will not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board.

The Project applicant is required to construct sewer lines and sewer lift station facilities. As wastewater service would be provided by the City of Rialto, the proposed wastewater infrastructure is required to be designed and constructed in accordance with City of Rialto standards. Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board and the County of San Bernardino, the Project will be required to obtain a NPDES Permit for construction activities. The NPDES permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

7. The design of the subdivision provides, to the extent feasible, passive or natural heating and cooling opportunities.

The design of the subdivision allows for future structures to be designed in any alignment to take advantage of passive or natural heating and cooling opportunities that exist on Site 3.

8. The proposed subdivision, its design, density, and type of development and improvements conforms to the regulations of this Development Code and the regulations of any public agency having jurisdiction by law.

The size and shape of Site 3 is adequate for the type of development proposed, and the appropriate agencies (including County Surveyor, County Public Works, County Fire, County Environmental Health Services, and County Building and Safety) have all reviewed and approved the Project design, the proposed Conditions of Approval, and the mitigation measures. The proposed Project conforms to the regulations of the Development Code as well as the Subdivision Map Act.

CONDITIONAL USE PERMIT FINDINGS - Site 4

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for adoption of the Conditional Use Permit to construct a parking lot to accommodate 289 parking spaces for truck trailers (Project) on approximately 9.55 acres, located on the west side of Laurel Avenue, approximately 627 feet south of Santa Ana Avenue (Project Site 4).

1. The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, loading areas, open spaces, parking areas, setbacks, walls and fences, yards, and other required features pertaining to the application.

Site 4: Project Site 4 is of adequate size and shape to accommodate the proposed trailer parking lot (289 truck trailer stalls). The proposed site plan is in compliance with the Specific Plan and applicable Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.

The site plan for Project Site 4 has been reviewed by the County Planning and Public Works departments and determined to have adequate access to the abutting roadways with the proposed and roadway improvements which must be constructed in connection with Project development. Additionally, a TIA has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA. Vehicular access will be provided from two driveways on Laurel Avenue.

3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means that the use will not generate excessive noise, traffic, vibration, or other disturbance. In addition, the use will not substantially interfere with the present or future ability to use solar energy systems.

The proposed Site 4 development is consistent with the development allowed in the Industrial/Business Park (I/BP) land use designation and Specific Plan. The proposed truck trailer parking lot and Project improvements have been designed to incorporate sufficient road improvements and to conform to industrial performance standards, including those for noise and vibration. The surrounding properties will be protected under specific plan and countywide development standards for noise vibration and lighting. Per Specific Plan design guidelines, industrial developments would be required to provide an adequate level of separation, landscaping, and appropriate screen walls. A 9-foot-high masonry wall will be constructed along the perimeter of the truck trailer lot on Site 4 to screen the truck trailer parking lot. In addition, the uses will not interfere with the present or future ability to use solar energy systems.

4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the General Plan and any applicable community or specific plan.

The proposed use and manner of development within Site 4 is consistent with the goals, maps, policies, and standards of the Countywide Plan and the Specific Plan. The Project's site plan, together with the provisions for its design and improvement are consistent with the Countywide Plan. The Project specifically implements the following goals and policies:

Policy LU-2.1 Compatibility with existing uses. We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Implementation: The proposed Site 4 development would be consistent with the development standards of the Specific Plan, which includes setbacks from adjacent roadways and residential uses, screening features such as walls and fencing, decorative block walls, and landscape within buffer areas, and variation and articulation of wall treatments to minimize long block walls.

Policy LU-2.4 Land Use Map consistency. We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity

Implementation: The Project is proposed in the Bloomington Community Planning Area. Bloomington has a transitional character and appearance due to its mix of residential, commercial, light industrial development mixed with vacant parcels. Upon approval of the Specific Plan, the development within Site 4 would be compatible with the amended Land Use Map. The proposed Site 4 development complies with the development standards, including landscape design treatments and screening requirements of the Specific Plan. Its development would be compatible with the surrounding mixed land uses and community identity.

5. There is supporting infrastructure, existing or available, consistent with the intensity of development, to accommodate the proposed development without significantly lowering service levels.

The developer will be required to construct roadway and sidewalk improvements, as well as water, sewer, drainage and dry utility improvements pursuant to Specific Plan and countywide standards to accommodate the Project without significantly lowering service levels.

6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the public health, safety, and general welfare.

Conditions of approval include measures to protect neighboring residences, businesses, and property owners to minimize noise, vibration, lighting, air quality, hazardous material, greenhouse gas emission and traffic impacts and enforce performance standards to protect the overall public health, safety and general welfare. Also, mandatory compliance with the EIR mitigation measures will facilitate the protection of the public health, safety and general welfare.

7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

The design of Site 4 has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, through the orientation and design with adequate building setbacks and the future ability to construct rooftop solar facilities, as required by the California Building Code.

DEVELOPMENT CODE AMENDMENT FINDINGS

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060 to adopt the amendments to Subsections 82.23.030(b) and 86.14.090(b) to add Bloomington Business Park Specific Plan to the list of adopted specific plans.

1. THE PROPOSED AMENDMENT IS CONSISTENT WITH THE POLICY PLAN AND ANY APPLICABLE COMMUNITY PLAN OR SPECIFIC PLAN;

With the adoption of the Specific Plan, the proposed text amendment is an administrative requirement to identify the Bloomington Business Park Specific Plan prefix that will appear on the land use zoning district map and to add the specific plan to the list of adopted specific plans. The proposed amendment is therefore consistent with the Policy Plan.

2. THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE OF THE COUNTY; AND

With the adoption of the Specific Plan, the proposed text amendment is an administrative requirement to identify the Bloomington Business Park Specific Plan prefix that will appear on the land use zoning district map and to add the specific plan to the list of adopted specific plans. As such, the proposed text amendment will not be detrimental to the public health, safety, or general welfare.

3. THE PROPOSED AMENDMENT IS INTERNALLY CONSISTENT WITH OTHER APPLICABLE PROVISIONS OF THIS DEVELOPMENT CODE.

The proposed text amendment is consistent with and is a requirement of the Development Code. With the adoption of the Specific Plan, the proposed text amendment is an administrative requirement to identify the Bloomington Business Park Specific Plan prefix that will appear on the land use zoning district map and to add the specific plan to the list of adopted specific plans.

EXHIBIT D

EXHIBIT D

Link to Bloomington Business Park Specific
Plan: <https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

EXHIBIT E

EXHIBIT E

Link to September 22, 2022, Planning
Commission Staff Report and attachments:

<https://lus.sbcounty.gov/wp-content/uploads/sites/48/PC/Final-Staff-Report-92222.pdf>

EXHIBIT F

EXHIBIT F

Link to November 15, 2022, Board of
Supervisors Agenda Item:

<https://sanbernardino.legistar.com/View.ashx?M=F&ID=11465797&GUID=8B6DD57A-A6A1-4D2F-AA02-2649D539E857>

EXHIBIT G

EXHIBIT G

List of Assessor Parcel Nos.

Specific Plan						
0256-121-45	0256-111-55	0256-101-34	0256-091-07	0256-091-44	0256-101-55	0256-111-32
0256-121-46	0256-111-02	0256-101-35		0256-091-06	0256-101-56	0256-111-34
0256-121-47	0256-111-56	0256-101-36		0256-091-23	0256-101-16	0256-111-35
0256-121-48	0256-111-03	0256-101-45		0256-091-24	0256-101-17	0256-111-37
0256-121-37	0256-111-04	0256-101-48		0256-091-29	0256-101-18	0256-111-38
0256-121-38	0256-111-05	0256-101-49		0256-091-30	0256-101-19	0256-111-39
0256-121-39	0256-111-06	0256-101-57		0256-091-32	0256-101-20	0256-091-04
0256-121-40	0256-111-07	0256-101-06		0256-091-33	0256-111-23	0256-091-03
0256-121-41	0256-111-08	0256-101-07		0256-091-43	0256-111-27	0256-111-22
0256-121-42	0256-111-09	0256-101-10		0256-101-32	0256-111-31	0256-111-28
0256-121-43	0256-111-10	0256-101-11		0256-101-33		
0256-121-44	0256-111-26	0256-101-12				
0256-241-01	0256-111-29	0256-101-14				
0256-241-02	0256-111-11	0256-101-15				
0256-241-03	0256-111-18	0256-101-37				
0256-241-04	0256-111-19	0256-101-38				
0256-241-05	0256-111-58	0256-101-59				
0256-241-06	0256-111-59	0256-101-60				
0256-241-07	0256-111-60	0256-101-02				
0256-241-08	0256-111-61	0256-101-03				
0256-241-09	0256-111-44	0256-101-04				
0256-241-10	0256-111-45	0256-101-05				
0256-241-11	0256-111-48	0256-101-58				
0256-241-12	0256-111-49					
0256-241-13	0256-111-50					
0256-241-14	0256-111-51					
0256-241-15	0256-111-52					
0256-241-16	0256-111-53					
0256-241-17	0256-111-42					
0256-241-18	0256-111-40					
0256-241-19	0256-111-43					
	0256-111-41					

Upzone Site

APN 0249-161-10 through -15, -20 through -23, -34, -35, -37, -38, and -46 through -54

EXHIBIT H

EXHIBIT H

Conditions of Approval

CONDITIONS OF APPROVAL
Bloomington **BPSP** Site 1 - PROJ-2020-00238/CUP

GENERAL REQUIREMENTS
Ongoing and Operational Conditions

LAND USE SERVICES - Planning Division 909.387.8311

1. Project Description. This Conditional Use Permit approval is for the construction of a 383,000 square-foot high-cube warehouse on approximately 17.67 acres, in the Special Development Land Use Category, and Bloomington Business Park Specific Plan - Industrial/Business Park (BL/SP - I/BP) zoning district, in compliance with the Bloomington Business Park Specific Plan, San Bernardino County Code (SBCC), the Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations and landscape plans).
2. Project Location. The Project site is located at the northeast corner of Jurupa Avenue and Maple Avenue in the Bloomington Business Park Specific Plan.
3. Conditions of Approval: The developer shall provide a copy of the approved conditions and the site plan to every current and future commercial tenant, lessee, and any future property owner to facilitate compliance with these conditions of approval and continuous use requirements for the Project Site with APN: see attached Exhibit A, and Project Number: PROJ-2020-00238.
4. Revisions. Any subsequent changes to approved permits that would modify approved development plan permits, shall be submitted to the Director as specified in Section 5.4 of BBPSP.
5. Continuous Effect/Revocation. All Conditions of Approval applied to this project shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
6. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its "indemnities" (herein collectively the County's elected officials, appointed officials [including Planning Commissioners], Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any Condition of Approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney's fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

7. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three years of the effective date of this approval, unless an extension of time is granted. The permit is deemed exercised when either
- The permittee has commenced actual construction or alteration under a validly issued Building Permit, or
 - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit. [SBCC §86.06.060]

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Building and Safety does not issue construction permits for all or part of the project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

8. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Time application, which must include a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised Conditions of Approval or site plan modifications. (SBCC §86.06.060)
9. Development Impact Fees. Additional fees may be required prior to issuance of development plan permits. Fees shall be paid as specified in adopted fee ordinances.
10. Project Account. The Project account number is PROJ-2020-00238. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
11. Condition Compliance In order to obtain construction permits for grading, building, final inspection, and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two "red" stamped and signed approved copies of the grading plans.
 - Building Permits: a copy of the signed CCRF for building permits and three "red" stamped and signed approved copies of the final approved site plan.
 - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by County Planning.
12. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
- FEDERAL: None
 - STATE: Regional Water Quality Control Board (RWQCB) - Santa Ana Region, South Coast Air Quality Management District

- c) COUNTY: Land Use Services - Planning/Building and Safety/Code Enforcement/Land Development, County Fire, Environmental Health Services, and Public Works.
 - d) LOCAL: City of Rialto.
13. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- a) Annual maintenance and repair. The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - b) Graffiti and debris. The developer shall remove graffiti and debris immediately through weekly maintenance.
 - c) Landscaping. The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
 - d) Dust control. The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - e) Erosion control. The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - f) External Storage. The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
 - g) Metal Storage Containers. The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
 - h) Screening. The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
 - i) Signage. The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
 - j) Lighting. The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
 - k) Parking and on-site circulation. The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires Planning Division review and approval. Markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled parking and path of travel, directional signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
 - l) Fire Lanes. The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
14. Lighting. Exterior lighting on industrial and business park properties shall comply with requirements as specified in Section 3.6 of BBPSP.
15. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
16. Water Conservation. Structures shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by the SBCC.
17. Construction Hours. Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays

18. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
19. AO/Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:
 - a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)
 - b) Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use.
 - c) All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
 - d) On-site electrical power connections shall be provided.
 - e) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
 - f) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.
20. Local Hiring. The Developer and future operators of the Project shall make a good faith *effort* to employ residents of Bloomington and San Bernardino County pursuant to the Memorandum of Understanding (MOU) by and between San Bernardino County and Howard Industrial Partners, LLC.

LAND USE SERVICES DEPARTMENT-Code Enforcement Division 909.387.8311

21. Enforcement. If any County agency is required to enforce compliance with the conditions of approval, the property owner and "developer" shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and "developer" (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 - Development Code; Division 6 - Administration, Chapter 86.09 - Enforcement.
22. Weed Abatement. The Applicant shall comply with San Bernardino County weed abatement regulations [SBCC §23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES DEPARTMENT - Land Development Division - Drainage Section 909.387.8311

23. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site/on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.
24. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
25. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
26. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
27. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

28. Franchise Hauler Service Area -This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec-dba Jack's Disposal).
29. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of AB 2176.
30. Mandatory Commercial Recycling. Beginning July 1, 2012, all businesses defined to include a commercial or public entity that generates four or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of five or more must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.
31. Mandatory Trash Service - This property falls within a Uniform Handling Service area. All owners of a dwelling or a commercial or industrial unit within the uniform handling area shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
32. Mandatory Commercial Organics Recycling -A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational. As of January 1, 2019, AB 1826 (Enacted October 2014) requires businesses that generate four (4) cubic yards of solid waste per week to recycle their organic waste.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

33. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
34. Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE. This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.
35. Standard A-3 GATES AND OTHER OBSTRUCTIONS TO FIRE DEPARTMENT ACCESS
This standard shall apply to all obstructions, access control devices, traffic calming devices, or other similar systems within any roadways that serve as fire access in all new or existing residential, commercial, and industrial development. This standard does not apply to obstructions within parking aisles that do not serve as fire apparatus access roads.

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36. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING. This standard applies to the marking of all buildings with address numbers for identification.
 37. Standard B-2 CONSTRUCTION SITE FIRE SAFETY. This standard establishes minimum requirements for fire safety during construction and demolition. This document shall not be construed to be in lieu of any other applicable State or Federal law or regulation related to construction site safety. The general contractor or other designee of the building owner shall be responsible for compliance with these standards.
 38. Standard F-1 FIRE SPRINKLER SYSTEMS IN COMMERCIAL AND INDUSTRIAL BUILDINGS. This standard, in conjunction with the latest edition of NFPA 13, shall apply to the design and installation of, and the modification to, all fire sprinkler systems in commercial and industrial occupancies. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 13 or the California Fire Code.
 39. Standard F-4 POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS. This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.
 40. Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS. This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.
 41. Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.
 42. Standard S-1 HIGH PILE STORAGE/WAREHOUSE BUILDINGS. This standard shall apply to all storage occupancies designated as High Pile Storage as defined by the current California Fire Code (CFC), Chapter 32, the San Bernardino County Fire Code and Standards, and any other nationally applicable standards.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

43. Noise. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
44. Refuse Storage and Disposal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: 1-800-442-2283.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

45. Project vehicles shall not back up into the project site nor shall they back out into the public roadway.
46. Access. The access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

47. AQ - Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:
- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)]. Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use. All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
 - b) On-site electrical power connections shall be provided.
 - c) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
 - d) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.
48. AQ - Dust Control Plan. The developer shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:
- a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
 - b) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
 - c) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
 - d) Storm water control systems shall be installed to prevent off-site mud deposition.
 - e) All trucks hauling dirt away from the site shall be covered.
 - f) Construction vehicle tires shall be washed, prior to leaving the project site.
 - g) Rumble plates shall be installed at construction exits from dirt driveways.
 - h) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
 - i) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.
49. AQ - Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:
- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all SCAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
 - b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
 - c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
 - d) All gasoline-powered equipment shall have catalytic converters.
 - e) Provide onsite electrical power to encourage use of electric tools.
 - f) Minimize concurrent use of equipment through equipment phasing.
 - g) Provide traffic control during construction to reduce wait times.
 - h) Provide on-site food service for construction workers to reduce offsite trips.
 - i) Implement the County approved Dust Control Plan (DCP)
 - j) Suspend use of all construction equipment operations during second stage smog alerts. NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside Counties).

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50. AQ - Coating Restriction Plan. The developer shall submit for review and obtain approval from County Planning of a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a condition that the contractors adhere to the requirements of the GRP. The CRP measures shall be following implemented to the satisfaction of County Building and Safety:
- a) Architectural coatings with Reactive Organic Compounds (ROG) shall not have content greater than 100 g/l.
 - b) Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs. /day and the combined daily ROG volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROG of 75 lbs. per day.
 - c) High-Volume, Low Pressure (HVLP) spray guns shall be used to apply coatings.
 - d) Precoated/natural colored building materials, water-based or low volatile organic compound (VOC) coatings shall be used, if practical.
 - e) Comply with SCAQMD Rule 1113 on the use or architectural coatings.
51. Mitigation Measures. Comply with applicable Mitigation Measures contained in the attached Mitigation Monitoring and Reporting Program (MMRP) which is incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

52. Geology Report: If cut slopes steeper than 2:1 (horizontal to vertical) or grading involving 5,000 cubic yards or more are proposed, a geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to issuance of grading permits or land disturbance.
53. Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
54. Demolition Permit: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
55. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.
56. Temporary Use Permit. A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

LAND USE SERVICES DEPARTMENT - Land Development Division - Drainage Section 909.387.8311

57. Drainage Plan: The proposed overall drainage study (DRNSTY-2021-00056), which includes collection of tributary offsite and mitigated onsite stormwater runoff to be conveyed to an adequate outlet, has been preliminarily approved. The final drainage study incorporating the hydraulic design and final engineering plans must be submitted for review and approval, along with any necessary offsite right-of-way/permissions acquired, prior to the issuance of permits for the project. The drainage plan for the development of this specific plan shall be designed in a manner that will not exacerbate the existing flooding conditions and adversely impact the surrounding properties within the watershed. The proposed design for the drainage improvements shall be reviewed and approved by County *staff* and be constructed per the approved design and required standards. The design of the improvements shall include, but are not limited to, head/wing walls, energy dissipaters for flow velocities greater than 6 fps, public drainage easements (if needed), access appurtenances related to maintenance of all inlets and outlets for the system and shall be in compliance with all necessary environmental permits. An alternative drainage plan may be implemented if found to be in conformance with conditions of approval for the project, County Development Code, and all applicable County Standards and is approved by the Land Use Services Director.
58. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750

deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

59. FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
60. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
61. NPDES Permit: An NPDES permit - Notice of Intent (NOi) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
62. Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
63. On-site Flows. On-site flows need to be directed to drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
64. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: { <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx> }
65. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

66. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office:
 1. Show Location of the Public Hydrants on the street
 2. Access to be 30' on all roads around the complex per Standard A-1. Side streets to not be more than 30' away from the building per Standard A-1
 3. Deferred submittal required for Sprinklers, Alarms and High Pile Storage.
 4. Mechanical Smoke Removal System may be required for High Pile Storage based on the 2019 CFC Table 3206.2 when plans are submitted for HPS. If the Travel Distance exceeds 250' then it will be required.
67. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

68. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with

the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

69. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

70. Vector Control Requirement. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at (800) 442-2283.
71. Demolition Inspection Required. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

72. Lighting Plans. Exterior lighting on industrial and business park properties shall comply with requirements as contained in Section 3.6 - Lighting of the BBPSP.
73. Trash/Recyclables Receptacles. All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.
74. Landscape and Irrigation Plan. Landscape design and installation shall comply with requirements as contained in Section 4.7 - Landscape Design of the **BBPSP**.
75. Energy Efficiency for Commercial/Industrial Development (GHG Reduction Measure R2E7). The developer shall document that the design of the proposed structure exceeds the current Title 24 energy efficiency requirements as indicated below or via other methods that meet the 100 point requirement:

Building Envelope:

- Enhanced Insulation - (rigid wall insulation-13, Roof/attic R-38) (11 points).
- Windows - Greatly Enhanced window Insulation (0.28 or less U-factor, 0.22 or less SHGC) (7 points)
- Cool Roof - Greatly Enhanced cool roof (10 points)
- Air Filtration - air barrier HERS Verified Quality Insulation (7 points)
- Enhanced Thermal Mass (4 points)

Indoor Space Efficiencies:

- Heating/Cooling Distribution system. Enhanced Duct insulation (6 points)
- Space Heating - High Efficiency HVAC (5 points)
- Water Heaters - High Efficiency Water Heater (10 points)
- Daylighting All peripheral rooms have at least one window (1 point)
- Artificial Lighting - High Efficiency Lights (8 points)

Miscellaneous Commercial/Industrial Building Efficiencies:

- Building Placement- North/South alignment (4 points)
- Shading - at least 90% south-facing glazing (6 points)

Commercial Irrigation Landscaping:

- Water Efficient Landscaping - Only CA native landscape (5 points).
- Water Efficient irrigation Systems - Weather based irrigation (3 points)

Commercial Potable Water:

- Toilets - Water efficient toilets/Urinals (1.5gpm) (3 points)
- Water efficient Faucets - (2 points).

Preferential Parking:

- Provide reserved preferential and large parking spaces accommodating vanpools, ridesharing (2 points)

Install Electric Vehicle Chargers:

- Installation of 12 electric Vehicle (EV) chargers for passenger EV's - Level 2 fast charger (60 points)

Recycling:

- Provide reserved preferential and large parking spaces accommodating vanpools, ridesharing (2 points)

Recycling:

- Provide separated recycling bins (2 points)
- Recycle construction waste (4 points)

76. Comply with applicable Mitigation Measures in the attached Mitigation Monitoring and Reporting Program (MMRP) which are incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

77. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
78. Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

79. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.
80. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the San Bernardino/Rialto/Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$1.82 per square foot for High Cube Use/High Cube Use, which includes the 383,000 sq. ft. building per the site plan dated 6/15/2020.

Therefore, the estimated Regional Transportation Fees for the Project is \$697,060. The current Regional Transportation Development Mitigation Plan can be found at the following website:

<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

SPECIAL DISTRICTS - (909) 387-5940

81. This project lies within the district boundary of County Service Area 70, Zone SL-1. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

82. Water Purveyor. Water purveyor shall be West Valley WD or EHS approved.
83. Demolition Inspection Required All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.
84. Water Letter. The Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. The letter shall reference File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with the project address may suffice. For information, contact the Water Section at 800.442.2283.
85. Water and Sewer Service Verification. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.
86. Sewer Letter. The Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
87. Sewage Disposal Method of sewage disposal shall be City of Rialto Municipal Agency, or, if not available, EHS approved on-site wastewater treatment system (OWTS).
88. Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standards, SBCC §83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance with noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 800.442.2283.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

89. Building Plans. Building plans shall be submitted to the Fire Department for review and approval.
90. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.

91. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 4000 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 383,000 sq.ft. structure.
92. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

93. Construction and Demolition Waste Management Plan (CDWMP) Part 1 - The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a permit can be issued. There is a one time fee of \$150.00 for residential projects/\$530.00 for commercial/non-residential projects.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

94. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
95. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
 - a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT - Planning Division 909.387.8311

96. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
97. Shield Lights. All shield lights shall comply with Section 3.6 - Lighting of BBPSP.
98. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
99. Construct all applicable screen Walls. Construct a 12-foot screen walls.
100. Landscaping/Irrigation. All landscaping installation shall comply with Section 4.7 - Landscape Design of BBPSP.
101. Wheel Stops. All back-in truck trailer parking spaces shall have a wheel stop or other physical barrier twelve feet from any wall, fence or building to prevent damage. All other vehicle spaces shall have wheel stops or curbs installed when adjacent to fences, walls or buildings; these shall be three feet (3') away from such facilities.

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102. Signs. Prior to occupancy, the developer shall provide verification that the one freestanding sign is installed. All signs must comply with and be permitted in accordance with SBCC §83.13, Sign Regulations.
 103. Disabled Access. Disabled access parking spaces shall be clearly marked as disabled spaces and said markings shall be maintained in good condition at all times.
 104. Fees Paid. Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number P201800232 shall be paid in full.
 105. GHG - Installation/Implementation. The developer shall submit for review and obtain approval from County Planning evidence that all applicable GHG reduction measures have been installed, implemented and that specified performance objectives are being met.
 106. Comply with applicable Mitigation Measures contained in the attached Mitigation Monitoring and Reporting Program (MMRP) which is incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

107. Condition Compliance Release Form Sign-off. Prior to occupancy all Department requirements and sign-offs shall be completed.

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

108. Implement Drainage Plan: Prior to occupancy of any buildings within the project, the new drainage system shall be constructed by the applicant and inspected/approved by the County, Department of Public Works. Evidence of a viable maintenance mechanism for the drainage facilities shall be submitted to the County for review and approval.
109. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
110. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

LAND USE SERVICES DEPARTMENT-Land Development Division- Road Section 909.387.8311

111. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
112. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
113. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to County Public Works.
114. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Planning. It shall be maintained by the adjacent property owner or other County-approved entity.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

115. Fire Sprinkler-NFPA #1. An automatic fire sprinkler system complying with NFPA 13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

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116. Fire Alarm. An automatic monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for 100 heads or more. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
117. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
118. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
119. Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
120. Inspection by the Fire Department. Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
121. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

122. Construction and Demolition Waste Management Plan (CDWMP) Part 2- The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

123. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Jurupa Avenue (Major Highway-104')

- Road Dedication. A 2-foot grant of easement is required to provide a half-width right-of-way of 52 feet.
- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per
- County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements with Public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

Maple Avenue (Collector - 66')

- Street Improvements. Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per
- County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

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124. Road Standards and Design. All roads and design shall comply with requirements as specified in Sections 2.3 and 2.4 of BBPS.
 125. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
 126. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.
 127. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.
 128. Slope Easements. Slope rights shall be dedicated where necessary.
 129. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
 130. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
 131. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

132. Concurrent Conditions: The conditions for this project are concurrent with Planning Applications PROJ-2020-00034, PROJ 2020-00241, and PROJ-2020-00242. Pursuant to the traffic study by EPD Solutions dated 05/03/2022, these projects were studied together and not separated into phases. Therefore, all projects are subject to the satisfying the ALL of the following conditions regardless of the sequence they are started or status of completion. Similarly, if one of the listed projects satisfies a concurrent condition, the remaining projects should also be considered to have satisfied it equally.
133. Improvements: Prior to occupancy for this or any concurrent project, the Applicant shall design their street improvement plans and construct, or as allowed by Administrative process, their approved street improvement plans to include the following listed improvements.

If an improvement listed below has been completed by another development, party, or other appropriate means, at the time of occupancy, that same improvement shall be considered as complete for this project and any concurrent project.

If the Applicant is required to install an improvement listed below for this project or the concurrent projects, the Applicant may request reimbursement in the event there are existing ad hoc or Regional Transportation Fees that have been previously designated and identified for the construction of said improvement. Availability of ad hoc funds, if any, shall be limited to fees collected for the specific listed improvement. The amount of funds available, if any, shall be determined by the ad hoc fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion). Availability of funds associated with the Regional Transportation Development Mitigation Plan, if any, shall be governed by that document. The amount of funds available, if any, shall be determined by Regional Transportation Fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion).

- Locust Avenue/ Santa Ana Avenue:
 - Add a Northbound left-turn lane and an Eastbound thru lane.
- Linden Avenue/ Jurupa Avenue:
 - Convert the Eastbound right-turn lane to a shared Eastbound thru-right lane.
- Cedar Avenue/ Slover Avenue:
 - Add a 2nd Eastbound left-turn lane.
- Cedar Avenue/ Jurupa Avenue:
 - Add an eastbound left-turn lane.

San Bernardino County, Shared Jurisdiction

- Cedar Avenue/ 1-10 WB Ramps:
 - Convert the 3rd Southbound thru lane to a Southbound thru-right lane.
- Locust Avenue/ Jurupa Avenue:
 - Install a traffic signal and construct southbound left lane and westbound left lane.

The Applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement approved signal coordination plans if applicable.

City of Jurupa Valley Jurisdiction

- Rubidoux Blvd./ Market Street:
 - Add a 2nd Southbound left-turn lane.
- Market Street / 24th Street:
 - Add a 2nd Westbound left-turn lane.

For those improvements outside the boundary of San Bernardino County, the Applicant shall provide adequate proof of completion by the jurisdictional agency, to the San Bernardino County Traffic Division to demonstrate these conditions have been satisfied.

Fair Share: The total fair share contribution for this project is required based on the traffic report dated 05/03/2022 from EPD Solutions, Inc. The fair share breakdown for these improvements and agency jurisdictions are shown below. Fair share contribution amounts shall be provided to the specified agency, or as allowed by Administrative process, prior to occupancy of this or any concurrent project.

San Bernardino County:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIR SHARE PERCENTAGE	ESTIMATED FAIR SHARE
Laurel Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	39.72%	\$121,891.37
Maple Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	20.37%	\$62,515.44
Maple Avenue at Jurupa Avenue Construct westbound thru lane and two stage gap acceptance.	SB County	\$306,894	56.32%	\$172,840.52

Cedar Avenue at 1-10 WB Ramps Construct 3rd northbound thru lane.	50% SB County 1 50% Caltrans	\$306,894	33.55%	\$102,962.94
Cedar Avenue at 1-10 EB Ramps Construct eastbound right lane.	50% SB County 1 50% Caltrans	\$596,739	24.08%	\$143,102.14
Cedar Avenue at Orange Street Change EB/WB phasing to split phasing	SB County	\$122,459	31.39%	\$38,445.96
Cedar Avenue at Santa Ana Construct eastbound and westbound left lane	SB County	\$170,497	65.27%	\$111,290.41
Cedar Avenue at 11th Street Construct eastbound left-turn lane	SB County	\$85,248	23.92%	\$20,345.20
Cedar Avenue at 1st Street Construct eastbound left-turn lane	SB County	\$85,248	113.68%	\$11,659.29
Total Fair Share				\$785,696.73

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$785,696.73. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index

City of Fontana:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIR SHARE PERCENTAGE	ESTIMATED FAIR SHARE
Sierra Avenue at 1-10 Ramps Sierra Avenue at 1-10 Ramps Construct 3 rd eastbound left-turn lane.	50% Fontana 50% Caltrans	\$85,248	12.89%	\$10,992.09
Sierra Avenue at Slover Avenue Convert eastbound right-turn lane to shared eastbound thru-right lane.	Fontana	\$42,624	16.14%	\$6,881.23
Sierra Avenue at Santa Ana Avenue Convert northbound right-turn lane to shared northbound thru-right lane.	Fontana	\$42,624	26.89%	\$11,459.84
Total Fair Share				\$29,333.16

The total fair share contribution to the City of Fontana for this project as shown is based on the traffic report from EPD Solutions dated 05/03/2022. The calculated fair share amount is \$29,333.16 as shown in the *above* table breakdown. The study-identified amounts may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the San Bernardino County Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

City of Riverside:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIRSHARE PERCENTAGE	ESTIMATED FAIR SHARE
Market Street at SR-60 EB Ramps Construct southbound left-turn lane	50% City of Riverside 50% Caltrans	\$85,248	100%	\$85,248.00
Total Fair Share				\$85,248.00

The total fair share contribution to the City of Riverside for this project is based on the traffic report from EPD Solutions dated 05/03/2022. The calculated fair share amount is \$85,248.00 as shown in the *above* table breakdown. The study-identified amount may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the County of San Bernardino Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

END OF CONDITIONS

CONDITIONS OF APPROVAL
Bloomington BPSP Site 2 - PROJ-2020-00034/CUP

GENERAL REQUIREMENTS
Ongoing and Operational Conditions

LAND USE SERVICES- Planning Division 909.387.8311

134. Project Description. This Conditional Use Permit approval is for the construction of a 1.25 million square-foot high-cube warehouse on approximately 57.60 acres, in the Special Development Land Use Category, and the Bloomington Business Park Specific Plan - Industrial/Business Park (BL/SP - I/BP) zoning district, in compliance with the Bloomington Business Park Specific Plan, and the Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations and landscape plans).
135. Project Location. The Project site is located at the northeast corner of Jurupa Avenue and Locust Avenue in the Bloomington Business Park Specific Plan.
136. Conditions of Approval: The developer shall provide a copy of the approved conditions and the site plan to every current and future commercial tenant, lessee, and any future property owner to facilitate compliance with these conditions of approval and continuous use requirements for the Project Site with APN: see attached Exhibit A, and Project Number: PROJ-2020-00034.
137. Revisions. Any subsequent changes to approved permits that would modify approved development permits, shall be submitted to the Director as specified in Section 5.4 of BBPSP.
138. Continuous Effect/Revocation. All Conditions of Approval applied to this project shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
139. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its "indemnities" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any Condition of Approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney's fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

140. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three years of the effective date of this approval, unless an extension of time is granted. The permit is deemed exercised when either
- The permittee has commenced actual construction or alteration under a validly issued Building Permit, or
 - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit. [SBCC §86.06.060]

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Building and Safety does not issue construction permits for all or part of the project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

141. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Time application, which must include a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised Conditions of Approval or site plan modifications. (SBCC §86.06.060)
142. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
143. Project Account. The Project account number is PROJ-2020-00238. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1,000 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
144. Condition Compliance. In order to obtain construction permits for grading, building, final inspection, and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two "red" stamped and signed approved copies of the grading plans.
 - Building Permits: a copy of the signed CCRF for building permits and three "red" stamped and signed approved copies of the final approved site plan.
 - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by County Planning.
145. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
- FEDERAL: None
 - STATE: Regional Water Quality Control Board (RWQCB)- Santa Ana Region, South Coast Air Quality Management District

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- c) **COUNTY:** Land Use Services - Planning/Building and Safety/Code Enforcement/Land Development, County Fire, Environmental Health Services, and Public Works.
- d) **LOCAL:** City of Rialto.
146. **Continuous Maintenance.** The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- a) **Annual maintenance and repair.** The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - b) **Graffiti and debris.** The developer shall remove graffiti and debris immediately through weekly maintenance.
 - c) **Landscaping.** The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
 - d) **Dust control.** The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - e) **Erosion control.** The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - f) **External Storage.** The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
 - g) **Metal Storage Containers.** The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
 - h) **Screening.** The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including rooftop) shall be screened from public view.
 - i) **Signage.** The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
 - j) **Lighting.** The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
 - k) **Parking and on-site circulation.** The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires Planning Division review and approval. Markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled parking and path of travel, directional signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
 - l) **Fire Lanes.** The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
147. **Lighting.** Exterior lighting on industrial and business park properties shall comply with requirements as specified in Section 3.6 of BBPSP.
148. **Clear Sight Triangle.** Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
149. **Water Conservation.** Structures shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by the SBCC.
150. **Construction Hours.** Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

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151. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
152. AO/Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:
- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)
 - b) Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use.
 - c) All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
 - d) On-site electrical power connections shall be provided.
 - e) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
 - f) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.
153. Local Labor. The Developer and future operators of the Project shall make a good faith *effort* to employ residents of Bloomington and San Bernardino County pursuant to the Memorandum of Understanding (MOU) by and between San Bernardino County and Howard Industrial Partners, LLC.

LAND USE SERVICES DEPARTMENT-Code Enforcement Division 909.387.8311

154. Enforcement. If any County agency is required to enforce compliance with the conditions of approval, the property owner and "developer" shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and "developer" (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 - Development Code; Division 6 -Administration, Chapter 86.09 - Enforcement.
155. Weed Abatement. The Applicant shall comply with San Bernardino County weed abatement regulations [SBCC §23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

156. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site/on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.
157. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
158. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
159. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
160. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

161. Franchise Hauler Service Area - This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec- dba Jack's Disposal).
162. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of AB 2176.
163. Mandatory Commercial Recycling. Beginning July 1, 2012, all businesses defined to include a commercial or public entity that generates four or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of five or more must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.
164. Mandatory Trash Service - This property falls within a Uniform Handling Service area. All owners of a dwelling or a commercial or industrial unit within the uniform handling area shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
165. Mandatory Commercial Organics Recycling -A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational. As of January 1, 2019, AB 1826 (Enacted October 2014) requires businesses that generate four (4) cubic yards of solid waste per week to recycle their organic waste.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

166. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
167. Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE. This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.
168. Standard A-3 GATES AND OTHER OBSTRUCTIONS TO FIRE DEPARTMENT ACCESS. This standard shall apply to all obstructions, access control devices, traffic calming devices, or other similar systems within any roadways that serve as fire access in all new or existing residential, commercial, and industrial development. This standard does not apply to obstructions within parking aisles that do not serve as fire apparatus access roads.

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169. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING. This standard applies to the marking of all buildings with address numbers for identification.
170. Standard B-2 CONSTRUCTION SITE FIRE SAFETY
This standard establishes minimum requirements for fire safety during construction and demolition. This document shall not be construed to be in lieu of any other applicable State or Federal law or regulation related to construction site safety. The general contractor or other designee of the building owner shall be responsible for compliance with these standards.
171. Standard F-1 FIRE SPRINKLER SYSTEMS IN COMMERCIAL AND INDUSTRIAL BUILDINGS
This standard, in conjunction with the latest edition of NFPA 13, shall apply to the design and installation of, and the modification to, all fire sprinkler systems in commercial and industrial occupancies. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 13 or the California Fire Code.
172. Standard F-4 POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS
This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.
173. Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS
This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.
174. Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.
175. Standard S-1 HIGH PILE STORAGE/WAREHOUSE BUILDINGS. This standard shall apply to all storage occupancies designated as High Pile Storage as defined by the current California Fire Code (CFC), Chapter 32, the San Bernardino County Fire Code and Standards, and any other nationally applicable standards.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

176. Noise. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
177. Refuse Storage and Disposal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: 1-800-442-2283.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

178. Project vehicles shall not back up into the project site nor shall they back out into the public roadway.
179. Access. The access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

180. AQ - Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:
- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)]. Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use. All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
 - b) On-site electrical power connections shall be provided.
 - c) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
 - d) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.
181. AQ- Dust Control Plan. The developer shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:
- a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
 - b) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
 - c) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
 - d) Storm water control systems shall be installed to prevent off-site mud deposition.
 - e) All trucks hauling dirt away from the site shall be covered.
 - f) Construction vehicle tires shall be washed, prior to leaving the project site.
 - g) Rumble plates shall be installed at construction exits from dirt driveways.
 - h) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
 - i) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.
182. AQ - Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:
- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all SCAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
 - b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
 - c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
 - d) All gasoline-powered equipment shall have catalytic converters.
 - e) Provide onsite electrical power to encourage use of electric tools.
 - f) Minimize concurrent use of equipment through equipment phasing.
 - g) Provide traffic control during construction to reduce wait times.
 - h) Provide on-site food service for construction workers to reduce offsite trips.
 - i) Implement the County approved Dust Control Plan (DCP)
 - j) Suspend use of all construction equipment operations during second stage smog alerts. NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside Counties).

183. AQ - Coating Restriction Plan. The developer shall submit for review and obtain approval from County Planning of a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a condition that the contractors adhere to the requirements of the GRP. The CRP measures shall be following implemented to the satisfaction of County Building and Safety:
- a) Architectural coatings with Reactive Organic Compounds (ROG) shall not have content greater than 100 g/l.
 - b) Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs. /day and the combined daily ROG volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROG of 75 lbs. per day.
 - c) High-Volume, Low Pressure (HVLP) spray guns shall be used to apply coatings.
 - d) Precoated/natural colored building materials, water-based or low volatile organic compound (VOC) coatings shall be used, if practical.
 - e) Comply with SCAQMD Rule 1113 on the use or architectural coatings.
184. Mitigation Measures. Comply with applicable Development Site Mitigation Measures as contained in the attached MMRP which are incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

185. Geology Report Required Before Grading: If cut slopes steeper than 2:1 (horizontal to vertical) or grading involving 5,000 cubic yards or more are proposed, a geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to issuance of grading permits or land disturbance.
186. Geotechnical (Soil) Report Required Before Grading: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
187. Demolition Permit: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
188. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.

LAND USE SERVICES DEPARTMENT - Land Development Division - Drainage Section 909.387.8311

189. Drainage Plan: The proposed overall drainage study (DRNSTY-2021-00056), which includes collection of tributary offsite and mitigated onsite stormwater runoff to be conveyed to an adequate outlet, has been preliminarily approved. The final drainage study incorporating the hydraulic design and final engineering plans must be submitted for review and approval, along with any necessary offsite right-of-way/permissions acquired, prior to the issuance of permits for the project. The drainage plan for the development of this specific plan shall be designed in a manner that will not exacerbate the existing flooding conditions and adversely impact the surrounding properties within the watershed. The proposed design for the drainage improvements shall be reviewed and approved by County staff and be constructed per the approved design and required standards. The design of the improvements shall include, but are not limited to, head/wing walls, energy dissipaters for flow velocities greater than 6 fps, public drainage easements (if needed), access appurtenances related to maintenance of all inlets and outlets for the system and shall be in compliance with all necessary environmental permits. An alternative drainage plan may be implemented if found to be in conformance with conditions of approval for the project, County Development Code, and all applicable County Standards and is approved by the Land Use Services Director.
190. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
191. FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the

recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.

192. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
193. NPDES Permit: An NPDES permit - Notice of Intent (NOi) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
194. Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
195. On-site Flows. On-site flows need to be directed to drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
196. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: { <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx> }
197. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

198. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office:
 1. Show Location of the Public Hydrants on the street
 2. Access to be 30' on all roads around the complex per Standard A-1. Side streets to not be more than 30' away from the building per Standard A-1
 3. Deferred submittal required for Sprinklers, Alarms and High Pile Storage.
 4. Mechanical Smoke Removal System may be required for High Pile Storage based on the 2019 CFC Table 3206.2 when plans are submitted for HPS. If the Travel Distance exceeds 250' then it will be required.
199. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

200. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

201. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:

- a. Monuments set to mark property lines or corners;
- b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
- c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

202. **Vector Control Requirement.** The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at (800) 442-2283.

203. **Demolition Inspection Required.** All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

204. **Lighting Plans.** Exterior lighting on industrial and business park properties shall comply with requirements as contained in Section 3.6 - Lighting of the BBPSP.

205. **Trash/Recyclables Receptacles.** All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.

206. **Landscape and Irrigation Plan.** Landscape design and installation shall comply with requirements as contained in Section 4.7 - Landscape Design of the **BBPSP**.

207. **Energy Efficiency for Commercial/Industrial Development (GHG Reduction Measure R2E7).** The developer shall document that the design of the proposed structure exceeds the current Title 24 energy efficiency requirements as indicated below:

Building Envelope:

- Enhanced Insulation - (rigid wall insulation-13, Roof/attic R-38) (11 points).
- Windows - Greatly Enhanced window Insulation (0.28 or less U-factor, 0.22 or less SHGC) (7 points)
- Cool Roof - Greatly Enhanced cool roof (10 points)
- Air Filtration - air barrier HERS Verified Quality Insulation (7 points)
- Enhanced Thermal Mass (4 points)

Indoor Space Efficiencies:

- Heating/Cooling Distribution system. Enhanced Duct insulation (6 points)
- Space Heating - High Efficiency HVAC (5 points)
- Water Heaters - High Efficiency Water Heater (10 points)
- Daylighting All peripheral rooms have at least one window (1 point)
- Artificial Lighting - High Efficiency Lights (8 points)

Miscellaneous Commercial/Industrial Building Efficiencies:

- Building Placement- North/South alignment (4 points)
- Shading - at least 90% south-facing glazing (6 points)

Commercial Irrigation Landscaping:

- Water Efficient Landscaping - Only CA native landscape (5 points).
- Water Efficient irrigation Systems - Weather based irrigation (3 points)

Commercial Potable Water:

- Toilets - Water efficient toilets/Urinals (1.5gpm) (3 points)
- Water efficient Faucets - (2 points).

Preferential Parking:

- Provide reserved preferential and large parking spaces accommodating vanpools, ridesharing (2 points)

Install Electric Vehicle Chargers:

- Installation of 12 electric Vehicle (EV) chargers for passenger EV's - Level 2 fast charger (60 points)

Recycling:

- Provide reserved preferential and large parking spaces accommodating vanpools, ridesharing (2 points)

Recycling:

- Provide separated recycling bins (2 points)
- Recycle construction waste (4 points)

208. Comply with applicable Mitigation Measures in the attached Mitigation Monitoring and Reporting Program (MMRP) which are incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

209. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.

210. Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

211. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.

212. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$1.82 per square foot for High Cube Use, which includes the 1.25 million sq. ft. building per the site plan dated 6/15/2020.

Therefore, the estimated Regional Transportation Fees for the Project is \$2,277,984.80. The current Regional Transportation Development Mitigation Plan can be found at the following website:

<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

SPECIAL DISTRICTS - (909) 387-5940

213. This project lies within the district boundary of County Service Area 70, Zone SL-1. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

214. Water Purve.YQ[. Water purveyor shall be West Valley WO or EHS approved.

215. Demolition Inspection Required All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.

216. Water Letter. The Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. The letter shall reference File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with the project address may suffice. For information, contact the Water Section at 800.442.2283.

217. Water and Sewer Service Verification. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

218. Sewer Letter. The Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).

219. Sewage Disposal Method of sewage disposal shall be City of Rialto Municipal Agency, or, if not available, EHS approved on-site wastewater treatment system (OWTS).

220. Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standards, SBCC §83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance with noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 800.442.2283.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

221. Building Plans. Building plans shall be submitted to the Fire Department for review and approval.

222. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.

223. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 4000 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 383,000 sq.ft. structure.
224. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

225. Construction and Demolition Waste Management Plan (CDWMP) Part 1 - The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a permit can be issued. There is a one time fee of \$150.00 for residential projects/\$530.00 for commercial/non-residential projects.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

226. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
227. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT - Planning Division 909.387.8311

228. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
229. Shield Lights. All shield lights shall comply with Section 3.6 - Lighting of BBPSP.
230. Screen RooftoQ. All roof top mechanical equipment is to be screened from ground vistas.
231. Construct all applicable screen Walls. Construct a 14-foot screen walls.
232. Landscaping/Irrigation. All landscaping installation shall comply with Section 4.7 - Landscape Design of BBPSP.

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233. Wheel Stops. All back-in truck trailer parking spaces shall have a wheel stop or other physical barrier twelve feet from any wall, fence or building to prevent damage. All other vehicle spaces shall have wheel stops or curbs installed when adjacent to fences, walls or buildings; these shall be three feet (3') away from such facilities.
234. Signs. Prior to occupancy, the developer shall provide verification that the one freestanding sign is installed. All signs must comply with and be permitted in accordance with SBCC §83.13, Sign Regulations.
235. Disabled Access. Disabled access parking spaces shall be clearly marked as disabled spaces and said markings shall be maintained in good condition at all times.
236. Fees Paid. Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number P201800232 shall be paid in full.
237. GHG - Installation/Implementation. The developer shall submit for review and obtain approval from County Planning evidence that all applicable GHG reduction measures have been installed, implemented and that specified performance objectives are being met.
238. Comply with applicable Mitigation Measures contained in the attached Mitigation Monitoring and Reporting Program (MMRP) which is attached and incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

239. Condition Compliance Release Form Sign-off. Prior to occupancy all Department requirements and sign-offs shall be completed.

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

Implement Drainage Plan: Prior to occupancy of any buildings within the project, the new drainage system shall be constructed by the applicant and inspected/approved by the County, Department of Public Works. Evidence of a viable maintenance mechanism for the drainage facilities shall be submitted to the County for review and approval.

240. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
241. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

LAND USE SERVICES DEPARTMENT-Land Development Division- Road Section 909.387.8311

242. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
243. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
244. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to County Public Works.
245. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Planning. It shall be maintained by the adjacent property owner or other County-approved entity.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

246. Fire Sprinkler-NFPA #1. An automatic fire sprinkler system complying with NFPA 13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
247. Fire Alarm. An automatic monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for 100 heads or more. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
248. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
249. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
250. Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
251. Inspection by the Fire Department. Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
252. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

253. Construction and Demolition Waste Management Plan (CDWMP) Part 2 - The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

254. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Jurupa Avenue (Major Arterial- 120')

- Road Dedication. A 8-10-foot grant of easement is required to provide a half-width right-of-way of 60 feet.
- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per
- County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to ensure sidewalk improvements with Public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

- **Maple Avenue (Collector - 66')**
- Street Improvements. Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per
- County Standard 110 and Caltrans standard A88A. Adequate easement shall be provided to
- ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

255. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

256. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.

257. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

258. Slope Easements. Slope rights shall be dedicated where necessary.

259. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.

260. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.

261. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

262. Road Standards and Design. All roads and design shall comply with requirements as specified in Sections 2.3 and 2.4 of BBPS.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

263. Concurrent Conditions: The conditions for this project are concurrent with Planning Applications PROJ-2020-00034, PROJ-2020-00241, and PROJ-2020-00242. Pursuant to the traffic study by EPD Solutions dated 05/03/2022, these projects were studied together and not separated into phases. Therefore, all projects are subject to the satisfying the ALL of the following conditions regardless of the sequence they are started or status of completion. Similarly, if one of the listed projects satisfies a concurrent condition, the remaining projects should also be considered to have satisfied it equally.

264. Improvements: Prior to occupancy for this or any concurrent project, the Applicant shall design their street improvement plans and construct, or as allowed by Administrative process, their approved street improvement plans to include the following listed improvements.

If an improvement listed below has been completed by another development, party, or other appropriate means, at the time of occupancy, that same improvement shall be considered as complete for this project and any concurrent project.

If the Applicant is required to install an improvement listed below for this project or the concurrent projects, the Applicant may request reimbursement in the event there are existing ad hoc or Regional Transportation Fees that have been previously designated and identified for the construction of said improvement. Availability of ad hoc funds, if any, shall be limited to fees collected for the specific listed improvement. The amount of funds available, if any, shall be determined by the ad hoc fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion). Availability of funds associated with the Regional Transportation Development Mitigation Plan, if any, shall be governed by that document. The amount of funds available, if any, shall be determined by Regional Transportation Fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion).

- Locust Avenue/ Santa Ana Avenue:
 - Add a Northbound left-turn lane and an Eastbound thru lane.
- Linden Avenue/ Jurupa Avenue:
 - Convert the Eastbound right-turn lane to a shared Eastbound thru-right lane.
- Cedar Avenue/ Slover Avenue:
 - Add a 2nd Eastbound left-turn lane.
- Cedar Avenue/ Jurupa Avenue:
 - Add an eastbound left-turn lane.

San Bernardino County, Shared Jurisdiction

- Cedar Avenue/ 1-10 WB Ramps:
 - Convert the 3rd Southbound thru lane to a Southbound thru-right lane.
- Locust Avenue/ Jurupa Avenue:
 - Install a traffic signal and construct southbound left lane and westbound left lane.

The Applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement approved signal coordination plans if applicable.

City of Jurupa Valley Jurisdiction

- Rubidoux Blvd./ Market Street:
 - Add a 2nd Southbound left-turn lane.
- Market Street / 24th Street:
 - Add a 2nd Westbound left-turn lane.

For those improvements outside the boundary of San Bernardino County, the Applicant shall provide adequate proof of completion by the jurisdictional agency, to the San Bernardino County Traffic Division to demonstrate these conditions have been satisfied.

Fair Share: The total fair share contribution for this project is required based on the traffic report dated 05/03/2022 from EPD Solutions, Inc. The fair share breakdown for these improvements and agency jurisdictions are shown below. Fair share contribution amounts shall be provided to the specified agency, or as allowed by Administrative process, prior to occupancy of this or any concurrent project.

San Bernardino County:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIRSHARE PERCENTAGE	ESTIMATED FAIR SHARE
Laurel Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	39.72%	\$121,891.37

Maple Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	20.37%	\$62,515.44
Maple Avenue at Jurupa Avenue Construct westbound thru lane and two stage gap acceptance.	SB County	\$306,894	6.32%	\$112,540.52
Cedar Avenue at 1-10 WB Ramps Construct 3rd northbound thru lane.	50% SB County 50% Caltrans	\$306,894	33.55%	\$102,962.94
Cedar Avenue at 1-10 EB Ramps Construct eastbound right lane.	50% SB County 50% Caltrans	\$596,739	24.08%	\$143,102.14
Cedar Avenue at Orange Street Change EB/WB phasing to split phasing	SB County	\$122,459	31.39%	\$38,445.96
Cedar Avenue at Santa Ana Construct eastbound and westbound left lane	SB County	\$170,497	65.27%	\$111,290.47
Cedar Avenue at 11th Street Construct eastbound left-turn lane	SB County	\$85,248	23.92%	\$20,155.50
Cedar Avenue at 7th Street Construct eastbound left-turn lane	SB County	\$85,248	113.68%	\$11,659.29
Total Fair Share				\$785,696.73

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$785,696.73. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index

City of Fontana:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIR SHARE PERCENTAGE	ESTIMATED FAIR SHARE
Sierra Avenue at 1-10 Ramps Sierra Avenue at 1-10 Ramps Construct 3 rd eastbound left-turn lane.	50% Fontana 50% Caltrans	\$85,248	12.89%	\$10,992.09
Sierra Avenue at Slover Avenue	Fontana	\$42,624	16.14%	\$6,881.23

Convert eastbound right-turn lane to shared eastbound thru-right lane.				
Sierra Avenue at Santa Ana Avenue Convert northbound right-turn lane to shared northbound thru-right lane.	Fontana	\$42,624	26.89%	\$11,459.84
Total Fair Share				\$29,333.16

The total fair share contribution to the City of Fontana for this project as shown is based on the traffic report from **EPD Solutions** dated 05/03/2022. The calculated fair share amount is \$29,333.16 as shown in the above table breakdown. The study-identified amounts may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the San Bernardino County Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

City of Riverside:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIRSHARE PERCENTAGE	ESTIMATED FAIR SHARE
Market Street at SR-60 EB Ramps Construct southbound left-turn lane	50% City of Riverside 50% Caltrans	\$85,248	100%	\$85,248.00
Total Fair Share				\$85,248.00

The total fair share contribution to the City of Riverside for this project is based on the traffic report from **EPD Solutions** dated 05/03/2022. The calculated fair share amount is \$85,248.00 as shown in the above table breakdown. The study-identified amount may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the County of San Bernardino Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

END OF CONDITIONS

CONDITIONS OF APPROVAL

Bloomington BPSP Site 3 - PROJ-2020-00241/CUP

GENERAL REQUIREMENTS

Ongoing and Operational Conditions

LAND USE SERVICES- Planning Division 909.387.8311

265. Project Description. This Conditional Use Permit approval is for the construction of a 479,000 square-foot high-cube warehouse on approximately 30.49 acres, in the Special Development Land Use Category, and the Bloomington Business Park Specific Plan - Industrial/Business Park (BL/SP - I/BP) zoning district, in compliance with the Bloomington Business Park Specific Plan, the Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations and landscape plans).
266. Project Location. The Project site is located at the southeast corner of Laurel Avenue and Santa Ana Avenue in the Bloomington Business Park Specific Plan.
267. Conditions of Approval: The developer shall provide a copy of the approved conditions and the site plan to every current and future commercial tenant, lessee, and any future property owner to facilitate compliance with these conditions of approval and continuous use requirements for the Project Site with APN: see attached Exhibit A, and Project Number: PROJ-2020-00241.
268. Revisions. Any subsequent changes to approved permits that would modify approved development permits, shall be submitted to the Director as specified in Section 5.4 of BBPSP.
269. Continuous Effect/Revocation. All Conditions of Approval applied to this project shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
270. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its "indemnities" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any Condition of Approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney's fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

271. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three years of the effective date of this approval, unless an extension of time is granted. The permit is deemed exercised when either
- The permittee has commenced actual construction or alteration under a validly issued Building Permit, or
 - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit. [SBCC §86.06.060]

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Building and Safety does not issue construction permits for all or part of the project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

272. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Time application, which must include a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised Conditions of Approval or site plan modifications. (SBCC §86.06.060)
273. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
274. Project Account. The Project account number is PROJ-2020-00241. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
275. Condition Compliance. In order to obtain construction permits for grading, building, final inspection, and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two "red" stamped and signed approved copies of the grading plans.
 - Building Permits: a copy of the signed CCRF for building permits and three "red" stamped and signed approved copies of the final approved site plan.
 - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by County Planning.
276. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
- FEDERAL: None
 - STATE: Regional Water Quality Control Board (RWQCB)- Santa Ana Region, South Coast Air Quality Management District

- c) COUNTY: Land Use Services - Planning/Building and Safety/Code Enforcement/Land Development, County Fire, Environmental Health Services, and Public Works.
- d) LOCAL: City of Rialto.

277. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:

- a) Annual maintenance and repair. The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
- b) Graffiti and debris. The developer shall remove graffiti and debris immediately through weekly maintenance.
- c) Landscaping. The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
- d) Dust control. The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
- e) Erosion control. The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
- f) External Storage. The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
- g) Metal Storage Containers. The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
- h) Screening. The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
- i) Signage. The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
- j) Lighting. The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
- k) Parking and on-site circulation. The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires Planning Division review and approval. Markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled parking and path of travel, directional signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
- l) Fire Lanes. The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

278. Lighting. Exterior lighting on industrial and business park properties shall comply with requirements as specified in Section 3.6 of BBPSP.

279. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.

280. Water Conservation. Structures shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by the SBCC.

281. Construction Hours. Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

282. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
283. AO/Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:
- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)
 - b) Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use.
 - c) All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
 - d) On-site electrical power connections shall be provided.
 - e) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
 - f) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.
284. Local Labor. The Developer and future operators of the Project shall make a good faith *effort* to employ residents of Bloomington and San Bernardino County pursuant to the Memorandum of Understanding (MOU) by and between San Bernardino County and Howard Industrial Partners, LLC.

LAND USE SERVICES DEPARTMENT-Code Enforcement Division 909.387.8311

285. Enforcement. If any County agency is required to enforce compliance with the conditions of approval, the property owner and "developer" shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and "developer" (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 - Development Code; Division 6 - Administration, Chapter 86.09 - Enforcement.
286. Weed Abatement. The Applicant shall comply with San Bernardino County weed abatement regulations [SBCC §23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

287. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site/on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.
288. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
289. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
290. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
291. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

292. Franchise Hauler Service Area - This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec- dba Jack's Disposal).
293. Recycling Storage Capacity. The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of AB 2176.
294. Mandatory Commercial Recycling. Beginning July 1, 2012, all businesses defined to include a commercial or public entity that generates four or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of five or more must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.
295. Mandatory Trash Service - This property falls within a Uniform Handling Service area. All owners of a dwelling or a commercial or industrial unit within the uniform handling area shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
296. Mandatory Commercial Organics Recycling -A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational. As of January 1, 2019, AB 1826 (Enacted October 2014) requires businesses that generate four (4) cubic yards of solid waste per week to recycle their organic waste.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

297. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
298. Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE. This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.
299. Standard A-3 GATES AND OTHER OBSTRUCTIONS TO FIRE DEPARTMENT ACCESS. This standard shall apply to all obstructions, access control devices, traffic calming devices, or other similar systems within any roadways that serve as fire access in all new or existing residential, commercial, and industrial development. This standard does not apply to obstructions within parking aisles that do not serve as fire apparatus access roads.

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300. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING. This standard applies to the marking of all buildings with address numbers for identification.
301. Standard B-2 CONSTRUCTION SITE FIRE SAFETY
This standard establishes minimum requirements for fire safety during construction and demolition. This document shall not be construed to be in lieu of any other applicable State or Federal law or regulation related to construction site safety. The general contractor or other designee of the building owner shall be responsible for compliance with these standards.
302. Standard F-1 FIRE SPRINKLER SYSTEMS IN COMMERCIAL AND INDUSTRIAL BUILDINGS
This standard, in conjunction with the latest edition of NFPA 13, shall apply to the design and installation of, and the modification to, all fire sprinkler systems in commercial and industrial occupancies. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 13 or the California Fire Code.
303. Standard F-4 POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS
This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.
304. Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS
This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.
305. Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.
306. Standard S-1 HIGH PILE STORAGE/WAREHOUSE BUILDINGS. This standard shall apply to all storage occupancies designated as High Pile Storage as defined by the current California Fire Code (CFC), Chapter 32, the San Bernardino County Fire Code and Standards, and any other nationally applicable standards.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

307. Noise. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
308. Refuse Storage and Disposal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least **1** time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least **2** times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call DEHS/LEA at: 1-800-442-2283.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

309. Project vehicles shall not back up into the project site nor shall they back out into the public roadway.
310. Access. The access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

311. AQ - Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:

- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)]. Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use. All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
- b) On-site electrical power connections shall be provided.
- c) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
- d) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

312. AQ- Dust Control Plan. The developer shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:

- a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
- b) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
- c) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
- d) Storm water control systems shall be installed to prevent off-site mud deposition.
- e) All trucks hauling dirt away from the site shall be covered.
- f) Construction vehicle tires shall be washed, prior to leaving the project site.
- g) Rumble plates shall be installed at construction exits from dirt driveways.
- h) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
- i) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.

313. AQ - Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:

- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all SCAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
- b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
- c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
- d) All gasoline-powered equipment shall have catalytic converters.
- e) Provide onsite electrical power to encourage use of electric tools.
- f) Minimize concurrent use of equipment through equipment phasing.
- g) Provide traffic control during construction to reduce wait times.
- h) Provide on-site food service for construction workers to reduce offsite trips.
- i) Implement the County approved Dust Control Plan (DCP)
- j) Suspend use of all construction equipment operations during second stage smog alerts. NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside Counties).

314. **AQ - Coating Restriction Plan.** The developer shall submit for review and obtain approval from County Planning of a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a condition that the contractors adhere to the requirements of the GRP. The CRP measures shall be following implemented to the satisfaction of County Building and Safety:
- a) Architectural coatings with Reactive Organic Compounds (ROG) shall not have content greater than 100 g/l.
 - b) Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs. /day and the combined daily ROG volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROG of 75 lbs. per day.
 - c) High-Volume, Low Pressure (HVLP) spray guns shall be used to apply coatings.
 - d) Precoated/natural colored building materials, water-based or low volatile organic compound (VOC) coatings shall be used, if practical.
 - e) Comply with SCAQMD Rule 1113 on the use or architectural coatings.
315. Comply with applicable Mitigation Measures contained in the attached Mitigation Monitoring and Reporting Program (MMRP) which is incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

316. Geology Report: If cut slopes steeper than 2:1 (horizontal to vertical) or grading involving 5,000 cubic yards or more are proposed, a geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to issuance of grading permits or land disturbance.
317. Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
318. Demolition Permit: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
319. Temporary Use Permit. A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.
320. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.

LAND USE SERVICES DEPARTMENT - Land Development Division - Drainage Section 909.387.8311

321. Drainage Plan: The proposed overall drainage study (DRNSTY-2021-00056), which includes collection of tributary offsite and mitigated onsite stormwater runoff to be conveyed to an adequate outlet, has been preliminarily approved. The final drainage study incorporating the hydraulic design and final engineering plans must be submitted for review and approval, along with any necessary offsite right-of-way/permissions acquired, prior to the issuance of permits for the project. The drainage plan for the development of this specific plan shall be designed in a manner that will not exacerbate the existing flooding conditions and adversely impact the surrounding properties within the watershed. The proposed design for the drainage improvements shall be reviewed and approved by County staff and be constructed per the approved design and required standards. The design of the improvements shall include, but are not limited to, head/wing walls, energy dissipaters for flow velocities greater than 6 fps, public drainage easements (if needed), access appurtenances related to maintenance of all inlets and outlets for the system and shall be in compliance with all necessary environmental permits. An alternative drainage plan may be implemented if found to be in conformance with conditions of approval for the project, County Development Code, and all applicable County Standards and is approved by the Land Use Services Director.
322. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval.

A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

323. FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
324. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
325. NPDES Permit: An NPDES permit - Notice of Intent (NOi) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
326. Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
327. On-site Flows. On-site flows need to be directed to drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
328. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: { <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx> }
329. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

330. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office:
1. Show Location of the Public Hydrants on the street
 2. Access to be 30' on all roads around the complex per Standard A-1. Side streets to not be more than 30' away from the building per Standard A-1
 3. Deferred submittal required for Sprinklers, Alarms and High Pile Storage.
 4. Mechanical Smoke Removal System may be required for High Pile Storage based on the 2019 CFC Table 3206.2 when plans are submitted for HPS. If the Travel Distance exceeds 250' then it will be required.
331. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix B of the California Fire Code.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

332. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with

the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

333. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:

- a. Monuments set to mark property lines or corners;
- b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
- c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

334. Vector Control Requirement. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at (800) 442-2283.

335. Demolition Inspection Required. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.

PRIOR TO ISSUANCE OF BUILDING PERMITS

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

336. Lighting Plans. Exterior lighting on industrial and business park properties shall comply with requirements as contained in Section 3.6 - Lighting of the BBPSP.

337. Trash/Recyclables Receptacles. All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.

338. Landscape and Irrigation Plan. Landscape design and installation shall comply with requirements as contained in Section 4.7 - Landscape Design of the **BBPSP**.

339. Energy Efficiency for Commercial/Industrial Development (GHG Reduction Measure R2E7). The developer shall document that the design of the proposed structure exceeds the current Title 24 energy efficiency requirements as indicated below or via other methods that meet the 100 point requirement :

Building Envelope:

- Enhanced Insulation - (rigid wall insulation-13, Roof/attic R-38) (11 points).
- Windows - Greatly Enhanced window Insulation (0.28 or less U-factor, 0.22 or less SHGC) (7 points)
- Cool Roof - Greatly Enhanced cool roof (10 points)
- Air Filtration - air barrier HERS Verified Quality Insulation (7 points)
- Enhanced Thermal Mass (4 points)

Indoor Space Efficiencies:

- Heating/Cooling Distribution system. Enhanced Duct insulation (6 points)
- Space Heating - High Efficiency HVAC (5 points)
- Water Heaters - High Efficiency Water Heater (10 points)
- Daylighting All peripheral rooms have at least one window (1 point)
- Artificial Lighting - High Efficiency Lights (8 points)

Miscellaneous Commercial/Industrial Building Efficiencies:

- Building Placement- North/South alignment (4 points)
- Shading - at least 90% south-facing glazing (6 points)

Commercial Irrigation Landscaping:

- Water Efficient Landscaping - Only CA native landscape (5 points).
- Water Efficient irrigation Systems - Weather based irrigation (3 points)

Commercial Potable Water:

- Toilets - Water efficient toilets/Urinals (1.5gpm) (3 points)
- Water efficient Faucets - (2 points).

Preferential Parking:

- Provide reserved preferential and large parking spaces accommodating vanpools, ridesharing (2 points)

Install Electric Vehicle Chargers:

- Installation of 12 electric Vehicle (EV) chargers for passenger EV's - Level 2 fast charger (60 points)

Recycling:

- Provide reserved preferential and large parking spaces accommodating vanpools, ridesharing (2 points)

Recycling:

- Provide separated recycling bins (2 points)
- Recycle construction waste (4 points)

340. Comply with applicable Mitigation Measures in the attached Mitigation Monitoring and Reporting Program (MMRP) which are incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

341. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
342. Temporary Use Permit: A Temporary Use Permit (T.U.P.) for the office trailer will be required or it must be placed on a permanent foundation per State H.C.D. guidelines. A T.U.P. is only valid for a maximum of five (5) years.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

343. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.
344. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted, and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$1.82 per square foot for High Cube Use, which includes the 479,000 square foot high cube warehouse per the site plan dated November 2021.

Therefore, the estimated Regional Transportation Fees for the Project is \$871,780.00. The current Regional Transportation Development Mitigation Plan can be found at the following website:

<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

SPECIAL DISTRICTS - (909) 387-5940

345. This project lies within the district boundary of County Service Area 70, Zone SL-1. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

346. Water Purve.YQ[. Water purveyor shall be West Valley WO or EHS approved.

347. Water Letter. The Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. The letter shall reference File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with the project address may suffice. For information, contact the Water Section at 800.442.2283.

348. Water and Sewer Service Verification. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

349. Sewer Letter. The Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).

350. Sewage Disposal Method of sewage disposal shall be City of Rialto Municipal Agency, or, if not available, EHS approved on-site wastewater treatment system (OWTS).

351. Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standards, SBCC §83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance with noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 800.442.2283.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

352. Building Plans. Building plans shall be submitted to the Fire Department for review and approval.

353. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.

354. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 4000 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 383,000 sq.ft. structure.

355. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

356. Construction and Demolition Waste Management Plan (CDWMP) Part 1 - The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a permit can be issued. There is a one time fee of \$150.00 for residential projects/\$530.00 for commercial/non-residential projects.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

357. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
358. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PRIOR TO FINAL INSPECTION OR OCCUPANCY
The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT - Planning Division 909.387.8311

359. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
360. Shield Lights. All shield lights shall comply with Section 3.6 - Lighting of BBPSP.
361. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
362. Construct all applicable screen Walls. Construct a 14-foot screen walls
363. Landscaping/Irrigation. All landscaping installation shall comply with Section 4.7 - Landscape Design of BBPSP.
364. Wheel Stops. All back-in truck trailer parking spaces shall have a wheel stop or other physical barrier twelve feet from any wall, fence or building to prevent damage. All other vehicle spaces shall have wheel stops or curbs installed when adjacent to fences, walls or buildings; these shall be three feet (3') away from such facilities.
365. Signs. Prior to occupancy, the developer shall provide verification that the one freestanding sign is installed. All signs must comply with and be permitted in accordance with SBCC §83.13, Sign Regulations.

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366. Disabled Access. Disabled access parking spaces shall be clearly marked as disabled spaces and said markings shall be maintained in good condition at all times.
367. Fees Paid. Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number PROJ-2020-00241 shall be paid in full.
368. GHG - Installation/Implementation. The developer shall submit for review and obtain approval from County Planning evidence that all applicable GHG reduction measures have been installed, implemented and that specified performance objectives are being met.
369. Comply with applicable Mitigation Measures contained in the attached. Mitigation Monitoring and Reporting Program (MMRP) which is incorporated herein by reference.

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

370. Implement Drainage Plan. Prior to occupancy of any buildings within the project, the new drainage system shall be constructed by the applicant and inspected/approved by the County, Department of Public Works. Evidence of a viable maintenance mechanism for the drainage facilities shall be submitted to the County for review and approval.
371. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
372. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

LAND USE SERVICES DEPARTMENT- Land Development Division- Road Section 909.387.8311

373. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
374. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
375. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to County Public Works.
376. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Planning. It shall be maintained by the adjacent property owner or other County-approved entity.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

377. Condition Compliance Release Form Sign-off. Prior to occupancy all Department requirements and sign-offs shall be completed.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

378. Fire Sprinkler-NFPA #1. An automatic fire sprinkler system complying with NFPA 13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.

379. Fire Alarm. An automatic monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for 100 heads or more. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
380. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
381. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
382. Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
383. Inspection by the Fire Department. Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
384. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management 909.386.8961

385. Construction and Demolition Waste Management Plan (CDWMP) Part 2 - The conditions for this project are concurrent with Planning Applications PROJ-2020-00034, PROJ-2020-00241, and PROJ-2020-00242. Pursuant to the traffic study by EPD Solutions dated 05/03/2022, these projects were studied together and not separated into phases. Therefore, all projects are subject to the satisfying the ALL of the following conditions regardless of the sequence they are started or status of completion. Similarly, if one of the listed projects satisfies a concurrent condition, the remaining projects should also be considered to have satisfied it equally.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

386. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Santa Ana Avenue (Secondary Highway - 88')

- Road Dedication. A varied width grant of easement is required to provide a half-width right-of-way of 44 feet. A 50-foot radius return grant of easement is required at the intersection of Santa Ana Ave and Laurel Ave.
- Street Improvements. Design curb and gutter with match up paving 32 feet from centerline.
- Design curb and gutter with match up paving 32 feet from centerline.
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

Laurel Avenue (Collector - 66')

- Road Dedication. A varied width grant of easement is required to provide a half-width right of-way of 33 feet.
- Street Improvements. Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".

- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

387. Road Standards and Design. All roads and design shall comply with requirements as specified in Sections 2.3 and 2.4 of BBPS.

388. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.

389. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.

390. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

391. Slope Easements. Slope rights shall be dedicated where necessary.

392. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.

393. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.

394. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

395. Easement Quit Claim: An easement for pipelines and incidental purposes traverses the westerly boundary of parcel 1 and 2 of parcel map 3652. A Quitclaim deed shall be recorded prior to building permit issuance. -

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

396. Concurrent Conditions: The conditions for this project are concurrent with Planning Applications PROJ-2020-00034, PROJ-2020-00241, and PROJ-2020-00242. Pursuant to the traffic study by EPD Solutions dated 05/03/2022, these projects were studied together and not separated into phases. Therefore, all projects are subject to the satisfying the ALL of the following conditions regardless of the sequence they are started or status of completion. Similarly, if one of the listed projects satisfies a concurrent condition, the remaining projects should also be considered to have satisfied it equally.

397. Improvements: Prior to occupancy for this or any concurrent project, the Applicant shall design their street improvement plans and construct, or as allowed by Administrative process, their approved street improvement plans to include the following listed improvements.

If an improvement listed below has been completed by another development, party, or other appropriate means, at the time of occupancy, that same improvement shall be considered as complete for this project and any concurrent project.

If the Applicant is required to install an improvement listed below for this project or the concurrent projects, the Applicant may request reimbursement in the event there are existing ad hoc or Regional Transportation Fees that have been previously designated and identified for the construction of said improvement. Availability of ad hoc funds, if any, shall be limited to fees collected for the specific listed improvement. The amount of funds available, if any, shall be determined by the ad hoc fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion). Availability of funds associated with the Regional Transportation Development Mitigation Plan, if any, shall be governed by that document. The amount of funds available, if any, shall be determined by Regional Transportation Fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion).

- Locust Avenue/ Santa Ana Avenue:
 - Add a Northbound left-turn lane and an Eastbound thru lane.
- Linden Avenue/ Jurupa Avenue:
 - Convert the Eastbound right-turn lane to a shared Eastbound thru-right lane.
- Cedar Avenue/ Slover Avenue:
 - Add a 2nd Eastbound left-turn lane.
- Cedar Avenue/ Jurupa Avenue:
 - Add an eastbound left-turn lane.

San Bernardino County, Shared Jurisdiction

- Cedar Avenue/ 1-10 WB Ramps:
 - Convert the 3rd Southbound thru lane to a Southbound thru-right lane.
- Locust Avenue/ Jurupa Avenue:
 - Install a traffic signal and construct southbound left lane and westbound left lane.

The Applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement approved signal coordination plans if applicable.

City of Jurupa Valley Jurisdiction

- Rubidoux Blvd./ Market Street:
 - Add a 2nd Southbound left-turn lane.
- Market Street / 24th Street:
 - Add a 2nd Westbound left-turn lane.

For those improvements outside the boundary of San Bernardino County, the Applicant shall provide adequate proof of completion by the jurisdictional agency, to the San Bernardino County Traffic Division to demonstrate these conditions have been satisfied.

Fair Share: The total fair share contribution for this project is required based on the traffic report dated 05/03/2022 from EPD Solutions, Inc. The fair share breakdown for these improvements and agency jurisdictions are shown below. Fair share contribution amounts shall be provided to the specified agency, or as allowed by Administrative process, prior to occupancy of this or any concurrent project.

San Bernardino County:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIR SHARE PERCENTAGE	ESTIMATED FAIR SHARE
Laurel Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	39.72%	\$121,891.37

Maple Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	20.37%	\$62,515.44
Maple Avenue at Jurupa Avenue Construct westbound thru lane and two stage gap acceptance.	SB County	\$306,894	6.32%	\$112,540.52
Cedar Avenue at 1-10 WB Ramps Construct 3rd northbound thru lane.	50% SB County 50% Caltrans	\$306,894	33.55%	\$102,962.94
Cedar Avenue at 1-10 EB Ramps Construct eastbound right lane.	50% SB County 50% Caltrans	\$596,739	24.08%	\$143,102.14
Cedar Avenue at Orange Street Change EB/WB phasing to split phasing	SB County	\$122,459	31.39%	\$38,445.96
Cedar Avenue at Santa Ana Construct eastbound and westbound left lane	SB County	\$170,497	65.27%	\$111,290.47
Cedar Avenue at 11th Street Construct eastbound left-turn lane	SB County	\$85,248	23.92%	\$20,155.50
Cedar Avenue at 7th Street Construct eastbound left-turn lane	SB County	\$85,248	113.68%	\$11,659.29
Total Fair Share				\$785,696.73

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$785,696.73. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index

City of Fontana:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIR SHARE PERCENTAGE	ESTIMATED FAIR SHARE
Sierra Avenue at 1-10 Ramps Sierra Avenue at 1-10 Ramps Construct 3 rd eastbound left-turn lane.	50% Fontana 50% Caltrans	\$85,248	12.89%	\$10,992.09
Sierra Avenue at Slover Avenue	Fontana	\$42,624	16.14%	\$6,881.23

Convert eastbound right-turn lane to shared eastbound thru-right lane.				
Sierra Avenue at Santa Ana Avenue Convert northbound right-turn lane to shared northbound thru-right lane.	Fontana	\$42,624	26.89%	\$11,459.84
Total Fair Share				\$29,333.16

The total fair share contribution to the City of Fontana for this project as shown is based on the traffic report from **EPD Solutions** dated 05/03/2022. The calculated fair share amount is \$29,333.16 as shown in the above table breakdown. The study-identified amounts may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the San Bernardino County Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

City of Riverside:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIRSHARE PERCENTAGE	ESTIMATED FAIR SHARE
Market Street at SR-60 EB Ramps Construct southbound left-turn lane	50% City of Riverside 50% Caltrans	\$85,248	100%	\$85,248.00
Total Fair Share				\$85,248.00

The total fair share contribution to the City of Riverside for this project is based on the traffic report from **EPD Solutions** dated 05/03/2022. The calculated fair share amount is \$85,248.00 as shown in the above table breakdown. The study-identified amount may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the County of San Bernardino Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

END OF CONDITIONS

CONDITIONS OF APPROVAL
Bloomington **BPSP** Site 4 - PROJ-2020-00242/CUP

GENERAL REQUIREMENTS
Ongoing and Operational Conditions

LAND USE SERVICES - Planning Division 909.387.8311

398. Project Description. This Conditional Use Permit approval is for the construction of a parking lot to accommodate 289 parking spaces for truck trailers, on approximately 9.55 acres, in the Bloomington Business Park Specific Plan - Industrial/Business Park (BL/SP - I/BP) zoning district, in compliance with the San Bernardino County Code (SBCC), California Building Codes, San Bernardino County Fire Code, California Fire Code, the Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations and landscape plans).
399. Project Location. The Project site is located at the west side of Laurel Avenue, approximately 627 feet south of Santa Ana Avenue in the Bloomington Business Park Specific Plan.
400. Conditions of Approval: The developer shall provide a copy of the approved conditions and the site plan to every current and future commercial tenant, lessee, and any future property owner to facilitate compliance with these conditions of approval and continuous use requirements for the Project Site with APN: 0256-091-07, and Project Number: PROJ-2020-00242.
401. Revisions. Any subsequent changes to approved permits that would modify approved development plan permits.
402. Continuous Effect/Revocation. All Conditions of Approval applied to this project shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
403. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its "indemnities" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any Condition of Approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney's fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

404. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three years of the effective date of this approval, unless an extension of time is granted. The permit is deemed exercised when either
- a. The permittee has commenced actual construction or alteration under a validly issued Building Permit, or
 - b. The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit. [SBCC §86.06.060]

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Building and Safety does not issue construction permits for all or part of the project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the ONLY notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application.

405. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Time application, which must include a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised Conditions of Approval or site plan modifications. (SBCC §86.06.060)
406. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
407. Project Account. The Project account number is PROJ-2020-00238. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
408. Condition Compliance. In order to obtain construction permits for grading, building, final inspection, and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- a) Grading Permits: a copy of the signed CCRF for grading/land disturbance and two "red" stamped and signed approved copies of the grading plans.
 - b) Building Permits: a copy of the signed CCRF for building permits and three "red" stamped and signed approved copies of the final approved site plan.
 - c) Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by County Planning.
409. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
- a) FEDERAL: None
 - b) STATE: Regional Water Quality Control Board (RWQCB)- Santa Ana Region, South Coast Air Quality Management District

- c) COUNTY: Land Use Services - Planning/Building and Safety/Code Enforcement/Land Development, County Fire, Environmental Health Services, and Public Works.
- d) LOCAL: City of Rialto.

410. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:

- a) Annual maintenance and repair. The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
- b) Graffiti and debris. The developer shall remove graffiti and debris immediately through weekly maintenance.
- c) Landscaping. The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
- d) Dust control. The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
- e) Erosion control. The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
- f) External Storage. The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
- g) Metal Storage Containers. The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
- h) Screening. The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including rooftop) shall be screened from public view.
- i) Signage. The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
- j) Lighting. The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
- k) Parking and on-site circulation. The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires Planning Division review and approval. Markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled parking and path of travel, directional signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations.
- l) Fire Lanes. The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.

411. Li9.b.1.1.J.g_. The glare from any luminous source shall comply with BBPSP, Section 3.6 - Lighting.

412. Clear Sight Triangle. Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.

413. Construction Hours. Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.

414. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.

415. AO/Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:

- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)
- b) Signs shall be posted requiring all vehicle drivers and equipment operators to turn off engines when not in use.
- c) All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
- d) On-site electrical power connections shall be provided.
- e) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
- f) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

416. Local Labor. The Developer and future operators of the Project shall make a good faith effort to employ residents of Bloomington and San Bernardino County pursuant to the Memorandum of Understanding (MOU) by and between San Bernardino County and Howard Industrial Partners, LLC.

LAND USE SERVICES DEPARTMENT-Code Enforcement Division 909.387.8311

417. Enforcement. If any County agency is required to enforce compliance with the conditions of approval, the property owner and "developer" shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and "developer" (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 - Development Code; Division 6 - Administration, Chapter 86.09 - Enforcement.

418. Weed Abatement. The Applicant shall comply with San Bernardino County weed abatement regulations [SBCC §23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

419. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site/on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.

420. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

421. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.

422. Continuous BMP Maintenance. The property owner/"developer" is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.

423. BMP Enforcement. In the event the property owner/"developer" (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

424. Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE. This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.
425. Standard A-3 GATES AND OTHER OBSTRUCTIONS TO FIRE DEPARTMENT ACCESS
This standard shall apply to all obstructions, access control devices, traffic calming devices, or other similar systems within any roadways that serve as fire access in all new or existing residential, commercial, and industrial development. This standard does not apply to obstructions within parking aisles that do not serve as fire apparatus access roads.
426. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING. This standard applies to the marking of all buildings with address numbers for identification.
427. Standard B-2 CONSTRUCTION SITE FIRE SAFETY
This standard establishes minimum requirements for fire safety during construction and demolition. This document shall not be construed to be in lieu of any other applicable State or Federal law or regulation related to construction site safety. The general contractor or other designee of the building owner shall be responsible for compliance with these standards.
428. Standard F-1 FIRE SPRINKLER SYSTEMS IN COMMERCIAL AND INDUSTRIAL BUILDINGS
This standard, in conjunction with the latest edition of NFPA 13, shall apply to the design and installation of, and the modification to, all fire sprinkler systems in commercial and industrial occupancies. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 13 or the California Fire Code.
429. Standard F-4 POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS
This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.
430. Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS
This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.
431. Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS. This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system.
432. Standard S-1 HIGH PILE STORAGE/WAREHOUSE BUILDINGS. This standard shall apply to all storage occupancies designated as High Pile Storage as defined by the current California Fire Code (CFC), Chapter 32, the San Bernardino County Fire Code and Standards, and any other nationally applicable standards.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

433. Noise. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

434. Project vehicles shall not back up into the project site nor shall they back out into the public roadway.
435. Access. The access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

436. AQ - Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:

- a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)]. Signs shall be posted requiring all vehicle drivers and equipment operators to turn *off* engines when not in use. All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
- b) On-site electrical power connections shall be provided.
- c) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
- d) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

437. AQ- Dust Control Plan. The developer shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:

- a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
- b) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
- c) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
- d) Storm water control systems shall be installed to prevent off-site mud deposition.
- e) All trucks hauling dirt away from the site shall be covered.
- f) Construction vehicle tires shall be washed, prior to leaving the project site.
- g) Rumble plates shall be installed at construction exits from dirt driveways.
- h) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
- i) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.

438. AQ - Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:

- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all SCAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
- b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
- c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
- d) All gasoline-powered equipment shall have catalytic converters.
- e) Provide onsite electrical power to encourage use of electric tools.
- f) Minimize concurrent use of equipment through equipment phasing.
- g) Provide traffic control during construction to reduce wait times.
- h) Provide on-site food service for construction workers to reduce offsite trips.
- i) Implement the County approved Dust Control Plan (DCP)
- j) Suspend use of all construction equipment operations during second stage smog alerts. NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside Counties).

439. Mitigation Measures. Comply with applicable Mitigation Measures contained in the attached Mitigation Monitoring and Reporting Program (MMRP) which are incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

440. Geology Report Required Before Grading: If cut slopes steeper than 2:1 (horizontal to vertical) or grading involving 5,000 cubic yards or more are proposed, a geology report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review prior to issuance of grading permits or land disturbance.
441. Geotechnical (Soil) Report Required Before Grading: When earthwork quantities exceed 5,000 cubic yards, a geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
442. Demolition Permit: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.
443. Temporary Use Permit. A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.
444. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.

LAND USE SERVICES DEPARTMENT - Land Development Division - Drainage Section 909.387.8311

445. Drainage Plan: The proposed overall drainage study (DRNSTY-2021-00056), which includes collection of tributary offsite and mitigated onsite stormwater runoff to be conveyed to an adequate outlet, has been preliminarily approved. The final drainage study incorporating the hydraulic design and final engineering plans must be submitted for review and approval, along with any necessary offsite right-of-way/permissions acquired, prior to the issuance of permits for the project. The drainage plan for the development of this specific plan shall be designed in a manner that will not exacerbate the existing flooding conditions and adversely impact the surrounding properties within the watershed. The proposed design for the drainage improvements shall be reviewed and approved by County staff and be constructed per the approved design and required standards. The design of the improvements shall include, but are not limited to, head/wing walls, energy dissipaters for flow velocities greater than 6 fps, public drainage easements (if needed), access appurtenances related to maintenance of all inlets and outlets for the system and shall be in compliance with all necessary environmental permits. An alternative drainage plan may be implemented if found to be in conformance with conditions of approval for the project, County Development Code, and all applicable County Standards and is approved by the Land Use Services Director.
446. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
447. FEMA Flood Zone. The project is located within Flood Zone X-unshaded according to FEMA Panel Number 06071C8666H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
448. Grading Plans. Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.

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449. NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
450. Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
451. On-site Flows. On-site flows need to be directed to drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
452. WQMP. A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: { <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx> }
453. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

454. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office:
- Indicate the nearest Public Hydrant to the project. Minimum Fire Flow to be 1500 GPM@20psi for 2 hrs.
455. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

456. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
457. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

458. Vector Control Requirement. The project area has a high probability of containing vectors. DEHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to DEHS/Land Use. For information, contact Vector Control at (800) 442-2283.

PRIOR TO ISSUANCE OF BUILDING PERMITS
The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT- Planning Division 909.387.8311

459. Lighting Plans. Exterior lighting on industrial and business park properties shall comply with requirements as contained in Section 3.6 - Lighting of the BBPSP.
460. Trash/Recyclables Receptacles. All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.
461. Landscape and Irrigation Plan. Landscape design and installation shall comply with requirements as contained in Section 4.7 - Landscape Design of the BBPSP.
462. Comply with applicable Mitigation Measures in contained in the attached Mitigation Monitoring and Reporting Program (MMRP) which are incorporated herein by reference.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

463. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
464. Temporary Use Permit: Temporary Use Permit. A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

LAND USE SERVICES DEPARTMENT- Land Development Division - Road Section 909.387.8311

465. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.
466. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Based on Table 12 "Future Industrial Park (Site 4 and PA A)" of the approved Traffic Study Report dated April 27, 2022, the project will generate 1,240 trips/day. Pursuant to the Regional Fee Plan Section 7(b)(5), the trip VMT conversion is 4.44. Table 7.6 shows \$214.63 per VMT for the Rialto Subarea.

Therefore, the Regional Transportation Fees for the Project is \$1,181,666.93 (1,240 Trips/Day x 4.44 VMT/Trips x \$214.63NMT). The current Regional Transportation Development Mitigation Plan can be found at the following website:
<https://www.sbcounty.gov/uploads/DPW/docs/Fee-Schedule-Regional-Plan.pdf>

SPECIAL DISTRICTS - (909) 387-5940

467. This project lies within the district boundary of County Service Area 70, Zone SL-1. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the Special Districts Department at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

PUBLIC HEALTH - Environmental Health Services 800.442.2283

468. Demolition Inspection Required. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.
469. Preliminary Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 1-800-442-2283.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

470. Building Plans. Building plans shall be submitted to the Fire Department for review and approval.
471. Fire Flow Test. Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.
472. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 4000 GPM for a 4 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 383,000 sq.ft. structure.
473. Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.

DEPARTMENT OF PUBLIC WORKS - Surveyor 909.387.8149

474. If any activity on this project will disturb **any** land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying **prior** to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
475. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

PRIOR TO FINAL INSPECTION OR OCCUPANCY
The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT - Planning Division 909.387.8311

476. Installation of Improvements. All required on-site improvements shall be installed per approved plans.

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477. Shield Lights. All shield lights shall comply with Section 3.6 - Lighting of BBPSP.
478. Fence/wall. Construct all applicable 14-foot screen Walls.
479. Landscaping/Irrigation. All landscaping installation shall comply with Section 4.7 - Landscape Design of BBPSP.
480. Fees Paid. Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number PROJ-2020-00242 shall be paid in full.
481. GHG - Installation/Implementation. The developer shall submit for review and obtain approval from County Planning evidence that all applicable GHG reduction measures have been installed, implemented and that specified performance objectives are being met.
482. Comply with Mitigation Measures contained in the Mitigation Monitoring and Reporting Program (MMRP) which is incorporated herein by reference).

LAND USE SERVICES DEPARTMENT- Land Development Division- Drainage Section 909.387.8311

483. Implement Drainage Plan: Prior to occupancy of any buildings within the project, the new drainage system shall be constructed by the applicant and inspected/approved by the County, Department of Public Works. Evidence of a viable maintenance mechanism for the drainage facilities shall be submitted to the County for review and approval.
484. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
485. WQMP Improvements. All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.

LAND USE SERVICES DEPARTMENT-Land Development Division- Road Section 909.387.8311

486. LOO Requirements. All LOO requirements shall be completed by the applicant prior to occupancy.
487. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
488. Structural Section Testing. A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to County Public Works.
489. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Planning. It shall be maintained by the adjacent property owner or other County-approved entity.

LAND USE SERVICES DEPARTMENT - Building and Safety Division 909.387.8311

490. Condition Compliance Release Form Sign-off. Prior to occupancy all Department requirements and sign-offs shall be completed.

LAND USE SERVICES DEPARTMENT - Land Development Division - Road Section 909.387.8311

491. Road Dedication/Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.

Laurel Avenue (Collector - 66')

- Road Dedication. An additional 3-foot grant of easement is required to provide a half-width right-of-way of 33 feet
- Street Improvements. Design curb and gutter with match up paving 22 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way.
- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.

492. Road Standards and Design. All roads and design shall comply with requirements as specified in Sections 2.3 and 2.4 of BBPS.

493. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (**TI**) Value in support of the pavement section design.

494. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.

495. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.

496. Slope Easements. Slope rights shall be dedicated where necessary.

497. Street Type Entrance. Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.

498. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.

499. Street Gradients. Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.

DEPARTMENT OF PUBLIC WORKS-Traffic Division 909.387.8186

500. Concurrent Conditions: The conditions for this project are concurrent with Planning Applications PROJ-2020-00034, PROJ-2020-00241, and PROJ-2020-00242. Pursuant to the traffic study by EPD Solutions dated 05/03/2022, these projects were studied together and not separated into phases. Therefore, all projects are subject to the satisfying the ALL of the following conditions regardless of the sequence they are started or status of completion. Similarly, if one of the listed projects satisfies a concurrent condition, the remaining projects should also be considered to have satisfied it equally.

501. Improvements: Prior to occupancy for this or any concurrent project, the Applicant shall design their street improvement plans and construct, or as allowed by Administrative process, their approved street improvement plans to include the following listed improvements.

If an improvement listed below has been completed by another development, party, or other appropriate means, at the time of occupancy, that same improvement shall be considered as complete for this project and any concurrent project.

If the Applicant is required to install an improvement listed below for this project or the concurrent projects, the Applicant may request reimbursement in the event there are existing ad hoc or Regional Transportation Fees that have been previously designated and identified for the construction of said improvement. Availability of ad hoc funds, if any, shall be limited to fees collected for the specific listed improvement. The amount of funds available, if any, shall be determine by the ad hoc fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion). Availability of funds associated with the Regional Transportation Development Mitigation Plan, if any, shall be governed by that document. The amount of funds available, if any, shall be determine by Regional Transportation Fees collected for a listed improvement at the time certificate of completion is issued (Permit Completion).

- Locust Avenue/ Santa Ana Avenue:
 - Add a Northbound left-turn lane and an Eastbound thru lane.
- Linden Avenue/ Jurupa Avenue:
 - Convert the Eastbound right-turn lane to a shared Eastbound thru-right lane.
- Cedar Avenue/ Slover Avenue:
 - Add a 2nd Eastbound left-turn lane.
- Cedar Avenue/ Jurupa Avenue:
 - Add an eastbound left-turn lane.

San Bernardino County, Shared Jurisdiction

- Cedar Avenue/ 1-10 WB Ramps:
 - Convert the 3rd Southbound thru lane to a Southbound thru-right lane.
- Locust Avenue/ Jurupa Avenue:
 - Install a traffic signal and construct southbound left lane and westbound left lane.

The Applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on their approved street improvement plans. This shall include any software and/or hardware to implement approved signal coordination plans if applicable.

City of Jurupa Valley Jurisdiction

- Rubidoux Blvd./ Market Street:
 - Add a 2nd Southbound left-turn lane.
- Market Street / 24th Street:
 - Add a 2nd Westbound left-turn lane.

For those improvements outside the boundary of San Bernardino County, the Applicant shall provide adequate proof of completion by the jurisdictional agency, to the San Bernardino County Traffic Division to demonstrate these conditions have been satisfied.

Fair Share: The total fair share contribution for this project is required based on the traffic report dated 05/03/2022 from EPD Solutions, Inc. The fair share breakdown for these improvements and agency jurisdictions are shown below. Fair share contribution amounts shall be provided to the specified agency, or as allowed by Administrative process, prior to occupancy of this or any concurrent project.

San Bernardino Count♦:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIRSHARE PERCENTAGE	ESTIMATED FAIR SHARE
Laurel Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	39.72%	\$121,891.37

Maple Avenue at Santa Ana Avenue Construct 2nd eastbound thru lane.	SB County	\$306,894	20.37%	\$62,515.44
Maple Avenue at Jurupa Avenue Construct westbound thru lane and two stage gap acceptance.	SB County	\$306,894	6.32%	\$112,540.52
Cedar Avenue at 1-10 WB Ramps Construct 3rd northbound thru lane.	50% SB County 50% Caltrans	\$306,894	33.55%	\$102,962.94
Cedar Avenue at 1-10 EB Ramps Construct eastbound right lane.	50% SB County 50% Caltrans	\$596,739	24.08%	\$143,102.14
Cedar Avenue at Orange Street Change EB/WB phasing to split phasing	SB County	\$122,469	31.39%	\$38,445.96
Cedar Avenue at Santa Ana Construct eastbound and westbound left lane	SB County	\$170,497	65.27%	\$111,290.41
Cedar Avenue at 11th Street Construct eastbound left-turn lane	SB County	\$85,248	23.92%	\$20,155.50
Cedar Avenue at 7th Street Construct eastbound left-turn lane	SB County	\$85,248	113.68%	\$11,659.29
Total Fair Share				\$785,696.73

The total fair share contribution will be based on the fair share percentages listed above and the estimated construction costs at the time of application for a building permit and shall be paid to the Department of Public Works - Traffic Division. At the present time, the estimated cost is \$785,696.73. This amount will be adjusted to reflect actual construction costs incurred, if available, or will be adjusted to account for future construction costs using the Caltrans Construction Cost Index

City of Fontana:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIR SHARE PERCENTAGE	ESTIMATED FAIR SHARE
Sierra Avenue at 1-10 Ramps Sierra Avenue at 1-10 Ramps Construct 3 rd eastbound left-turn lane.	50% Fontana 50% Caltrans	\$85,248	12.89%	\$10,992.09
Sierra Avenue at Slover Avenue	Fontana	\$42,624	16.14%	\$6,881.23

Convert eastbound right-turn lane to shared eastbound thru-right lane.				
Sierra Avenue at Santa Ana Avenue Convert northbound right-turn lane to shared northbound thru-right lane.	Fontana	\$42,624	26.89%	\$11,459.84
Total Fair Share				\$29,333.16

The total fair share contribution to the City of Fontana for this project as shown is based on the traffic report from **EPD Solutions** dated 05/03/2022. The calculated fair share amount is \$29,333.16 as shown in the above table breakdown. The study-identified amounts may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the San Bernardino County Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

City of Riverside:

INTERSECTION	JURISDICTION	ESTIMATED COST	FAIRSHARE PERCENTAGE	ESTIMATED FAIR SHARE
Market Street at SR-60 EB Ramps Construct southbound left-turn lane	50% City of Riverside 50% Caltrans	\$85,248	100%	\$85,248.00
Total Fair Share				\$85,248.00

The total fair share contribution to the City of Riverside for this project is based on the traffic report from **EPD Solutions** dated 05/03/2022. The calculated fair share amount is \$85,248.00 as shown in the above table breakdown. The study-identified amount may be adjusted to reflect actual construction costs incurred, if available, or adjusted to account for future construction costs using the Caltrans Construction Cost Index. Proof of payment (such as written receipt, official acknowledgment letter or email from authorized agency personnel) shall be provided to the County of San Bernardino Traffic Division to demonstrate the mitigations outlined in this condition have been satisfied.

END OF CONDITIONS

Vesting Tentative Parcel Map 20300 - SITE 1

PROJECT DESCRIPTION

1. Project Approval Description. This Vesting Tentative Parcel Map 20300 approval is for consolidating 31 parcels to create one parcel of approximately 17.67 acres and may be recorded in compliance with the conditions of approval, the approved stamped vesting tentative map. The project site is located at the northeast corner of Jurupa Avenue and Maple Avenue in the Bloomington Business Park Specific Plan. APN: see Attached Exhibit A, Project Number PROJ-2020-00245.

NOTICES

2. Expirations/VTPM. This conditional approval of the Vesting Tentative Parcel Map shall become null and void unless all conditions have been completed and the Vesting Tentative Map has been deemed complete by the County Surveyor for purposes of recordation within 36 months following the effective approval date, unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The developer is responsible for initiation of any extension request.

3. Extension of Time/VTPM. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Land Use Services may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
4. Revisions/VTPM. Any proposed change to the approved Tentative Parcel Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.
5. Condition Compliance. Condition compliance confirmation for purposes of Vesting Parcel Map recordation will be coordinated by the County Surveyor.
6. Project Account. The Project account number is PROJ-2020-00245. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the

account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.

7. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

8. Fire Condition Letter Expiration. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

LAND USE SERVICES DEPARTMENT - Planning Division (909) 387-8311

9. Additional Permits. The property owner, developer and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:

FEDERAL: U.S. Fish & Wildlife

STATE: Santa Ana Regional Water Quality Control Board, South Coast Air Quality Management District, Fish and Wildlife, State Fire Marshall, LAFCO

COUNTY: Land Use Services Department - Land Development Division & Building and Safety Division, Department of Public Works - Survey Division, Department of Public Health - Environmental Health Services Division, County Fire Department - Community Safety Division

LOCAL: City of Rialto

CONDITIONS OF APPROVAL

10. Indemnification. In compliance with SBCC §81.01.070, the "developer" shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the "developer" of any claim, action, or proceeding and that the County cooperates fully in the defense. The "developer" shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the "developer" of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

PRIOR TO RECORDATION OF THE PARCEL MAP

The Following Shall Be Completed

DEPARTMENT OF PUBLIC WORKS - Surveyor (909) 387-8149

11. Parcel Map. A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
12. Easements within the remainder portion of the map are to be dedicated by separate document.
13. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.

14. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
15. Review of the Parcel Map by our office is based on actual cost, and requires an initial \$3000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
16. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.

PUBLIC HEALTH - Environmental Health Services [DEHS] (800) 442-2283

17. Water Purveyors: Water purveyor shall be West Valley WO or EHS approved.
18. Water Service Verification Letter. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter ~~shall reference the File Index Number and Assessor's Parcel Number(s).~~ For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at 1-800-442-2283.
19. Sewage Disposal. Method of sewage disposal shall be City of Rialto Muni Agency, or, if not available, EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
20. Sewer Service Verification Letter. Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
21. Water and Sewer Service Verification. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

LAND USE SERVICES DEPARTMENT- Building and Safety Division (909) 387-8311

22. Composite Development Plan (CDP) Note Requirements. The following Composite Development Plan (CDP) Requirements shall be placed on the CDP

submitted as a requirement for Recordation of the final map:

"Wall Plans: Submit plans and obtain separate permits for any required retaining walls."

"Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the

Building and Safety Division."

"Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review."

"Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is ~~only~~ valid for a maximum of five (5) years."

"Demolition Permit Required Before Recordation. Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering."

23. "Geotechnical (Soil) Report Required. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the parcel map."

LAND USE SERVICES DEPARTMENT-Land Development-Drainage (909) 387-8311

24. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.

25. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safety manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval

26. On-site Drainage Easement. On-site flows shall be directed within a drainage easement.
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27. CDP/LDD - Drainage. A Composite Development Plan (CDP) is required, and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD, prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department - Land Development Division - Drainage Section (909) 387-8311"

"Natural Drainage. Natural Drainage Course(s) and/or Easement(s) shall not be occupied or obstructed unless specific approval is given by County Land Use Services Department - Land Development Division/Drainage Section for each lot/parcel."

"FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit."

"Grading Plans. Grading and erosion control plans shall be submitted for review and approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved drainage study and final WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule."

"NPDES Permit: An NPDES permit - Notice of Intent (NOi) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov"

"Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity include clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total."

"Additional Drainage Improvements. At the time each lot/parcel is developed, a California Registered Civil Engineer (RCE) shall prepare/design complete drainage improvement plans and profiles. After these are submitted for review and approval additional "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time."

"Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development."

LAND USE SERVICES DEPARTMENT-Land Development-Road (909) 387-8311

28. Road Dedication. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications.
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Jurupa Ave (Major Highway - 104')

Road Dedication. A 2-foot grant of easement is required to provide a half-width right-of-way of 52 feet.

29. CDP/LDD - Roads. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department/ Land Development Division - Roads (909) 387-8311"

"Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works."

"Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works."

"Private Roads/Improvements Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria."

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

30. CDP "CDP. The project applicant shall submit for review and approval a ""Composite Development Plan"" (CDP). The following statements shall be placed verbatim on the CDP. a. Fire Jurisdiction. This project is protected by the San Bernardino County Fire Department. Prior to building permits being issued on any parcel, the applicant shall comply with the adopted Uniform Fire Code requirements and all other applicable codes, ordinances, and standards of San Bernardino County and local Fire Department standards. b. Fire Requirements. Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of individual fire protection water systems (e.g. fire flow) for each lot, Automatic fire sprinklers for all structures, Surfacing of access roads and driveways.
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END OF CONDITIONS

EXHIBIT A - SITE 1

Assessor Parcel Numbers:

0256-121-37
0256-121-38
0256-121-39
0256-121-40
0256-121-41
0256-121-42
0256-121-43
0256-121-44
0256-121-45
0256-121-46
0256-121-47
0256-121-48
0256-241-01
0256-241-02
0256-241-03
0256-241-04
0256-241-05
0256-241-06
0256-241-07
0256-241-08
0256-241-09
0256-241-10
0256-241-11
0256-241-12
0256-241-13
0256-241-14
0256-241-15
0256-241-16
0256-241-17
0256-241-18
0256-241-19

Vesting Tentative Parcel Map 19973- SITE 2

PROJECT DESCRIPTION

31. Project Approval Description. This Vesting Tentative Parcel Map 19973 approval is for consolidating 32 parcels to create one parcel of approximately 57.60 acres and may be recorded in compliance with the conditions of approval, the approved stamped vesting tentative map. The project site is located at the northeast corner of Jurupa Avenue and Locust Avenue in the Bloomington Business Park Specific Plan. APN: see attached Exhibit A, Project Number PROJ-2020-00246.
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NOTICES

32. Expirations/VTPM. This conditional approval of the Vesting Tentative Parcel Map shall become null and void unless all conditions have been completed and the Vesting Tentative Map has been deemed complete by the County Surveyor for purposes of recordation within 36 months following the effective approval date, unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The developer is responsible for initiation of any extension request.

33. Extension of Time/VTPM. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Land Use Services may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
34. Revisions/VTPM. Any proposed change to the approved Tentative Parcel Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.
-
35. Condition Compliance. Condition compliance confirmation for purposes of Vesting Parcel Map recordation will be coordinated by the County Surveyor.
36. Project Account. The Project account number is PROJ-2020-00245. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative
-

balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.

37. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

38. Fire Condition Letter Expiration. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

LAND USE SERVICES DEPARTMENT - Planning Division (909) 387-8311

39. Additional Permits. The property owner, developer and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:

FEDERAL: U.S. Fish & Wildlife

STATE: Santa Ana Regional Water Quality Control Board, South Coast Air Quality Management District, Fish and Wildlife, State Fire Marshall, LAFCO

COUNTY: Land Use Services Department - Land Development Division & Building and Safety Division, Department of Public Works - Survey Division, Department of Public

Health - Environmental Health Services Division, County Fire Department - Community

Safety Division

LOCAL: City of Rialto

CONDITIONS OF APPROVAL

40. Indemnification. In compliance with SBCC §81.01.070, the "developer" shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding

against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the "developer" of any claim, action, or proceeding and that the County cooperates fully in the defense. The "developer" shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the "developer" of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

PRIOR TO RECORDATION OF THE PARCEL MAP

The Following Shall Be Completed

DEPARTMENT OF PUBLIC WORKS - Surveyor (909) 387-8149

41. Parcel Map. A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
42. Easements within the reminder portion of the map are to be dedicated by separate document.
43. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.

44. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
45. Review of the Parcel Map by our office is based on actual cost, and requires an initial \$3000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
46. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.

PUBLIC HEALTH - Environmental Health Services [DEHS] (800) 442-2283

47. Water Purveyor. Water purveyor shall be West Valley WO or EHS approved.
48. Water Service Verification Letter. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at 1-800-442-2283.
49. Sewage Disposal. Method of sewage disposal shall be City of Rialto Muni Agency, or, if not available, EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
50. Sewer Service Verification Letter. Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
51. Water and Sewer Service Verification. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

LAND USE SERVICES DEPARTMENT- Building and Safety Division (909) 387-8311

52. Composite Development Plan (CDP) Note Requirements. The following Composite Development Plan (CDP) Requirements shall be placed on the CDP

submitted as a requirement for Recordation of the final map:

"Wall Plans: Submit plans and obtain separate permits for any required retaining walls."

"Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the

Building and Safety Division."

"Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review."

"Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is ~~only~~ valid for a maximum of five (5) years."

"Demolition Permit Required Before Recordation. Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering."

"Geotechnical (Soil) Report Required. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the parcel map."

LAND USE SERVICES DEPARTMENT-Land Development-Drainage (909) 387-8311

53. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
54. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safety manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval

55. On-site Drainage Easement. On-site flows shall be directed within a drainage easement.
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56. CDP/LDD - Drainage. A Composite Development Plan (CDP) is required, and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD, prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department - Land Development Division - Drainage Section (909) 387-8311"

"Natural Drainage. Natural Drainage Course(s) and/or Easement(s) shall not be occupied or obstructed unless specific approval is given by County Land Use Services Department - Land Development Division/Drainage Section for each lot/parcel."

"FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit."

"Grading Plans. Grading and erosion control plans shall be submitted for review and approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved drainage study and final WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule."

"NPDES Permit: An NPDES permit - Notice of Intent (NOi) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov"

"Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity include clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total."

"Additional Drainage Improvements. At the time each lot/parcel is developed, a California Registered Civil Engineer (RCE) shall prepare/design complete drainage improvement plans and profiles. After these are submitted for review and approval additional "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time."

"Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development."

LAND USE SERVICES DEPARTMENT-Land Development-Road (909) 387-8311

57. Road Dedication. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications.
-

Jurupa Ave (Major Highway - 104')

Road Dedication. A 2-foot grant of easement is required to provide a half-width right-of-way of 52 feet.

58. CDP/LDD - Roads. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department/ Land Development Division - Roads (909) 387-8311"

"Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works."

"Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works."

"Private Roads/Improvements Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria."

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

59. CDP "CDP. The project applicant shall submit for review and approval a ""Composite Development Plan"" (CDP). The following statements shall be placed verbatim on the CDP. a. Fire Jurisdiction. This project is protected by the San Bernardino County Fire Department. Prior to building permits being issued on any parcel, the applicant shall comply with the adopted Uniform Fire Code requirements and all other applicable codes, ordinances, and standards of San Bernardino County and local Fire Department standards. b. Fire Requirements. Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of individual fire protection water systems (e.g. fire flow) for each lot, Automatic fire sprinklers for all structures, Surfacing of access roads and driveways.
-

END OF CONDITIONS

EXHIBIT A - SITE 2

Assessor Parcel Numbers:

0256-111-02
0256-111-03
0256-111-04
0256-111-05
0256-111-06
0256-111-07
0256-111-08
0256-111-09
0256-111-10
0256-111-11
0256-111-18
0256-111-19
0256-111-26
0256-111-29
0256-111-40
0256-111-41
0256-111-42
0256-111-43
0256-111-44
0256-111-45
0256-111-48
0256-111-49
0256-111-50
0256-111-51
0256-111-52
0256-111-53
0256-111-55
0256-111-56
0256-111-58
0256-111-59
0256-111-60
0256-111-61

Vesting Tentative Parcel Map 20340- SITE 3

PROJECT DESCRIPTION

60. Project Approval Description. This Vesting Tentative Parcel Map 20340 approval is for consolidating 23 parcels to create one parcel of approximately acres and may be recorded in compliance with the conditions of approval, the approved stamped vesting tentative map. The project site is located at the northeast corner of Jurupa Avenue and Maple Avenue in the Bloomington Business Park Specific Plan. APN: see Exhibit, Project Number PROJ-2021-00004.
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NOTICES

61. Expirations/VTPM. This conditional approval of the Vesting Tentative Parcel Map shall become null and void unless all conditions have been completed and the Vesting Tentative Map has been deemed complete by the County Surveyor for purposes of recordation within 36 months following the effective approval date, unless an extension of time is granted.

PLEASE NOTE: This will be the ONLY notice given of the approval expiration date. The developer is responsible for initiation of any extension request.

62. Extension of Time/VTPM. Where circumstances cause delays, which do not permit compliance with the required recordation time limit, the developer may submit for review and approval an application requesting an extension of time. County Land Use Services may grant such requests for extensions of time in compliance with the State Map Act Section 66452.6. An Extension of Time may be granted upon a successful review of an Extension of Time application, which includes a justification of the delay in recordation, a plan of action for completion and submittal of the appropriate fee, not less than 30 days prior to the expiration date. The granting of an extension request is a discretionary action that may be subject to additional or revised conditions of approval.
63. Revisions/VTPM. Any proposed change to the approved Tentative Parcel Map and/or the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.
64. Condition Compliance. Condition compliance confirmation for purposes of Vesting Parcel Map recordation will be coordinated by the County Surveyor.
65. Project Account. The Project account number is PROJ-2021-00004. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and
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the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.

66. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

67. Fire Condition Letter Expiration. Construction permits, including Fire Condition Letters,

shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

~~Suspension or abandonment shall mean that no inspection by the Department has~~

occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall

be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.

LAND USE SERVICES DEPARTMENT - Planning Division (909) 387-8311

68. Additional Permits. The property owner, developer and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:

FEDERAL: U.S. Fish & Wildlife

STATE: Santa Ana Regional Water Quality Control Board, South Coast Air Quality Management District, Fish and Wildlife, State Fire Marshall, LAFCO

COUNTY: Land Use Services Department - Land Development Division & Building and Safety Division, Department of Public Works - Survey Division, Department of Public

Health - Environmental Health Services Division, County Fire Department - Community Safety Division

LOCAL: City of
Rialto

CONDITIONS OF APPROVAL

69. Indemnification. In compliance with SBCC §81.01.070, the "developer" shall agree, to defend, indemnify, and hold harmless the County or its "indemnitees" (herein collectively the County's elected officials, appointed officials (including Planning Commissioners), Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action, or proceeding

against the County or its indemnitees to attack, set aside, void, or annul an approval of the County by an indemnitee concerning a map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any condition of approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the "developer" of any claim, action, or proceeding and that the County cooperates fully in the defense. The "developer" shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the "developer" of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitees' "passive" negligence but does not apply to the indemnitees' "sole" or "active" negligence or "willful misconduct" within the meaning of Civil Code Section 2782.

PRIOR TO RECORDATION OF THE PARCEL MAP

The Following Shall Be Completed

DEPARTMENT OF PUBLIC WORKS - Surveyor (909) 387-8149

70. Parcel Map. A Parcel Map is required in compliance with the Subdivision Map Act and the San Bernardino County Development Code.
71. Easements within the reminder portion of the map are to be dedicated by separate document.
72. Subdivider shall present evidence to the County Surveyor's Office that he has tried to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.

73. Easements of record not shown on the tentative map shall be relinquished or relocated. Lots affected by proposed easements or easement of record, which cannot be relinquished or relocated, shall be redesigned.
74. Review of the Parcel Map by our office is based on actual cost and requires an initial \$3000.00 deposit. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
75. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.

PUBLIC HEALTH - Environmental Health Services [DEHS] (800) 442-2283

76. Water Purveyors: Water purveyor shall be West Valley Water or EHS approved.
77. Water Service Verification Letter. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at 1-800-442-2283.
78. Sewage Disposal. Method of sewage disposal shall be City of Rialto Muni Agency, or, if not available, EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
79. Sewer Service Verification Letter. Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
80. Water and Sewer Service Verification. Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

LAND USE SERVICES DEPARTMENT- Building and Safety Division (909) 387-8311

81. Composite Development Plan (CDP) Note Requirements. The following Composite Development Plan (CDP) Requirements shall be placed on the CDP submitted as a requirement for Recordation of the final map.

"Wall Plans: Submit plans and obtain separate permits for any required retaining walls."

"Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division."

"Geotechnical (Soil) Report: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval by the County Geologist and fees paid for the review."

"Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years."

"Demolition Permit Required Before Recordation. Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering."

"Geotechnical (Soil) Report Required. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to recordation of the parcel map."

LAND USE SERVICES DEPARTMENT-Land Development-Drainage (909) 387-8311

82. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.

83. Drainage Improvements. A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safety manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval

84. On-site Drainage Easement. On-site flows shall be directed within a drainage easement.

-
85. CDP/LDD - Drainage. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the

LDD, prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department- Land Development Division - Drainage Section (909) 387-8311"

"Natural Drainage. Natural Drainage Course(s) and/or Easement(s) shall not be occupied or obstructed unless specific approval is given by County Land Use Services Department - Land Development Division/Drainage Section for each lot/parcel."

"FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8667H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit."

"Grading Plans. Grading and erosion control plans shall be submitted for review and approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved drainage study and final WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule."

"NPDES Permit: An NPDES permit - Notice of Intent (NOi) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov"

"Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity include clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total."

"Additional Drainage Improvements. At the time each lot/parcel is developed, a California Registered Civil Engineer (RCE) shall prepare/design complete drainage improvement plans and profiles. After these are submitted for review and approval additional "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time."

"Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development."

LAND USE SERVICES DEPARTMENT-Land Development-Road (909) 387-8311

86. Road Dedication. The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications.

Jurupa Ave (Major Highway - 104')

Road Dedication. A 2-foot grant of easement is required to provide a half-width right-of-way of 52 feet.

87. CDP/LDD - Roads. A Composite Development Plan (CDP) is required and the following shall be delineated or noted on the CDP with confirmation and approval obtained from the LDD prior to recordation of the Parcel Map (Statements in quotations shall be verbatim):

"Land Use Services Department/ Land Development Division - Roads (909) 387-8311"

"Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works."

"Structural Section Testing. Prior to occupancy, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works."

"Private Roads/Improvements Prior to occupancy, construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria."

COUNTY FIRE DEPARTMENT - Community Safety Division (909) 386-8465

88. CDP "CDP. The project applicant shall submit for review and approval a ""Composite Development Plan"" (CDP). The following statements shall be placed verbatim on the CDP. a. Fire Jurisdiction. This project is protected by the San Bernardino County Fire Department. Prior to building permits being issued on any parcel, the applicant shall comply with the adopted Uniform Fire Code requirements and all other applicable codes, ordinances, and standards of San Bernardino County and local Fire Department standards. b. Fire Requirements. Individual lot owners shall be required to provide their own fire protection measures as determined and approved by the Fire Department prior to any building permit issuance. Fire protection measures may include Fire Department approval of Individual fire protection water systems (e.g. fire flow) for each lot, Automatic fire sprinklers for all structures, Surfacing of access roads and driveways.

END OF CONDITIONS