



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

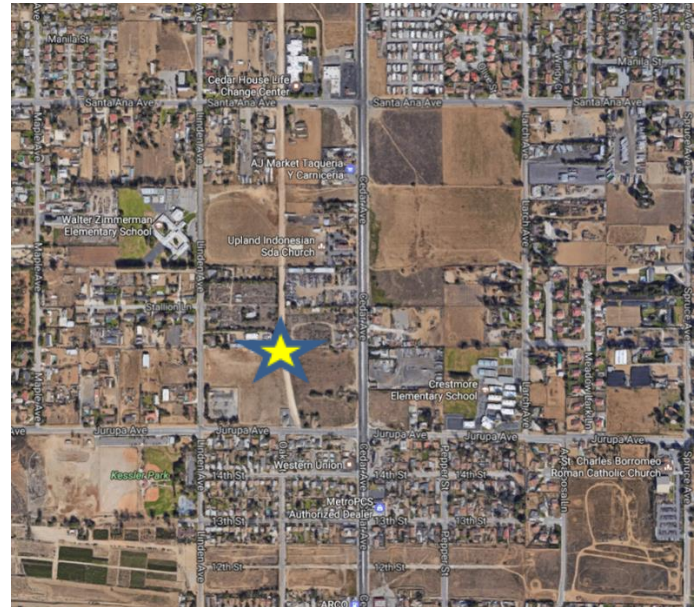
HEARING DATE: April 6, 2017

AGENDA ITEM # 4

Project Description

Vicinity Map

APN:	0257-091-23 * (17 Parcels)
APPLICANT:	WESTERN REALCO
COMMUNITY:	BLOOMINGTON
LOCATION:	NORTHWEST CORNER OF CEDAR AVENUE AND JURUPA AVENUE
PROJECT NO:	P201500122
STAFF:	KEVIN WHITE, SENIOR PLANNER
REP(S):	THIENES ENGINEERING, INC
PROPOSAL:	A) GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE ZONING DESIGNATION FROM BLOOMINGTON INSTITUTIONAL & BLOOMINGTON SINGLE RESIDENTIAL-1 ACRE MINIMUM LOT SIZE-ADDITIONAL AGRICULTURE TO COMMUNITY INDUSTRIAL ON 34.54 ACRES. B) A CONDITIONAL USE PERMIT TO ESTABLISH A 676,983 SQUARE FOOT WAREHOUSE BUILDING ON 34.54 ACRES. C) TENTATIVE PARCEL MAP 19635 TO CREATE 1 PARCEL ON 34.54 ACRES.



231 Hearing Notices Sent On: March 24, 2017

Report Prepared By: Kevin White

SITE INFORMATION

Parcel Size: 34.54 Acres
 Terrain: Gently sloping
 Vegetation: Non-native grassland

SURROUNDING LAND DESCRIPTION:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT
Site	Single Family Homes /Industrial/Pre-School/Vacant	Bloomington Institutional & Bloomington/Single Residential-1 acre minimum lot size-Additional Agriculture (BL/IN & BL/RS-1-AA)
North	Church/Vacant	BL/RS-1-AA
South	Single Family Homes	BL/RS & Bloomington General Commercial Sign Control Overlay (BL/CG-SCp)
East	Single Family Homes /Industrial	BL/RS-1-AA
West	Single Family Homes / Electrical Generation	BL/IN & BL/RS-1-AA

AGENCY

COMMENT

City Sphere of Influence	City of Rialto	None
Water Service	West Valley Water District	Will Serve
Sewer Service	N/A	Septic

STAFF RECOMMENDATION: That the Planning Commission **RECOMMEND** that the Board of Supervisors **APPROVE** the General Plan Amendment, Conditional Use Permit and Tentative Parcel Map.

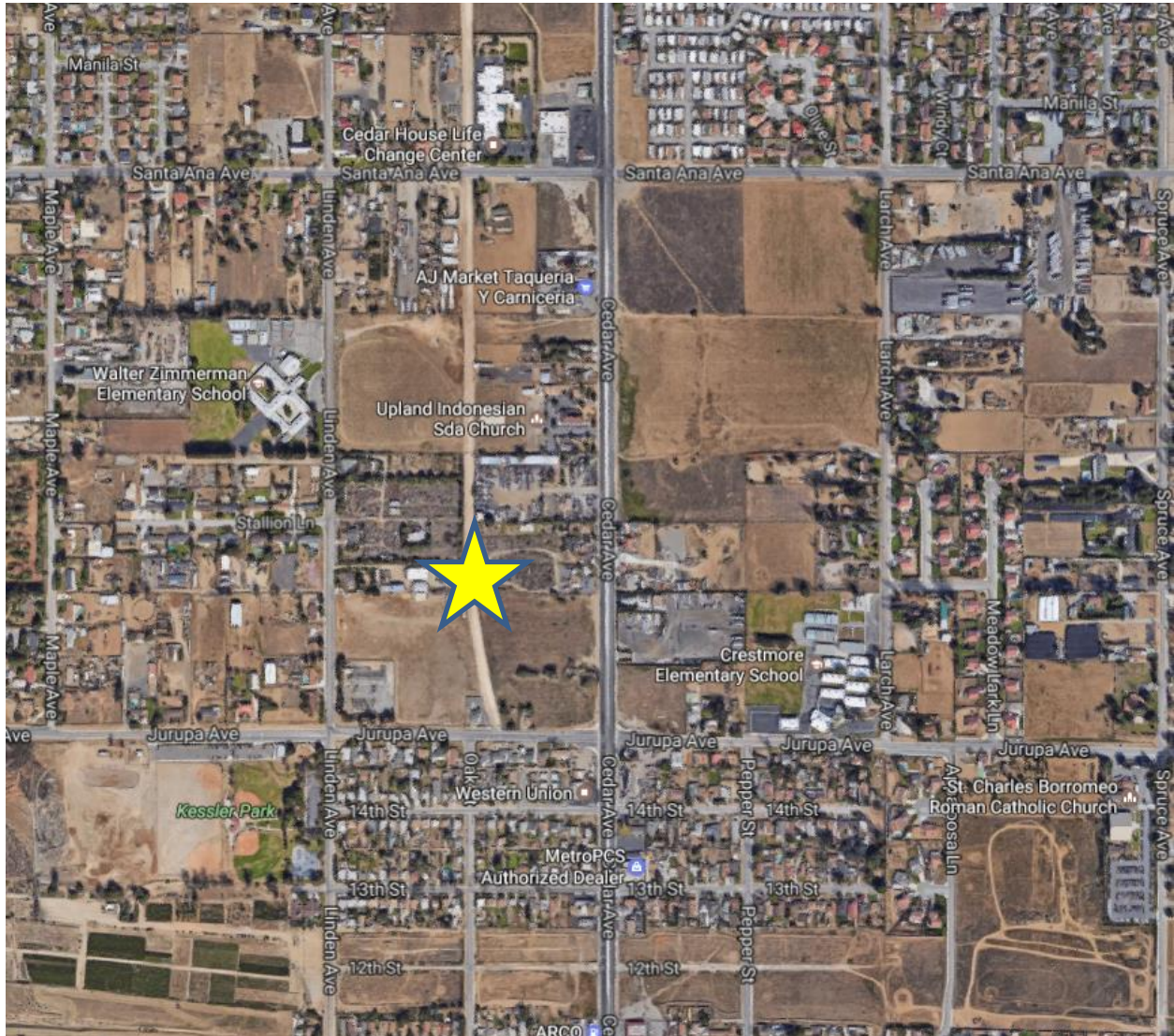
In accordance with Section 86.05.010 of the Development Code, the Planning Commission will forward a recommendation for final action by the Board of Supervisors. Therefore this action of the Planning Commission is not appealable.

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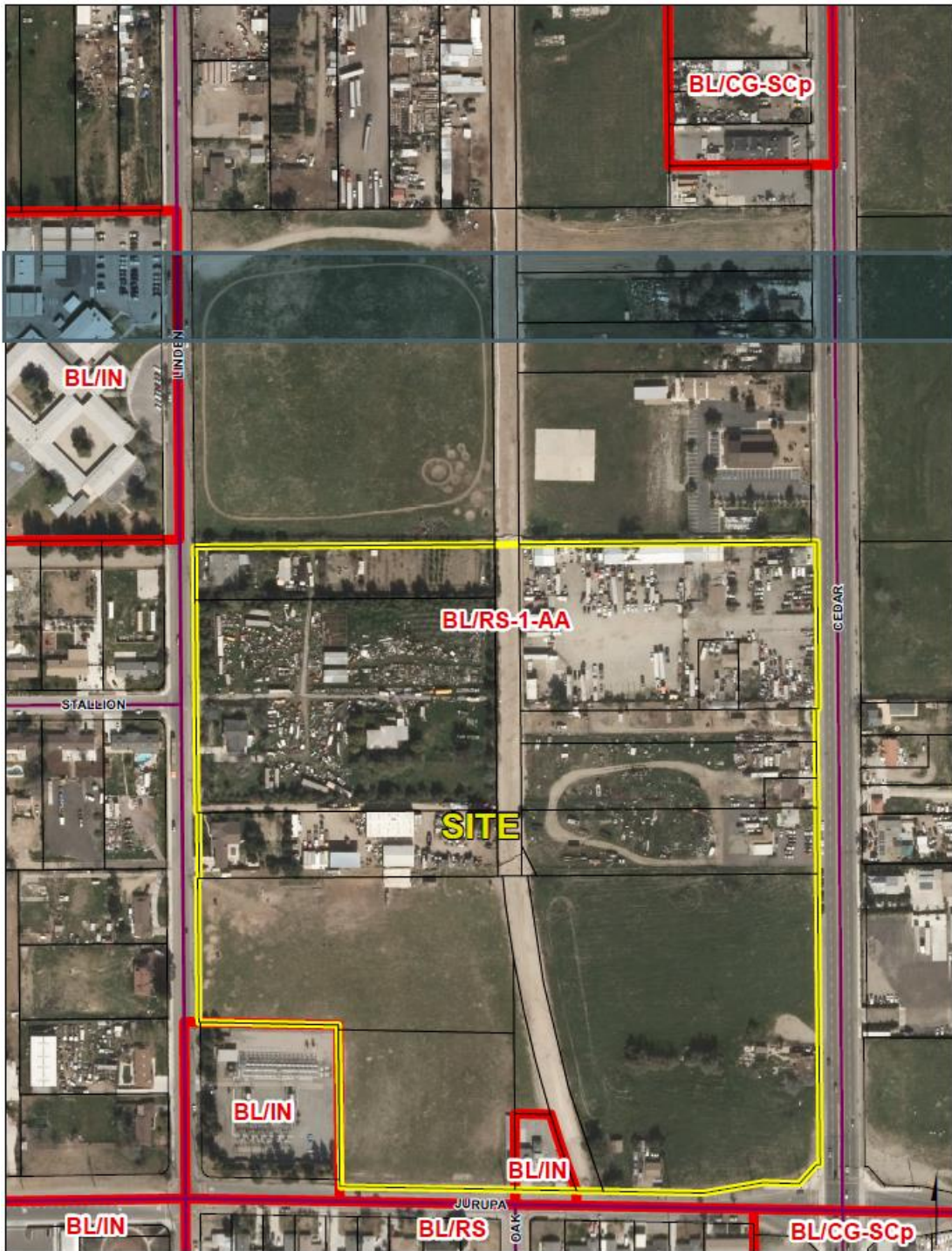
Regional Map



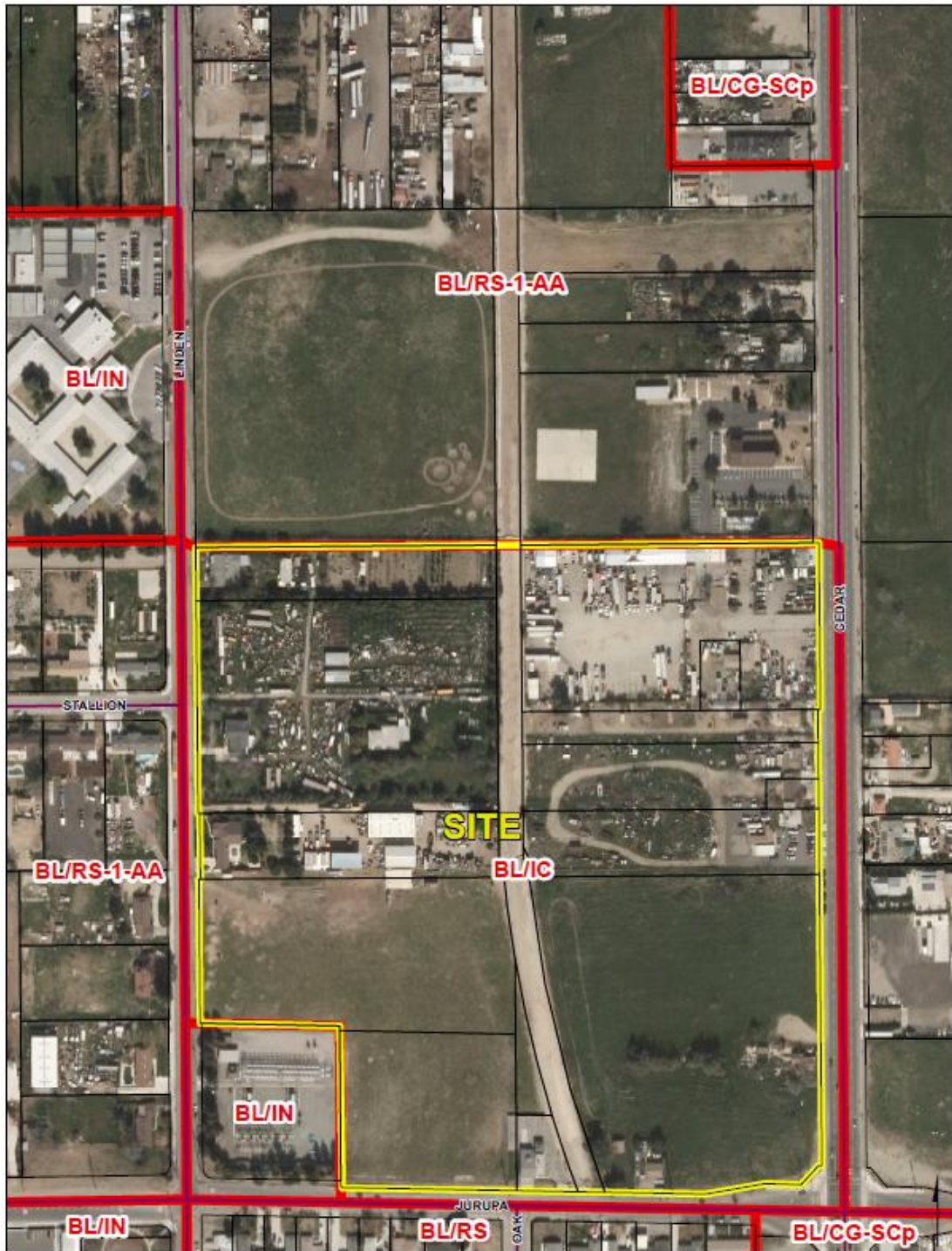
Vicinity Map



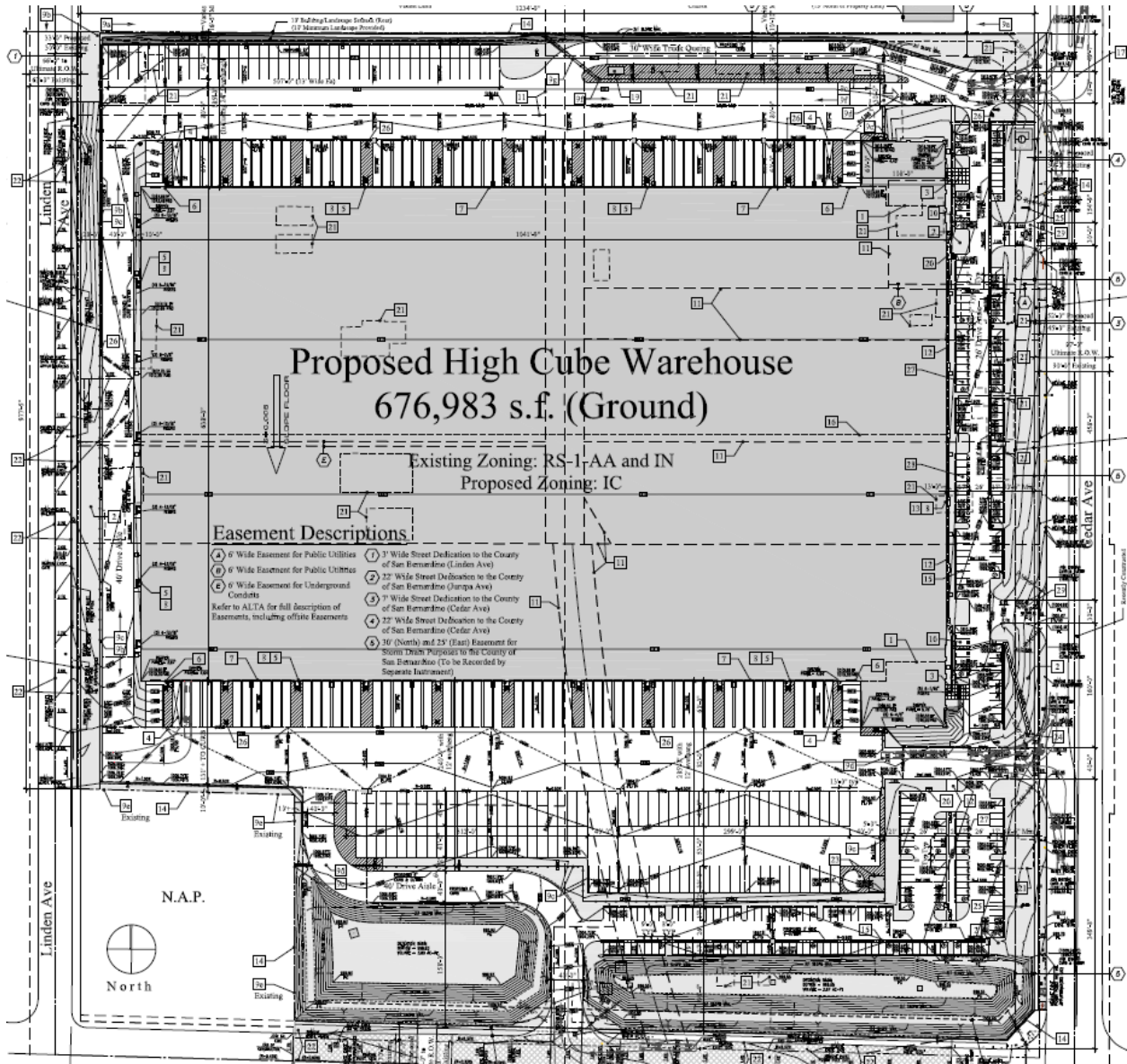
EXISTING LAND USE DISTRICT MAP



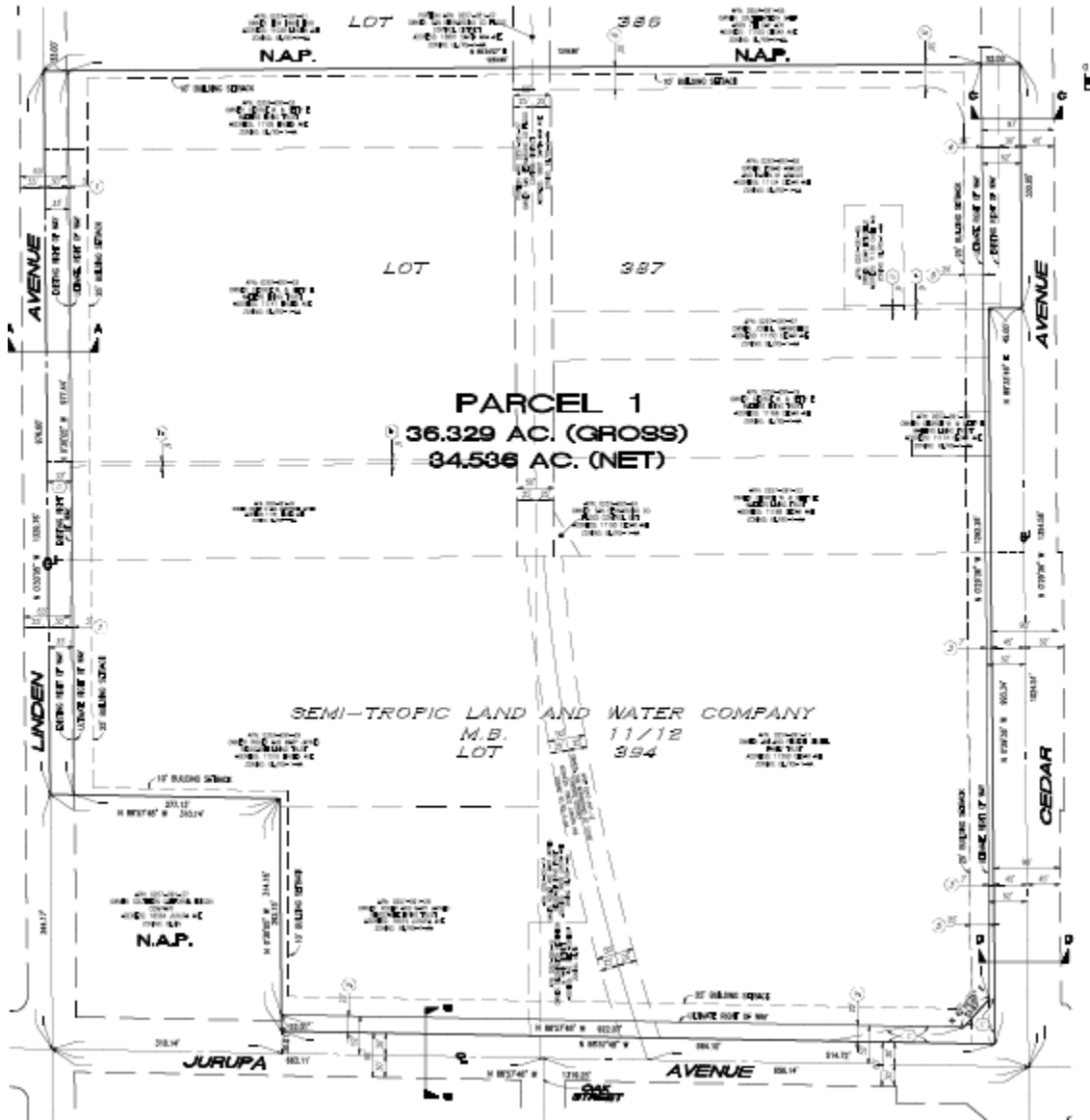
PROPOSED LAND USE DISTRICT MAP



SITE PLAN



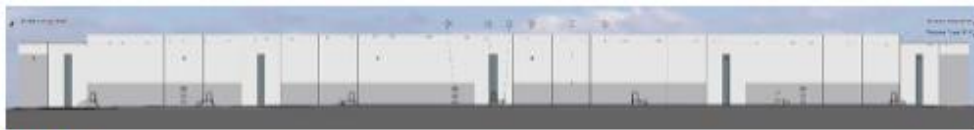
Tentative Parcel Map 19635



ELEVATIONS



NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

SITE PHOTOS



Project site looking northwest from the Southeast corner of Jurupa Avenue and Cedar Avenue.



Project site looking north from Jurupa Avenue



Project site looking Northwest from Cedar Avenue.

PROJECT DESCRIPTION

The proposed project (Project) is an Amendment to the San Bernardino County General Plan (General Plan) to change the existing land use designation from Bloomington/Residential 1-acre minimum lot size-Additional Agriculture (BL/RS-1AA) and Bloomington/Institutional (BL/IN) to Bloomington/Community Industrial (BL/IC) on approximately 34.54 acres. The Project also includes a Conditional Use Permit to establish a 676,983 square foot warehouse building and a Tentative Parcel Map to combine 17 parcels into one lot on 34.54 acres. The Project site is located at the northwest corner of Cedar Avenue and Jurupa Avenue.

The 17 existing parcels are privately owned with the exception of three publicly owned parcels. The San Bernardino County Flood Control District (SBCFCD) owns two parcels and one parcel is owned by the Bloomington Recreation and Parks District. The SBCFCD parcels comprise an approximately 25-foot wide corridor that runs through the center of the Project site from the northern Project boundary, trending slightly easterly through to the southern Project boundary. The Parks District parcel is located at 18604 Jurupa Avenue, near the south-central portion of the Project site. This parcel is approximately 0.4 acre in area, and is the site of an existing recreation center.

Most of the southern portion of the Project site level and is vacant with the exception of three existing structures. Two of the existing structures are adjacent to Jurupa Avenue. One is a recreation center, and the other is a residence. The third structure is a residence that is adjacent to Cedar Avenue. The northern portion of the Project site is a mix of low density residential and commercial/light industrial uses (e.g., scrap metal, truck/automobile yards). Overall, the Project will require the demolition of 14 residences.

ANALYSIS

This proposed amendment to the General Plan would change the land use designation of the site to Community Industrial. General uses permitted within the Community Industrial designation include light manufacturing, assembly, packaging, contractor's storage yard, and warehousing. Industrial activities occurring under this designation are typically required to be conducted in enclosed buildings. Based on historical aerial photos and site visits over time, staff has observed that the area has been in transition from residential to industrial for the past fifteen years.

The Project would include the construction of a single 676,983 sq. ft. distribution building on the 34.54-acre property, with associated facilities and improvements such as a guard booth, parking, bicycle racks, landscaping and detention basins. All existing structures on the Project site would be demolished prior to construction. The two proposed detention basins would be located near the Project's southern boundary along Jurupa Avenue. The Project has been designed to minimize conflicts between the proposed industrial use and surrounding non-industrial uses, with the greatest buffering provided along the southern boundary, to maximize the distance from the majority of nearby residences to the south.

Landscaping would represent approximately 17 percent of the site coverage. The Landscape areas include a 28 foot setback along Linden Avenue, 40 foot setback along Cedar Avenue, and a minimum 98 foot setback along Jurupa Avenue (which includes the detention basins). The Project does not include access from Linden Avenue. All ingress and egress to the site will be from Cedar Avenue and Jurupa Avenue. There will be a total of 277 automobile parking stalls constructed for employee parking. All parking and site paving would be concrete or asphalt. The Project also includes 138 trailer storage stalls and 110 dock doors.

The existing SBCFCD parcels are linear parcels that bifurcate the Project site. The SBCFCD parcels are intended to support future flood control improvements to accept/convey drainage from north of the Project site. This alignment would be abandoned in favor of one which would direct future flows east along the northern Project boundary and south along Cedar Avenue. The Project would dedicate the easement to SBCFCD to facilitate future drainage improvements.

The objectives established for the proposed Project include the following:

- Implementing of the County of San Bernardino objective to create a revenue-generating use that capitalizes on nearby transportation corridors, stimulation of employment opportunities, and reaction to current market opportunities.
- Assembling a number of small, older residential properties with minimal redevelopment potential located adjacent to the existing truck route to existing freeway access in an effort to isolate and reduce traffic congestion, air emissions, and impacts on non-industrial uses to the greatest extent feasible.
- Providing infrastructure and landscaping improvements to three (3) streets in the immediate vicinity and street signalization to enhance aesthetics as well as improve safety and traffic flow.
- Providing new development that will generate a positive fiscal balance for the County and the community of Bloomington moving forward.
- Providing additional temporary and permanent employment opportunities while improving the local balance of housing and jobs.

California Environmental Quality Act:

An Initial Study (IS) was prepared to evaluate the impacts that could result from the approval and construction of the Project. The IS determined that the Project could have a significant effect on the environment. Therefore, the County prepared a Notice of Preparation (NOP) for a Draft Environmental Impact Report (Draft EIR) to request input from interested parties on the scope of the evaluation to be undertaken. The NOP, along with the IS, were distributed for a 30-day public review period, beginning on March 24, 2016, and concluding on April 22, 2016.

The County also held a public scoping meeting to request input from interested parties on the scope of the evaluation to be undertaken in the Draft EIR. Through the NOP review and scoping process, the following environmental issues were identified to be addressed in the Draft EIR: Air Quality, Cultural Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Land Use and Planning, Noise, and Traffic. The Draft EIR contains impact analysis and recommended mitigation measures for all of these topics, and concludes that the following potential impacts will be less than significant with implementation of the recommended mitigation measures:

Cultural Resources:

Based on research and evaluation for historical significance, the project site does not contain historic age resources eligible for listing in the California Register of Historic Places, or resources likely to provide important information about history. However, there may be artifacts associated with the buildings at 11260 Cedar Avenue. These artifacts are likely to be out of context, and would not require official curation, but may still be of historical interest. Thus, mitigation is recommended to ensure that any artifacts be salvaged and offered to the Bloomington Historical Society for display. In addition, the Project may reveal unknown cultural resources in the course of construction. In order to protect potentially significant unknown resources, mitigation is recommended to require a qualified cultural resource professional to be consulted upon discovery.

The County initiated tribal consultation opportunities consistent with AB52. The County received requests for consultation from the San Manuel Band of Mission Indians (San Manuel) and the Soboba Band of Luiseno Indians (Soboba). Consultation with both entities occurred in September 2016. Soboba reviewed the cultural resource documents and decided to defer to San Manuel, ending that portion of the consultation.

San Manuel reviewed the cultural resources reports and requested monitoring of the land disturbance/grading activities. San Manuel staff noted that the project area was a concern to the tribe, and that portions of the Project site were unavailable at the time of the cultural site visit. Thus, mitigation measures for grading and construction activities suggested by San Manuel have been included in the EIR and conditions of approval.

Traffic and Circulation:

Access to the Project would be provided by Jurupa Avenue and Cedar Avenue. Both roadways have been classified as Major Highway corridors in the General Plan. Based on the Project-specific traffic analysis, 70% of the inbound and outbound truck trips associated with Project are forecast to use Cedar Avenue, and 30% of inbound and outbound truck trips would use Jurupa Avenue.

A Traffic Impact Analysis (TIA) was prepared that concluded the Project would generate approximately 1,490 daily vehicle trips in passenger car equivalents, 102 of which would occur during the morning peak hour and 108 of which would occur during the evening

peak hour. The existing residential development currently generates a total of approximately 114 daily vehicle trips, 9 of which occur during the morning peak hour and 12 of which will occur during the evening peak hour. Therefore, the Project would result in a net increase of 1,375 daily trips, with 93 occurring in the morning peak hour, and 96 occurring in the evening peak hour.

The intersections studied in the TIA are projected to operate within acceptable LOS, except for the Cedar Ave/I-10 freeway westbound ramps, which would operate at LOS F during the AM Peak Hour for both the Existing and Existing Plus Project conditions. Based on the County's CEQA threshold, a significant impact would result at this intersection if the Project would add 50 or more peak hour trips to the intersection. The Project would add approximately 30 vehicle trips during the morning peak hour—less than the threshold. Therefore, the Project would not result in a significant impact at this or other intersections.

The Project is subject to the Regional Transportation Development Mitigation Fee Plan for the Rialto Subarea. Currently, the Plan Fee is \$1.82 per square foot for the High Cube warehouse building. The total estimated Plan Fee for the Project is currently \$1,232,109.06, as detailed in the conditions of approval.

Noise:

Nearby noise-sensitive land uses would be exposed to elevated construction noise levels. The exposure would be short-term, and would cease upon completion of Project construction. It is anticipated that construction activities associated with the proposed Project would take place between 7:00 a.m. and 7:00 p.m., and would not take place on Sundays or federal holidays, and would therefore not violate the County Development Code or General Plan standards for construction. During periods of nearest construction work, noise levels could exceed 80 dBA during daytime hours. Additionally, the predicted noise levels would be substantially higher than existing ambient daytime noise levels. Therefore, noise impacts from construction are considered significant. However, the implementation of recommended mitigation measures would reduce construction noise impacts to a less than significant level.

Long-term operational noise from the Project would consist of noise associated with typical office and warehousing activities. Noise would be generated by truck and passenger vehicle trips to and from the site on adjacent roadways-- trucks backing up, starting up and idling, fork lifts, and mechanical plant (heating, ventilation, and air conditioning [HVAC]) noise. Long-term operational noises also include Project-generated traffic and overall traffic noise at the site. Noise levels from Project activities would range from 38 dBA Leq to 45 dBA Leq, and therefore would not exceed the County Code standards. On-site Project operations would not result in a substantial permanent increase in noise levels, so on-going operational noise impacts would be less than significant.

Hazards and Hazardous Materials:

During operation of the Project, hazardous materials may be transported, used, and disposed of at the Project site. However, light industrial land uses such as the Project typically do not generate, store, or dispose of large quantities of hazardous materials. In addition, such land uses generally do not involve dangerous or volatile operational activity that may expose persons to large quantities of hazardous materials. Because of the nature of the Project, hazardous materials used on the Project site may vary, but are likely to be limited to fertilizers, herbicides, pesticides, lubricants, solvents, cleaning agents, and similar materials used for daily operation and maintenance activities.

The San Bernardino County Fire Department (County Fire) regulates and enforces the provisions of the Uniform Fire Code relating to hazardous materials, including the use and storage of hazardous materials that are ignitable, reactive, corrosive, or toxic. Businesses using such materials are subject to permitting and inspection. The County requires any new business that will handle hazardous materials to inventory their hazardous materials, as well as allow County Fire review of their hazardous materials processes and procedures, prior to the execution of various required business permits. No significant impacts are anticipated with implementation of standard requirements.

Greenhouse Gas Emissions:

The County's Greenhouse Gas Emissions Reduction Plan (GHG Plan) was adopted on December 6, 2011, and became effective on January 6, 2012. The GHG Plan establishes a GHG emissions reduction target for the year 2020 that is 15 percent below 2007 emissions. The GHG Plan is consistent with AB 32 and sets the County on a path to achieve more substantial long-term reductions in the post-2020 period. Achieving this level of emissions will ensure that the contribution to greenhouse gas emissions from activities covered by the GHG Plan will not be cumulatively considerable.

Implementation of the GHG Plan is achieved through the Development Review Process by applying reduction measures to reduce GHG emissions. All new development is required to adopt feasible measures to reduce emissions below a level of significance. For projects exceeding 3,000 MTCO₂e of annual GHG emissions, the developer may use the GHG Plan Screening Tables as a tool to assist with calculating GHG reduction measures that will achieve conformity to the GHG Plan. Projects that garner 100 or more points in the Screening Tables do not require quantification of project-specific GHG emissions. The proposed Project has garnered 128 points on the Screening Tables through the application of energy efficiency measures, construction debris diversion, and the construction of electric vehicle charging stations. As a result, the Project is considered to be consistent with the GHG Plan and is determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG reduction measures selected by the developer through the Screening Tables Review have been incorporated in the Project design and in the Conditions of Approval.

Significant Impacts:

The Draft EIR determined the Project would have significant and unavoidable impacts to air quality and land use, as identified below, with details following.

- The Project would conflict with or obstruct implementation of the applicable adopted SCAQMD Air Quality Management Plan.
- The Project would result in a cumulatively-considerable net increase of criteria pollutants, within a Project region which is designated as a non-attainment area under applicable federal or state ambient air quality standards (conflict with the SCAQMD Air Quality Management Plan).
- The Project would conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project; said plans were adopted for the purpose of avoiding or mitigating an environmental effect.
- The Project would create cumulative land use inconsistencies.

Air Quality:

The SCAQMD has established thresholds of significance for construction and operational activities of land use developments in order to determine whether a project would violate the California ambient air quality standards or the national ambient air quality standards. The air quality analysis found that the Project would not exceed SCAQMD operational thresholds and would therefore not violate air quality standards. However, the Air Quality Management Plan contains air pollutant reduction strategies based on Southern California Association of Governments (SCAG) latest growth forecasts, defined in consultation with local governments based on local general plans. The Project would change the General Plan designation on the site from BL/RS-1AA and BL/IN to BL/IC. The development density and vehicle trip generation associated with the Project are anticipated to be greater than what would occur under the current General Plan land use designations. This increase in vehicle trips would result in an increased generation of air pollutants, potentially exceeding the air pollutant inventory and assumptions in the AQMP. Therefore, the proposed Project would result in a significant impact.

Land Use and Planning:

The existing land use designations for the Project site are BL/RS-1AA and BL/IN. These designations provide for single family housing on one-acre lots, with agricultural and animal raising activities, and public facilities. According to the adopted Bloomington Community Plan, the primary land use goal for the area which includes the Project site is that the rural character of this area be preserved through the Additional Agriculture Overlay and rural standards for development (San Bernardino County 2007 adopted General Plan and Development Code). As the Project is proposed to develop with a

single warehouse development on an approximately 35 acre site, the proposed warehouse development would be inconsistent with the residential designation and lot sizing, and would not protect the existing rural character of the area. Therefore, the Project would require a General Plan Amendment to designate the Project site as BL/IC, in order to resolve this inconsistency.

Surrounding land uses include a vacant lot, church, and residences to the north, medium density residences, park and utility use to the south, a parking lot, vacant land, school and residences to the east, and commercial/light industrial uses, school and residences to the west. Development in the area is generally trending toward industrial uses. However, industrial uses in the immediate Project vicinity are smaller operations comprised of 1 to 5 acres. Industrial projects similar to the Project are more generally located along the I-10 and Slover Avenue corridors to the north and the Riverside Avenue corridor to the east. The closest project of a similar scale is over one mile from the Project site. In an effort to shield adjacent residences from the proposed industrial development, the Project proposes a 100-foot setback from Jurupa Avenue. Additionally, the Project proposes security fencing surrounding the Project site and visual screening elements (including landscaping) to minimize potential impacts to surrounding property owners. These Project design features would help to reduce potential impacts to surrounding property owners. The Project however, is not compatible with the vision, objectives, and policies of the current Bloomington Community Plan because it proposes industrial development within an existing residentially-zoned area of Bloomington. The Project is not consistent with adjacent residential uses. Therefore, these impacts are considered significant cumulative impacts.

CEQA Findings & Statement of Overriding Considerations:

Pursuant to Section 15093 of the State CEQA Guidelines, decision-makers are required to balance the benefits of a project against its unavoidable environmental impacts in determining whether to approve the project. In the event the benefits of a project outweigh the unavoidable adverse effects, the adverse effects may be considered acceptable. Because not all the Project's impacts can 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. Overriding benefits of the Project proposed for consideration include, but are not limited to:

- New employment opportunities
- Improved infrastructure
- Facilitation of goods movement for local and regional economic growth

A Statement of Overriding Considerations citing these benefits of the Project will be prepared for consideration by the Board of Supervisors.

Correspondence:

A total of 12 written comment letters were received during the NOP comment period. Comment letters were received from agencies, organizations and individuals. In addition, 22 letters were received in response to the Draft EIR (including 15 form letters in support of the Project. Comments received during the review periods for the NOP and Draft EIR address issues related to:

- Regulatory agency guidance regarding the consideration and analysis of impacts (air quality, biological resources, traffic/land use)
- Requests for Project information, data, reports, analysis, notices, or the Draft EIR
- A recommended alternative Project site closer to I-10
- Project consistency with the General Plan
- Truck circulation, traffic impacts on neighborhoods and pedestrian safety
- Air quality impacts from construction and operation on schools and residences
- Noise
- Light pollution
- Proximity of the Project to school and residences
- Chemical hazards; past contamination
- Walls and graffiti
- Existing use of flood control easement for equestrian use

Final EIR:

The Final EIR is the CEQA document proposed for certification of compliance with CEQA. It is comprised of the IS/NOP, the Draft EIR, Mitigation Monitoring and Reporting Program, all written correspondence received as comments on the Draft EIR and the County's written responses to all comments. A list of errata was also prepared as part of the Final EIR, to document changes to the Draft EIR. The changes to the Draft EIR do not affect the conclusions presented in the Draft EIR. All of the errata represent changes to the Draft EIR that provide clarification, amplification and/or insignificant modifications needed to respond to public comments and questions, or to present additional information received during the public review period. These clarifications and corrections do not warrant recirculation of the Draft EIR, pursuant to CEQA Guidelines Section 15088.5.

RECOMMENDATION: That the Planning Commission **RECOMMEND** that the Board of Supervisors:

- 1) **CERTIFY** the Environmental Impact Report.
- 2) **ADOPT** the Findings of Fact and Statement of Overriding Considerations.
- 3) **ADOPT** the Findings for approval of the General Plan Amendment, Conditional Use Permit and Tentative Parcel Map.
- 4) **ADOPT** a General Plan Land Use Element Amendment to change the Land Use Zoning Designation from BL/RS-1-AA and BL/IN to BL/IC on 34.54 acres.
- 5) **APPROVE** the Conditional Use Permit to establish a 676,983 sq. ft. high cube warehouse building on 34.54 acres. based on the Findings contained in the Staff Report and subject to the Conditions of Approval;
- 6) **APPROVE** Tentative Parcel Map 19635 to create 1 parcel on 34.54 acres.
- 7) **FILE** a Notice of Determination.

ATTACHMENTS:

- Exhibit A Final EIR (Posted at: <http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>)
- Exhibit B Draft EIR (Posted at: <http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>)
- Exhibit C Findings for Approval
- Exhibit D CUP Conditions of Approval
- Exhibit E TPM Conditions of Approval
- Exhibit F Correspondence

EXHIBIT A

Final EIR
(See Separate Link)

EXHIBIT B

Draft EIR
(See Separate Link)

EXHIBIT C

Findings for Approval

FINDINGS - GENERAL PLAN AMENDMENT (BLOOMINGTON/RESIDENTIAL 1-ACRE MINIMUM LOT SIZE-ADDITIONAL AGRICULTURAL OVERLY (BL/RS-1AA) AND BLOOMINGTON/INSTITUTIONAL (BL/IN) TO BLOOMINGTON/COMMUNITY INDUSTRIAL (BL/IC.)
[SBCC 86.12.060]

The proposed Project (Project) is a General Plan Amendment (GPA) to change the existing land use designation from BL/RS-1AA and BL/IN to BL/IC on approximately 34.54 acres, a Conditional Use Permit (CUP) to establish a 676,983 square foot warehouse building and a Tentative Parcel Map to create one parcel.

1. **The proposed GPA is internally consistent with all other provisions of the respective plan and the General Plan**, subject to considerations thoroughly discussed in the Environmental Impact Report, as it is consistent with the following goals and policies of the County General Plan:

Policy LU 9.1 – Encourage infill development in unincorporated areas and sphere of influence areas.

Policy Implementation: The Project will develop vacant/underutilized parcels within the existing urban area that is largely developed.

General Plan Goal LU 4: The unincorporated communities within the County will be sufficiently served by industrial land uses.

Goal Implementation: The proposed Project will allow the development of additional industrial uses.

2. **The proposed GPA would not be detrimental to the public interest, health, safety, convenience, or welfare of the County**, because the amendment facilitates a Project that has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health and safety.
3. **The proposed land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised**, because a community benefit will be derived from enhanced aesthetics from the development of a new structure, with landscaped setbacks and street improvements. The Project will produce a revenue generating use that includes the creation of temporary construction jobs and permanent office and warehouse jobs. The Project has incorporated appropriate conditions of approval and mitigation measures to protect and enhance public health and safety.

4. **The proposed land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area,** because the proposed amendment will allow a high cube warehouse building adjacent to Cedar Avenue and Jurupa Avenue, which are both designated Major Highways. The Major Highway road classification is ideal for truck traffic that is associated with distribution facilities. In addition, the General Plan Locational Criteria for the IC District includes areas between a residential district and a major highway or more intensive commercial or industrial districts.
5. **The proposed land use zoning district change does not conflict with provisions of the Development Code,** because the Project site conforms to the size and location criteria specified for the BL/IC land use district and all future construction will be required to conform to the development standards and other applicable land use regulations.
6. **The proposed land use zoning district change will not have a substantial adverse effect on surrounding property,** because the Project proposes a change to the BL/IC zoning district, which was intended to provide light industrial activities within enclosed structures.
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 will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.** The site has been conditioned to obtain water service and will utilize an onsite treatment system. Fire and police protection will also be provided by the County Fire Department and the Sheriff's Department. The Project will have sufficient permitted solid waste storage and landfill capacity to accommodate the Project's solid waste disposal needs. The County has evaluated drainage associated with the Project and determined that impacts will be less than significant with the implementation of specified conditions of approval.

FINDINGS: TENTATIVE PARCEL MAP TO CREATE ONE PARCEL ON 34.54. ACRES.
[SBCC 87.02.060]

1. **The proposed map, subdivision design, and improvements are consistent with the General Plan, any applicable community plan, and any applicable specific plan**, because the subdivision will allow the consolidation of 17 parcels to allow for the construction of a warehouse. The Project includes a General Plan Amendment to change the Official Land Use Zoning District from BLRS-1 and BL/IN to BL/IC and with the adoption, the project will be consistent with the General Plan.
2. **The site is physically suitable for the type and proposed density of development** because the Project includes adequate setbacks, road improvements and access driveways to accommodate the proposed 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**, because there is no potential for special statues plant species to occur on the project site, and mitigation measures have been added to the conditions of approval to reduce impacts to Coopers Hawk and the Burrowing Owl to a less than significant level.
4. **The design of the subdivision and type of improvements are not likely to cause serious public health problems**, because the tentative parcel map is consolidating 17 parcels into one parcel.
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** because the recorded map will require all necessary public rights of easements to be shown. The development will provide two-points of 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 the 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**, because the proposed Project will utilize an onsite treatment system. The soils at the Project site support the use of septic systems at the proposed density.

7. **The design of the subdivision provides, to the extent feasible, the potential for the use of solar energy systems and passive or natural heating and cooling opportunities;** because the proposed lot will provide adequate building setbacks for the proposed land use. The building setbacks promote optimum spacing of structures to create adequate opportunity for the use of solar technology.

8. **The proposed subdivision, its design, density and type of development and improvements conforms to the regulations of the Development Code and the regulations of any public agency having jurisdiction by law,** because the size and shape of the proposed lots are adequate for the type of development proposed, and 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 and the mitigation measures. The access roads, and water service lines to the site currently exist and any required modifications to these are required to be bonded prior to recordation and to be constructed prior to final inspection of any new construction on the site.

FINDINGS: CONDITIONAL USE PERMIT

1. **The site for the proposed use is adequate in terms of shape and size to accommodate the proposed use and all landscaping, open space, setbacks, walls and fences, yards, and other required features pertaining to the application.** The 34.54-acre site will accommodate the proposed building associated with the Project. All setbacks meet or exceed the requirements of the Development Code for the proposed land use and the existing zoning. The proposed trailer storage areas have appropriate screening and 17% of the site will be landscaped.
2. **The site for the proposed use has adequate access,** which means that the site design and proposed conditions of approval provide for the streets surrounding the site to be improved fully to provide legal and physical access to the site, and appropriate regional circulation mitigation has been required. The Project includes commercial driveways that are located on Cedar Avenue and Jurupa Avenue.
3. **The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance.** The proposed industrial 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. In addition, the use 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 County General Plan and any applicable Community or Specific Plan.** The proposed CUP site plan, together with the provisions for its design and improvement are consistent with the County General Plan.

General Plan Goal LU 4: The unincorporated communities within the County will be sufficiently served by industrial land uses.

- **Goal Implementation:** The proposed Project provides additional industrial development opportunities in the community of Bloomington.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed project without significantly lowering service levels.** The developer will be required to construct road improvements, as well as contribute to the Regional Transportation Mitigation Facilities Fee Plan to provide other traffic related improvements in the area.
6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare** because the conditions of approval include measures to reduce air quality and traffic impacts and enforce performance standards.
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,** through the orientation and design of the building to take advantage of passive cooling capabilities through light colored roofing and energy efficient windows.

EXHIBIT D

CUP Conditions of Approval

CONDITIONS OF APPROVAL

GENERAL REQUIREMENTS

Conditions of Operation and Procedure

[Not subject to Condition Compliance Release Form (CCRF) signatures]

LAND USE SERVICES DEPARTMENT– Planning Division (909) 387-8311

1. Project Description. The County conditionally approves the proposed Conditional Use Permit to establish a 676,983 square foot warehouse building on 34.54 acres. In accordance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the California Fire Code (CFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). APN: 0257-091-23*, Project Number P201500122.
2. Project Location. The Project site is located at the northwest corner of the intersection of Cedar Ave and Jurupa Avenue.
3. Development Standards. The Project site is located in the Valley Region within the Bloomington/Community Industrial zoning district. The Development Code lists the required Development Standards.
4. Revisions. Any proposed change to the approved use/activity on the site; or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to structures, building locations, elevations, signs, parking allocation, landscaping, lighting, allowable number of occupants (clients and/or employees); or a proposed change in the Conditions of Approval, including operational restrictions from those shown either on the approved site plan and/or in the Conditions of Approval shall require that an additional land use application (e.g. Revision to an Approved Action) be approved by the County. The developer shall prepare, submit with fees, and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
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 §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 Extension 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 permits. Fees shall be paid as specified in adopted fee ordinances.
10. Project Account. The Job Costing System (JCS) account number is P201500122. This is an actual cost project with a deposit account to which hourly charges is 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 the Planning Division.
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:
 - a) FEDERAL: Fish & Wildlife Service.
 - b) STATE: Fish & Wildlife, Santa Ana RWQCB, South Coast AQMD
 - c) COUNTY: Public Health - Environmental Health Services; Public Works; County Fire; and Hazardous Materials, Building and Safety; Land Development; Planning; Code Enforcement.
13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in SBCC Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste. In addition to these, none of the following shall be perceptible without instruments at any point outside the Project boundaries at adjoining property lines:
 - Odors: No offensive or objectionable odor.
 - Emissions: No emission of dirt, dust, fly ash and other forms of particulate matter.

- Smoke: No smoke of a greater density than that described in No. 2 on the Ringelmann Chart, as published currently by the United States Bureau of Mines, shall be emitted from any Project source.
 - Radiation: No dangerous amount of radioactive emissions.
 - Toxic Gases: No emission of toxic, noxious or corrosive fumes of gases.
 - Glare: No intense glare that is not effectively screened from view at any point outside the Project boundary.
14. 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:
- 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.
 - Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
 - 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.
 - Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - 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.
 - 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.
 - 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.
 - 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.
 - 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.
 - 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 the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of

travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and “No Parking”, “Carpool”, and “Fire Lane” designations.

- 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.
15. 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.
 16. Underground Utilities. All new and existing local on-site utility lines located on or around the perimeter of the site, shall be placed underground. The developer will work cooperatively with the County and appropriate utility agencies to underground these facilities.
 17. Lighting. The glare from any luminous source, including on-site lighting shall not exceed one-half (0.5) foot-candle at property line. All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign alternating no more than once every five seconds.
 18. 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.

LAND USE SERVICES DEPARTMENT – Code Enforcement Division (909) 387-8311

19. Enforcement. If any County enforcement activities are required to enforce compliance with the Conditions of Approval, the County will charge the property owner for such enforcement activities in accordance with the SBCC Schedule of Fees.
20. 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 (909) 387-8311

21. 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, which will not adversely affect adjacent or downstream properties at the time the site is developed.
22. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
23. Additional Drainage Requirements. In addition to drainage requirements stated herein, other "on-site" and/or "off-site" 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.
24. 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.
25. 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.

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

26. Noise Standards. Noise level shall be maintained at or below County Development Code Standards, §83.01.080. For information, contact DEHS at (800) 442-2283.
27. Refuse Maintenance. 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 containing garbage produced or accumulated in or about a residence 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 produced or accumulated in or about hotels, food establishments, or other businesses 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.

28. Septic System Maintenance. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. For information, please call DEHS/Wastewater Section at: 1-800-442-2283.

PUBLIC WORKS – Solid Waste Management (909) 386-8701

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 Assembly Bill (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 must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. Requirement is to assist the County in compliance with the recycling requirements of AB 341.
31. Mandatory Trash Service – This project falls within a Uniform Handling Service area. If uniform handling is implemented in all or part of a particular franchise area, all owners of a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service 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.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

32. 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.
33. Fire Jurisdiction. The above referenced Project is under the jurisdiction of the San Bernardino County Fire Department, herein "Fire Department". Prior to any construction occurring on any parcel, the developer shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the Fire Department.

34. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and off-site 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.

35. Fire Fee. The required fire fees (currently \$1897.00) shall be paid to the San Bernardino County Fire Department/Community Safety Division (909) 386-8400.

PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY

The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage (909) 387-8311

36. Realignment of Flood Control facility per approved CSDP 3-4/line "B". The developer shall submit a design plan to Department of Public Works/Flood Control District (FCD) for review and approved.
37. Drainage Improvements. A Registered Civil Engineer 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 \$550 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.
38. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
39. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
40. Grading Plans. Grading plans shall be submitted for review and approval. All drainage and WQMP improvements shall be shown on the grading plans according to the approved drainage study and WQMP reports. An \$806 deposit for grading plan 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.
41. 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>
42. WQMP Inspection Fee. The developer shall provide \$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.

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

43. Vector/Demolition. All demolition of structures shall have a vector inspection prior to issuance of any permits pertaining to the demolition or destruction of any such premises. For more information contact DEHS Vector Section.

LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311

44. Noise Mitigation. *The Developer shall provide to County Planning, a letter that agrees to the following:*
- *All noise-producing Project equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed “package” equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise control features that are readily available for that type of equipment.*
 - *All mobile or fixed noise-producing equipment used on the Project that are regulated for noise output by a local, state, or federal agency shall comply with such regulation while in the course of Project activity.*
 - *Electrically powered equipment shall be used instead of pneumatic or internal combustion powered equipment, where feasible.*
 - *Construction site and access road speed limits shall be 10 miles per hour and enforced during the construction period.*
 - *Construction operations shall not occur between 7:00 p.m. and 7:00 a.m. Monday through Saturday, or at any time on Sunday or on federal holidays. The hours of construction, including noisy maintenance activities and all spoils and material transport, shall be restricted to these periods.*
 - *The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be allowed for safety warning purposes only.*
 - *No outdoor Project-related public address or music system shall be used.*
 - *A sign shall be posted with the name and contract to address noise complaints during.*
45. Pre-Construction Clearance Surveys. *Burrowing owl and nesting bird pre-construction clearance surveys shall be conducted prior to project implementation. The first survey shall be conducted 14-30 days prior to the commencement of ground disturbing activities and the second survey shall be conducted 24-hours prior to ground disturbing activities. If no active avian nests and no burrowing owls are found during the clearance surveys, no additional mitigation will be required. All suitable habitat within 500 feet of the project site shall be thoroughly surveyed for the presence of nesting avian species. The biologist conducting the clearance survey shall document a negative survey with a report indicating that no impacts to burrowing owl or active avian nests will occur from project implementation.*

If an active avian nest is discovered during the pre-construction clearance survey, construction activities might have to be rerouted, a no-work buffer might have to be established around the nest, or construction may be delayed until the nest is inactive. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area if an active nest is observed and to monitor

the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the qualified biologist has determined that young birds have successfully fledged or the nest has otherwise become inactive, a monitoring report shall be prepared and submitted to the County for review and approval prior to initiating construction activities within the buffer area. The monitoring report shall summarize the results of the nest monitoring, describe construction restrictions currently in place, and confirm that construction activities can proceed within the buffer area without jeopardizing the survival of the young birds. Construction within the designated buffer area shall not proceed until authorization is received from CDFW.

If burrowing owl are found occupying the project site at the time of the pre-construction survey, a burrowing owl relocation plan will need to be prepared, approved by CDFW, and implemented prior to ground disturbing activities.

46. *Cultural Resources Mitigation Measure-1.* *Prior to demolition, the interior of the Ritner Sayles buildings at 11250 Cedar Avenue shall be examined for any artifacts associated with their archaeological discoveries. Any artifacts shall be offered to the Bloomington Historical Society. MM CR-2 If previously undocumented cultural resources are identified during Project development, construction in this area shall cease, and a qualified cultural resource professional shall be contacted to assess the nature and significance of the find, diverting construction, if necessary.*
47. *Cultural Resources Mitigation Measure-2.* *If previously undocumented cultural resources are identified during Project development, construction in this area shall cease, and a qualified cultural resource professional shall be contacted to assess the nature and significance of the find, diverting construction, if necessary.*
48. *Archeologist Retainer.* *Prior to initial ground disturbance or the issuance of a Building Permit, the applicant shall provide written verification that the services of a certified archeologist, meeting Secretary of the Interior Standards have been retained. The verification shall be presented in a letter from the project archeologist to the County of San Bernardino – Land Use Services Department, Planning Division, stating their services have been retained and they will be present during initial ground disturbance.*
49. *Archeological and Native American Monitoring.* *The Project archeologist must contact the Cultural Resources Monitoring (CRM) Department of the San Manuel Band of Mission Indians to coordinate when initial ground disturbance and monitoring may begin. The Archeological and Native American monitors must be present during initial ground-disturbing activities, including grading, filing, drilling and trenching. If actual subsurface archeological deposits or cultural resources are discovered, archeological and Native American monitoring will continue until both parties determine daily monitoring can be shifted to periodic spot checks or concluded.*

If potential significant archeological deposits are encountered, all ground disturbance near the find shall halt and the archeologist and Native American monitor shall develop and implement a plan that would reduce potential impacts through avoidance or, if avoidance is not practicable, data recovery. Discovery of potentially significant archeological deposits and subsequent investigations may result in the preparation of additional archeological technical reports. After ground-disturbing construction

activities have been completed, an archeological construction monitoring report shall be completed if significant cultural resources are discovered. Technical reports, the monitoring report, collected artifacts and other necessary archeological documentation shall be submitted to the San Manuel Band of Mission Indians for permanent curation.

50. GHG – 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 impacts to GHG and submitting documentation of compliance. The developer/construction contractors shall do the following:
- d) Implement the approved Coating Restriction Plans.
 - e) Select construction equipment based on low-emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
 - f) Grading plans shall include the following statements:
 - “All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.”
 - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
 - d) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flag person shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
 - e) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
 - f) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.
51. 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 or as otherwise necessary.
 - 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 to 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.

LAND USE SERVICES DEPARTMENT– Building and Safety Division (909) 387-8311

- 52. Retaining Wall Plans. Submit plans and obtain separate building permits for any required walls or retaining walls.
- 53. Geology Report: 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 final project approval.
- 54. 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.
- 55. Grading Plans. Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance.
- 56. 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.
- 57. Erosion & Sediment Control Plan. An erosion and sediment control plan shall be submitted to and approved by the Building Official.
- 58. Erosion Control Installation. An erosion control permit shall be obtained and devices installed prior to any land disturbance. No sediment is to leave the job site.
- 59. 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
- 60. Regional Board Permit Letter. CONSTRUCTION projects involving one or more acres must be accompanied by a copy of the Regional Board permit letter with the WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

- 61. 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 IIIA of the California Fire Code. [F05]

PUBLIC WORKS – Surveyor (909) 387-8149

62. Monumentation. 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 (§8771(b) Business and Professions Code).

63. Record of Survey. 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 ISSUANCE OF BUILDING PERMITS
The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT– Building and Safety Division (909) 387-8311

64. 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.

PUBLIC WORKS – Solid Waste Management (909) 386-8701

65. 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 or volumes of solid waste materials expected to be generated from construction. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 50% of total weight or volume. Forms can be found on our website at www.sbcounty.gov/dpw/solidwaste. An approved CDWMP Part 1 is required before a demolition permit can be issued.

Upon Completion of construction, the developer shall complete SWMD's CDWMP Part 2 and shall provide documentation of diversion of materials including but not limited to receipts, invoices or letters showing material type(s) and weights or volume from diversion facilities or certification of reuse of materials on site. An approved Part 2 of the CDWMP is required prior to the issuance of occupancy.

LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311

66. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code. The developer shall submit four copies of a landscape and irrigation plan to County Planning, which include the following:
- Full landscaping of the building setback area along all street frontages.
 - A decorative pedestrian entrance from the side walk, through the landscape setback area
67. Signs. The developer shall submit all signs for review and approval. Each tenant shall submit for approval any additions or modifications to the approved signs. The signs shall adhere to the following:
- a) All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
 - b) All sign lighting shall not exceed one-half (0.5) foot-candle.
 - c) No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
 - d) There shall be no more than one freestanding sign per frontage. No freestanding sign shall be more than 25 feet above the road to which it is oriented.
 - e) Monument signs shall not exceed six feet above ground elevation and shall be limited to one per frontage.
 - f) Directional signs are allowed as shown on the sign plan submitted with landscape plans.

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68. Recordation. TPM 19063 shall be recorded prior to the issuance of building permits.
69. Irrigation and Landscaping (GHG Reduction Measure). The project shall include the following irrigation and landscaping water reduction measures:
- The project shall include drip irrigation and the installation of a water efficient landscaping system that utilizes a smart irrigation control system, with a demonstrated 20 percent reduced water use (5 points).
 - Only low water using plants (4 points).
70. Energy Efficiency for Commercial Development (GHG Reduction Measure R2E7). The project shall incorporate GHG reduction measures which include the specific features listed below, or equivalent measures that may be achieved through building code compliance. A certified statement from a qualified energy consultant is required to verify compliance as follows:
- a) Windows – Enhanced Window Insulation (.032 U-factor, .25 SHGC) (7points)
 - b) Heating and Cooling Distribution System – Enhanced Duct Insulation (10 points)
 - c) Space Heating/cooling Equipment –Improved Efficiency HVAC (7 points)
 - d) Water Heaters – Very High Efficiency Water Heaters -.92 Energy Factor (19 points)
 - e) Daylighting – All rooms within the building have at least one window or skylight (1 Point)
 - f) Artificial Lighting –High Efficiency Lights (50 % of in-unit fixtures are high efficiency) (14 points)
71. GHG Reduction Measure R2W5). The developer shall provide proof of the completion of the following.
- Recycling of Construction/Demolition Debris. Recycle 20% of debris.
72. Potable Water - Per Capita Water Use Reduction Goal (GHG Reduction Measure R2WC-1). The project shall include the following potable water reduction measures indicated below:
- The project shall include Water Efficiency toilets/urinals (3 points).
 - The project shall include Water Efficiency faucets (3 points).
73. Lighting. The “developer” shall submit for review and obtain approval from County Planning of a lighting (photometric) plan. Exterior lighting shall be kept to the minimum required for safety and shall support the preservation of night sky views. This lighting plan shall do the following:
- a) Show the type, height, and location of all outdoor lights.
 - b) Lighting shall be hooded, shielded, or directional in nature so that it does not extend beyond the property boundary and is directed downward.
 - c) All lighting shall not exceed one-half (0.5) foot-candle at the property line.
 - d) Utilize dimmers, photocells and motion detectors to reduce interior and exterior lighting, save energy and reduce night sky- light pollution
 - e) On-site lighting shall be designed in a manner to confine the area illumination to the site boundaries and in a manner to avoid glare to adjacent properties or motorists on adjacent roadways
 - f) No onsite lighting or glare from such lighting shall create any safety hazards for traffic on roadways.

PUBLIC WORKS-Traffic Division (909) 387-8186

74. Street Improvements. Based on the traffic study by Kunzman Associates, Inc., dated August 31, 2016, the applicant shall design their street improvement plans to include the following:
- Traffic signal at Cedar Ave with the northerly project driveway access with a 150' northbound left turn pocket. This signal shall be coordinated with the existing Cedar Avenue corridor. A coordinated signal timing plan shall be provided with signal design plans for review and approval. All necessary hardware and software to implement the coordination shall be identified during the design phase.
 - All other driveways along Cedar Avenue except for the signalized one shall be right in/right out only.
 - Traffic signal modification plan for the intersection of Cedar Avenue with Jurupa Avenue.
75. Construction Traffic Management Plan . *Prior to construction a Construction Traffic Management Plan shall be prepared and indicate how traffic will be managed during all phases of construction. The Plan shall be submitted to the County Traffic Engineer for review and approval, and shall include the following items:*
- *Work shall be performed between the approved work hours;*
 - *Trucks shall only travel on a County-approved construction route;*
 - *Truck queuing/staging shall not be allowed on public or private streets;*
 - *Limited queuing may occur on the construction site itself; and*
 - *The Plan shall be monitored for effectiveness, and be modified in conjunction with the County Traffic Engineer if need to improve safety and/or efficiency.*
76. Mitigation Fee Plan. *This project falls within the Regional Transportation Development Mitigation Fee Plan for the Rialto Subarea. This fee shall be paid by a cashier's check to the Department of Public Works Business Office. The Plan fees shall be computed in accordance with the Plan fees in effect as of the date that the building plans are submitted and the building permit is applied for. These fees are subject to change periodically. Currently, the fee is \$1.82 per square foot for High Cube use. The building is 676,983 sq. ft. per the site plan dated 08/30/2016. Therefore, the estimated Regional Transportation Fees for the high cube warehouse building is \$1,232,109.06 (\$1.82 per sq. ft. x 676,983 sq. ft.). The current Regional Transportation Development Mitigation Plan can be found at the following website:*
- http://www.sbcounty.gov/dpw/transportation/transportation_planning.asp

LAND USE SERVICES DEPARTMENT – Land Development Division – Roads (909) 387-8311

77. 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.

Linden Ave (Collector – 66')

- Road Dedication. A 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".

Jurupa Ave (Major Highway – 104')

- Road Dedication. A 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 Return Dedication. A 50 foot radius return grant of easement is required at the intersection of Jurupa Ave and Cedar Ave.
- Curb Returns. Curb returns shall be designed per County Standard 110. Adequate easement shall be provided to ensure any future sidewalk improvements are within Public right-of-way
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

Cedar Ave (Major Highway – 104')

- Road Dedication. A grant of easement is required to provide a half-width right-of-way of 52.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

78. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino

County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

79. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. 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. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
80. Encroachment Permits. Prior to installation of road and drainage improvements, a 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.
81. 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.
82. 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 San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
83. 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.
84. 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 County Public Works confirming the adequacy of the grade.

DEPARTMENT OF PUBLIC WORKS – Surveyor (909) 387-8149

85. Monumentation. 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 (§8771(b) Business and Professions Code).

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

86. Acoustical Checklist. Preliminary acoustical information must be submitted demonstrating that the proposed project maintains noise levels at/or below County Noise Standard(s), San Bernardino Development Code (§ 83.01.080, 87.0905). 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 DEHS for review and approval. For more information and to request an acoustical checklist contact DEHS.
87. Water Purveyor. Water purveyor shall be DEHS approved. (i.e. approved water agency/district, water source and/or well). Applicant shall procure a verification letter from the water agency with jurisdiction. The letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active water connection, a copy of the water bill with project address may suffice. For more information contact DEHS.
88. Sewer Purveyor. Sewage disposal shall be EHS approved. (i.e. approved sewage/wastewater agency/district and/or Onsite Wastewater Treatment System (OWTS)). Applicant shall procure a verification letter from the sewerage agency with jurisdiction. The letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active sewer connection, a copy of the sewer bill with project address may suffice. For more information contact DEHS.
89. LAFCO. Verification of annexation for any project that requires water or sewer connection outside a purveyor's jurisdiction must be submitted. The extension of water and sewer service to this project will require a contract with the City (with jurisdiction) for service outside its boundaries. Such a contract is required to be reviewed and approved by LAFCO before a will-serve letter or other contractual relationship can be finalized. For more information, contact the Local Agency Formation Commission (LAFCO).
90. Onsite Wells. If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to DEHS standards, properly sealed and certified as inactive OR (3) constructed to DEHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence shall be submitted to DEHS for approval.
91. OWTS. If sewer connection and/or service are unavailable, Onsite Wastewater Treatment System(s) (OWTS) may then be allowed under the following conditions: A percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For more information, contact DEHS Wastewater Section.

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92. OWTS Septic Certification. An existing septic system can be used if applicant provides certification form a qualified professional (i.e. Professional Engineer (PE), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (CEG), etc.) stating that the system functions properly, meets code and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function. For more information, contact the DEHS Wastewater Section.
93. Water Quality Control Board. Written clearance shall be obtained from the designated California Regional Water Quality control Board (listed below) and a copy forwarded to the Division of Environmental health Services.
- A. Santa Ana Region, 3737 Main St., Suite 500, Riverside, CA 92501-3339, 951-782-4130.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

94. 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 either produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied or you must install an approved fire sprinkler system. This requirement shall be completed prior to combination inspection by Building and Safety. 2,000 GPM at 20 psi for 4 hours.
95. Access. The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. Standard 902.2.1
- Single Story Road Access Width:

All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions.
 - Multi-Story Road Access Width:

Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height. [F41]
96. 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. Standard 901.4 [F93]
97. 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. [F59A]

98. Water System Large Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. The applicant is required to provide a minimum of one new six (6) inch fire hydrant assembly with one (1) two and one half (2 1/2) inch and two (2) four (4) inch outlet. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than one hundred fifty (150) feet from any portion of a structure. [F54A]
99. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval.

PRIOR TO FINAL INSPECTION OR OCCUPANCY
The Following Shall Be Completed

LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section (909) 387-8311

100. 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.
101. 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.

PUBLIC WORKS – Solid Waste Management (909) 386-8701

102. 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 50% of total weight or volume of all construction waste.

LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387-8311

103. Condition Compliance Release Sign-off. Prior to occupancy all Department/Division requirements and sign-offs shall be completed.

PUBLIC WORKS-Traffic Division (909) 387-8186

104. Road Improvements Installed. The applicant shall construct, at 100% cost to the applicant all roadway improvements as shown on the approved street improvement plans.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

105. Commercial - Large facility Addressing. Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances. Standard 901.4.4 [F83]

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106. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
 107. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed. Standard 901.4.4
 108. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock. Standard 902.4
 109. Override Switch. Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ®) is required. Standard 902.4
 110. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. Standard 901.4.3.
 111. Fire Alarm. A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. 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. Standard 1007.1.1FA.
 112. High-Piled Storage. The applicant shall submit an application for high-piled storage (internal storage over 12' in height), three (3) sets of detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S-2, commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal. Standard 8101 [F66]
 113. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #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 three (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacture's specification sheets. 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. Standard 101.1.

114. Class I standpipe system. A Class I standpipe system is required. A Fire Department approved fire sprinkler contractor shall submit three (3) sets of hydraulic calculations and detailed plans to the Fire Department for review and approval, showing type of storage and use with the applicable protection system. Commercial and industrial buildings in excess of two hundred thousand (200,000) square feet with an interior area less than four hundred (400) feet in width, shall be equipped with a Class I standpipe system, located at every other access door maximum of three hundred (300) feet spacing. Buildings with an interior area greater than four hundred (400) feet in width shall be equipped with a Class I standpipe system located at every access door maximum of one hundred (100) foot spacing. Standpipe connections shall be configured to reach any portion of interior space within two hundred (200) feet in any direction of travel. This system shall be calculated to provide two hundred and fifty (250) gpm @ 100 psi per hose outlet from an adjacent fire sprinkler riser with two hand lines flowing. The two most hydraulically remote outlets are to be included in the design for a total flow of 500 gpm minimum per system. A Fire Department approved fire sprinkler contractor shall submit hydraulic four (4) sets of hydraulic calculations and detailed plans t, showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 8102.9.2 [F70]

LAND USE SERVICES DEPARTMENT – Planning Division (909) 387-8311

115. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each affected agency.
116. Landscaping Installed. All proposed landscaping, hardscape, exterior features (benches, walkways, bike racks etc), walls and fencing shall be installed as shown on the approved landscaping plan.
117. Parking Lot Installed: On-site parking and circulation requirements shall be installed, inspected and approved as being in compliance with SBCC Chapter 83.11. The appropriate parking plan shall be implemented based on the identified tenant, and stalls painted accordingly. The following shall be completed:
- a) Surface. All access drives shall be surfaced with all-weather paving with a minimum of three inches asphalt and six inches of base or greater as determined necessary by County Building and Safety to be adequate to accommodate long-term and extensive use by heavy hauling trucks.
 - b) Markings. All circulation markings shall be clearly painted and permanently maintained, including arrows painted to indicate direction of traffic flow.
 - c) Crosswalks. All on-site internal pedestrian crosswalks shall be delineated with a minimum 3" white or yellow painted line stripe. All pedestrian crossings in public right-of-way shall be per County Standards.
 - d) Stops. All internal parking lot driveway intersections shall be installed with a painted stop limit line and shall have either a breakaway pole "STOP" sign and/or painted "STOP" lettering on the paving in front of the limit line.
 - e) Parking Space Striping. All paved parking stalls shall be clearly striped and permanently maintained.

- All paved non-truck parking stalls shall be striped with double/hairpin lines with the two lines being located an equal nine inches on either side of the stall sidelines. Each use shall have a minimum of four standard parking stalls (9'x19'), one loading zone (10' x 20' with 14' clearance) and one van accessible space for the disabled (9'+ 8' x 19'), plus one additional space for each company vehicle.
 - All paved truck parking stalls and docks shall have at a minimum a single six-inch wide line per each side of the stall.
- f) Multi-modal. All required multi-modal amenities (e.g. bike stands, motorcycle parking, mass transit access, carpool preferred parking, vanpool passenger pickup etc.) shall be installed per approved plans.
118. Screening Installed. All required screening and buffering measures shall be installed. All rooftop mechanical equipment shall be screened from ground vistas. All trash enclosures shall be screened from public view and shall be double-bin capacity with a rainproof roof.
119. Building Elevations. The building construction shall be completed in conformance with the approved architectural elevations to the satisfaction of County Planning.
120. 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 P201400543 shall be paid in full.
121. Air Quality Mitigation-1. *The Applicant shall demonstrate to the satisfaction of County Planning that the below measures would be implemented. The Project Applicant shall submit for review, and obtain approval from County Planning, a signed letter agreeing to include as a condition of all construction contracts, tenant agreements, etc. of the following measures:*
- *The proposed warehouse shall be constructed with the appropriate infrastructure (e.g. service tie-in, dedicated panel or panel space, and wiring or conduit for future outlets) to facilitate future electric charging for trucks in anticipation of technology allowing trucks to operate partially on electricity.*
 - *At least 3 percent of all vehicle parking spaces (including for trucks) shall include EV charging stations.*
 - *Legible, durable, weather-proof signs shall be placed at truck access gates, loading docks, and truck parking areas that identify applicable California Air Resources Board (CARB) anti-idling regulations. At a minimum each sign shall include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for drivers of diesel trucks to restrict idling to no more than five (5) minutes; and 3) telephone numbers of the building facilities manager and CARB to report violations.*
 - *In order to promote alternative fuels, and help support "clean" truck fleets, the developer/successor-in-interest shall provide building occupants with information related to SCAQMD's Carl Moyer Program, or other such programs that promote truck retrofits or "clean" vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. Tenants shall be notified by the property owner, in writing,*

about the availability of: 1) alternatively fueled cargo handling equipment; 2) grant programs for diesel fueled vehicle engine retrofit and/or replacement; 3) designated truck parking locations in the Project vicinity; 4) access to alternative fueling stations proximate to the site that supply compressed natural gas; and 5) the United States Environmental Protection Agency's SmartWay program.

122. (GHG Reduction Measure R2T2). The developer shall provide proof of the completion of the following.
 - Car/Vanpools The project applicant shall require that any future tenants institute a ride sharing program that is open to all employees with preferred parking. (1 point)
 - Employee Bicycle Pedestrian Programs. Complete sidewalks to residential within ½ mile. (1 point) Bike Lockers and Secure Racks (1 point). Local Transit within ¼ mile (1 point).
123. (GHG Reduction Measure R2T5). The developer shall provide proof of the completion of the following.
 - Charging Station. Provide public charging station for use by an electric vehicle (ten points for each charging station within the facility).(40 points)
124. (GHG Reduction Measure R2W6). The developer shall provide proof of the completion of the following.
 - Recycling. 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)
125. GHG – Installation/Implementation Standards. The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met.
126. Underground Utilities. All new and existing local on-site utility lines located on or around the perimeter of the site, shall be placed underground.

LAND USE SERVICES DEPARTMENT – Land Development Division – Roads (909) 387-8311

127. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
128. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
129. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.

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130. 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.

 131. Landscape Maintenance. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

END OF CONDITIONS

EXHIBIT E

TPM Conditions of Approval

Tentative Parcel Map 19635

PROJECT DESCRIPTION

1. Project Approval Description. Tentative Parcel Map 19635, is approved to create one parcel on 34.54 acres, and may be recorded in compliance with the conditions of approval, the approved stamped tentative map and the required Composite Development Plan. The project site is located at the northwest corner of the intersection of Cedar Avenue and Jurupa Avenue in the Community of Bloomington. APN: 0257-091-23*, Project Number P201500122.

NOTICES

2. Expirations/TPM. This conditional approval of the Tentative Parcel Map shall become null and void unless all conditions have been completed and the 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/TPM. 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/TPM. 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 Parcel Map recordation will be coordinated by the County Surveyor.

6. Project Account. The Job Costing System (JCS) account number is P201500122. 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 \$500.00 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.
8. 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:

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, Department of Public Works, Department of Public Health, County Fire Department
9. 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.

COUNTY FIRE DEPARTMENT – Community Safety Division (909) 386-8465

10. 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.

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. Non-Interference Letter. 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.
13. Easements. 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.
14. Fees. Review of the Parcel Map by our office is based on actual cost, and requires an initial deposit of \$3,000. Prior to recordation of the map all fees due to our office for the project shall be paid in full.
15. Title Report. A current Title Report prepared for subdivision purposes is required at the time the map is submitted to our office for review.
16. Monument Disturbance. If any activity on the project will disturb any land survey documentation, 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 appropriate documents shall be filed with the County Surveyor pursuant to Section 8771(b) of the Business and Professions Code.

PUBLIC HEALTH – Environmental Health Services [DEHS] (800) 442-2283

17. Water Purveyor. Water purveyor shall be West Valley Water District or EHS approved. Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. This letter shall reference the project number P201500122 and the Assessor's Parcel Number: 0257-091-23*. 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.

18. Sewer Purveyor. Sewage disposal shall be EHS approved. (i.e. approved sewage/wastewater agency/district and/or Onsite Wastewater Treatment System (OWTS)). Applicant shall procure a verification letter from the sewerage agency with jurisdiction. The letter shall state whether or not sewer connection and service shall be made available to the project by the sewerage agency. The letter shall also reference the project name and assessor's parcel number. For projects with a current active sewer connection, a copy of the sewer bill with project address may suffice. For more information contact DEHS.
19. LAFCO. Verification of annexation for any project that requires water or sewer connection outside a purveyor's jurisdiction must be submitted. The extension of water and sewer service to this project will require a contract with the City (with jurisdiction) for service outside its boundaries. Such a contract is required to be reviewed and approved by LAFCO before a will-serve letter or other contractual relationship can be finalized. For more information, contact the Local Agency Formation Commission (LAFCO).
20. OWTS. If sewer connection and/or service are unavailable, Onsite Wastewater Treatment System(s) (OWTS) may then be allowed under the following conditions: A percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For more information, contact DEHS Wastewater Section.
21. Water Quality Control Board. Written clearance shall be obtained from the designated California Regional Water Quality control Board (listed below) and a copy forwarded to the Division of Environmental health Services.

Santa Ana Region, 3737 Main St., Suite 500, Riverside, CA 92501-3339, 951-782-4130.

LAND USE SERVICES DEPARTMENT – Building and Safety Division (909) 387-8311

22. Geotechnical (Soil) Report: 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.

23. Geology Report. 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 final project approval.
24. 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.

LAND USE SERVICES DEPARTMENT-Land Development-Drainage (909) 387-8311

25. Realignment of Flood Control facility per approved CSDP 3-4/line "B". The developer shall submit a design plan to Department of Public Works/Flood Control District (FCD) for review and approved obtained.
26. Drainage Improvements. A Registered Civil Engineer 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 \$550 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.
27. Drainage Easements. Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities/or concentration of runoff from the site. Proof of recordation shall be provided to the Land Development Division.
28. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities
29. Grading Plans. Grading plans shall be submitted for review and approval obtained if grading occurs prior to Final Map recordation. All drainage and WQMP improvements shall be shown on the grading plans according to the approved drainage study WQMP reports. An \$806 deposit for grading plan 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.

LAND USE SERVICES DEPARTMENT-Land Development-Road (909) 387-8311

30. 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.

Linden Ave (Collector – 66')

- Road Dedication. A 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".

Jurupa Ave (Major Highway – 104')

- Road Dedication. A 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 Return Dedication. A 50 foot radius return grant of easement is required at the intersection of Jurupa Ave and Cedar Ave.
- Curb Returns. Curb returns shall be designed per County Standard 110. Adequate easement shall be provided to ensure any future sidewalk improvements are within Public right-of-way
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.

Cedar Ave (Major Highway – 104')

- Road Dedication. A grant of easement is required to provide a half-width right-of-way of 52.

- Sidewalks. Design sidewalks per County Standard 109 Type "C".
 - Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.
31. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
 32. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction. Any utility affecting construction shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
 33. Improvement Securities. Any required public or private road, drainage, WQMP, and/or utility improvements for subdivisions shall be bonded in accordance with County Development code unless constructed and approved prior to recordation. All necessary fees shall be provided in accordance with the latest fee schedule.
 34. Maintenance Bond. Once all required public and private road, drainage, WQMP, and/or utility improvements have been constructed and approved, a maintenance bond for a period of one year shall be required to insure satisfactory condition of all improvements. Submit necessary fees, per the latest fee schedule, for new securities.
 35. Encroachment Permits. Prior to installation of road and drainage improvements, a 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.

36. 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 San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
37. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
38. 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.
39. 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 County Public Works confirming the adequacy of the grade.
40. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
41. Structural Section Testing. Prior to map recordation, a thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to the County Public Works.

END OF CONDITIONS

EXHIBIT F

Correspondence



T 510.836.4200
F 510.836.4205

410 12th Street, Suite 250
Oakland, Ca 94607

www.lozeaudrury.com
richard@lozeaudrury.com

BY US MAIL

April 1, 2016

**Kevin White
San Bernardino County - Land Use Services Department
(909) 387-3067
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0187**

RE: Western Realco Bloomington Facility (SCH #2016031085)

Dear Mr. White:

I am writing on behalf of the Laborers International Union Local Number 783, and its many members living in San Bernardino County concerning the Notice of Preparation ("NOP") under the California Environmental Quality Act ("CEQA") for the Western Realco Bloomington Facility (SCH #2016031085) ("Project."). Thank you for inviting comments on the NOP. We request that the County prepare a full environmental impact report ("EIR") for the Project and analyze and propose mitigation for all significant impacts created by the Project.

We hereby request that the County of San Bernardino ("County") send by electronic mail or U.S. mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the County and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the County, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA"), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report ("EIR") is required for a project, prepared pursuant to Public Resources Code Section 21080.4.

2016 APR 5 10:09 AM

- **Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.**
- **Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.**
- **Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.**
- **Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.**
- **Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.**
- **Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.**
- **Notice of any Final EIR prepared pursuant to CEQA.**

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092, which require local counties to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

In addition, we request that the County send to us via email or U.S. Mail a copy of all County Board of Supervisors or Planning Commission meeting and/or hearing agendas.

Please send notice by electronic mail or U.S. mail to:

**Richard Drury
Theresa Rettinghouse
Lozeau Drury LLP
410 12th Street, Suite 250
Oakland, CA 94607
richard@lozeaudrury.com
theresa@lozeaudrury.com**

Please call should you have any questions. Thank you for your attention to this matter.

Sincerely,

Richard Drury

Salas Puente, Ruben D

From: Gabrieleno Band of Mission Indians <gabrielenoindians@yahoo.com>
Sent: Tuesday, April 05, 2016 11:24 PM
To: kevin.white@lus.sbcounty.gov
Subject: western Realco Bloomington facility

Please forward any information regarding this project.

Sincerely,

Andrew Salas, Chairman
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
cell: (626)926-4131
email: gabrielenoindians@yahoo.com
website: www.gabrielenoindians.org

Salas Puente, Ruben D

From: Daniel McCarthy <DMcCarthy@sanmanuel-nsn.gov>
Sent: Thursday, April 07, 2016 12:13 PM
To: 'White, Kevin - LUS'
Subject: Scoping meeting for Western Realco Bloomington Facility

Hi Kevin,

We received the Scoping notice for the proposed Western Realco Bloomington Facility. We will not be able to attend due to prior commitments. However, we would like to offer for the record our recommendation that a cultural resources records search be conducted with a one mile search radius and that if the subject parcels have not been previously developed, that a Phase I cultural resources study be conducted, with a copy forwarded to our office for our information. If tribal cultural resources are identified during the records search and/or the study, we will opt for consultation.

Thank you,
Leslie Mouriquand MA, RPA

Daniel McCarthy, MS, RPA
Director
Cultural Resources Management Department
San Manuel Band of Mission Indians
26569 Community Center Drive
Highland, CA 92346
Office: 909 864-8933 x 3248
Cell: 909 838-4175
dmccarthy@sanmanuel-nsn.gov

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that the email address record can be corrected. Thank You



**South Coast
Air Quality Management District**
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

April 13, 2016

kevin.white@lus.sbcounty.gov

Kevin White, Senior Planner
San Bernardino County, Land Use Services Department
385 North Arrowhead Ave., 1st Floor
San Bernardino, CA 92415

**Notice of Preparation of a CEQA Document for the
Western Realco Bloomington Facility**

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the CEQA document upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. In addition, please send with the Draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. More recent guidance developed since this Handbook was published is also available on SCAQMD's website here: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to the recommended regional significance thresholds found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air quality impacts, the SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*") can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source->

toxics-analysis. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board's *Air Quality and Land Use Handbook: A Community Perspective*, which can be found at the following internet address: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying possible mitigation measures for the project, including:

- Chapter 11 of the SCAQMD *CEQA Air Quality Handbook*
- SCAQMD's CEQA web pages at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: <http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions
- Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>

SCAQMD Recommendation for Truck Trip Rates for High Cube Warehouse Projects

SCAQMD recommends the use of truck trip rates from the Institute of Transportation Engineers (ITE) for high cube warehouse projects located in SCAQMD (i.e. 1.68 average daily vehicle trips per 1,000 s.f. and 0.64 average daily truck trips per 1,000 s.f.). Consistent with CEQA Guidelines, the EIR may use a non-default trip rate if there is substantial evidence indicating another rate is more appropriate for the air quality analysis.

For high cube warehouse projects, the SCAQMD staff has been working on a Warehouse Truck Trip Study to better quantify trip rates associated with local warehouse and distribution projects, as truck emission represent more than 90 percent of air quality impacts from these projects. Details regarding this study can be found online here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/high-cube-warehouse>

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's webpage (<http://www.aqmd.gov>).

The SCAQMD staff is available to work with the Lead Agency to ensure that project emissions are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at jcheng@aqmd.gov or call me at (909) 396-2448.

Sincerely,

Jillian Wong

Jillian Wong, Ph.D.
Program Supervisor
Planning, Rule Development & Area Sources

SBC160325-02
Control Number



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 484-0459
www.wildlife.ca.gov

EDMUND G. BROWN, Jr., Governor
CHARLTON H. BONHAM, Director



April 18, 2016

Kevin White, Planner
County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

**Subject: Notice of Preparation of a Draft Environmental Impact Report
Western Realco Bloomington Facility Project
State Clearinghouse No. 2016031085**

Dear Mr. White:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Western Realco Bloomington Facility Project (project) [State Clearinghouse No. 2016031085]. The Department is responding to the NOP as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The approximately 35.54-acre project site is located west of Linden Avenue, approximately 650 feet south of Santa Ana Avenue, approximately 650 feet east of Cedar Avenue, and approximately 1,300 feet north of Jurupa Avenue; within the unincorporated community of Bloomington, in southwestern San Bernardino County, California; latitude 34°03'8.64", longitude -117°23'59.39". The proposed project consists of a General Plan Amendment to change the existing land use designation from residential and institutional uses to industrial uses, a Tentative Parcel Map to combine the existing 17 parcels into one lot, and a Conditional Use Permit to construct a 676,983 square foot industrial warehouse building and associated facilities and improvements. Associated facilities include a proposed guard booth, parking, bicycle racks, landscaping, and detention basins.

Conserving California's Wildlife Since 1870

COMMENTS AND RECOMMENDATIONS

The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources); and administers the Natural Community Conservation Planning Program (NCCP Program). The Department offers the comments and recommendations presented below to assist the County of San Bernardino (County; the CEQA lead agency) in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable the Department to adequately review and comment on the proposed project with respect to impacts on biological resources. The Department recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable Department staff to adequately review and comment on the project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. The Department recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. The Department recommends that floristic, alliance- and/or association based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. The Department's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or bdb@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed project. The Department recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at:
http://www.dfg.ca.gov/biogeodata/cnddb/submitting_data_to_cnddb.asp

Please note that the Department's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. The Department recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the project footprint and within offsite areas with the potential to be effected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service, where necessary. Note that the Department generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if the project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following the Department's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <https://www.wildlife.ca.gov/Conservation/Plants>);
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]);

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the project. To ensure that project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address project-related changes on drainage patterns and water quality within, upstream, and downstream of the project site, including: volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil

erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site.

2. A discussion of potential indirect project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. A cumulative effects analysis developed as described under CEQA Guidelines § 15130. Please include all potential direct and indirect project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the project. When proposing measures to avoid, minimize, or mitigate impacts, the Department recommends consideration of the following:

1. **Fully Protected Species:** Fully Protected Species (Fish and Game Code § 3511) have the potential to occur within or adjacent to the project area, including, but not limited to: white-tailed kite (*Elanus leucurus*). Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the project area. The Department also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. The Department recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.
2. **Mitigation:** The Department considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement should be evaluated and discussed in detail. If onsite mitigation is not

feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

3. ***Nesting Birds and Migratory Bird Treaty Act:*** Please note that it is the project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). In addition, sections 3503, 3503.5, and 3513 of the Fish and Game Code (FGC) also afford protective measures as follows: Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by FGC or any regulation made pursuant thereto; Section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by FGC or any regulation adopted pursuant thereto; and Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

The Department recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. The Department recommends that pre-construction surveys be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner. Because different species commence nesting at different times of the year, the Department does not recommend relying on seasonal restrictions to preclude impacts to nesting birds. Rather, we recommend that pre-construction surveys be required regardless of the time of year.

4. ***Burrowing Owl:*** The Department is concerned that burrowing owls could potentially occupy areas very close to and/or within the project site. In the Department's

opinion, the potential for owls to occur within the project site and particularly to forage within the project site is high. The project has the potential to cause the loss of nesting and/or foraging habitat for burrowing owl.

The Department recommends that the City of Fontana follow the recommendations and guidelines provided in the Staff Report on Burrowing Owl Mitigation (Department of Fish and Game, March 2012); available for download from the Department's website:

https://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html. The Department expects that the City of Fontana will follow the *Staff Report on Burrowing Owl Mitigation*, which specifies that the steps for project impact evaluations include:

- a. A habitat assessment;
- b. Surveys; and
- c. An impact assessment.

As stated in the *Staff Report on Burrowing Owl Mitigation*, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with FGC sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

5. ***Moving out of Harm's Way:*** The proposed project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, the Department recommends that the lead agency condition the DEIR to require that a Department-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., the Department does not recommend relocation to other areas). Furthermore it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.
6. ***Translocation of Species:*** The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare,

threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful. Translocation

California Endangered Species Act

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA). The Department recommends that a CESA ITP be obtained if the project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

The Department encourages early consultation, as significant modification to the proposed project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. Please note that the proposed avoidance, minimization, and mitigation measures must be sufficient for the Department to conclude that the project's impacts are fully mitigated and the measures, when taken in aggregate, must meet the full mitigation standard. Revisions to the California Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA ITP unless the Project CEQA document addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit.

Lake and Streambed Alteration Program

Fish and Game Code section 1602 requires an entity to notify the Department prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, the Department determines if the proposed project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your project that would eliminate or reduce harmful impacts to fish and wildlife resources.

The Department's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with the Department is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

Additional Comments and Recommendations

California is experiencing one of the most severe droughts on record. To ameliorate the water demands of this project, the Department recommends incorporation of water-wise concepts in project landscape design plans. In particular the Department recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Local water agencies/districts, and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <http://saveourwater.com/what-you-can-do/tips/landscaping/>

Further Coordination

The Department appreciates the opportunity to comment on the NOP of a DEIR for the Western Realco Bloomington Facility Project (SCH No. 2016031085) and recommends that the County address the Department's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, or wish to schedule a meeting and/or site visit, please contact Gabriele Quillman at (909) 980-3818 or at gabriele.quillman@wildlife.ca.gov.

Sincerely,



Leslie MacNair
Regional Manager

Literature Cited

California Department of Fish and Game. (CDFG). 2012. Staff report on burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: https://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. <http://vegetation.cnps.org/>

Salas Puente, Ruben D

From: Melody Segura <msegura@rialto.ca.gov>
Sent: Tuesday, April 19, 2016 11:19 AM
To: 'kevin.white@lus.sbcounty.gov'
Cc: Gina Gibson
Subject: RE: Western Realco Bloomington Facility

Importance: High

Dear Mr. White,

Would you please send us the traffic study and the site plan for the Western Realco Bloomington Facility Project located on the Northwest corner of Cedar Avenue and Jurupa Avenue. Thank you for your assistance.

Best,
Melody Segura
Intern
City of Rialto/Development Services
909-820-2525 x 2211



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CITY OF FONTANA CALIFORNIA

April 20, 2016

Kevin White
County of San Bernardino
385 North Arrowhead Ave, 1st Floor
San Bernardino, CA 92415

RE: Western Realco Bloomington Facility Notice of Preparation

Dear Mr. White:

Thank you for the opportunity to review and comment on the Notice of Preparation (NOP) for Draft Program Environmental Impact Report (DEIR) for the Western Realco Bloomington Facility Notice of Preparation. The City of Fontana appreciates the County of San Bernardino outreach efforts as part of the NOP process. We look forward to working with your agency throughout the project. Once available, please send a copy of the Draft Environmental Impact Report, and associated technical studies to my attention. My contact information is provided below:

Rina Leung
Assistant Planner
8353 Sierra Avenue
Fontana, CA 92335
(909) 350-6723
ltrover@fontana.org

Thank you for inviting the City of Fontana to participate in the public review process.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rina Leung".

Rina Leung
Assistant Planner



Department of Public Works
Environmental & Construction • Flood Control
Operations • Solid Waste Management
Surveyor • Transportation

Gerry Newcombe
Director

April 21, 2016

San Bernardino County
Land Use Services Department
Kevin White, Senior Planner
Kevin.White@lus.sbcounty.gov

File: 10(ENV)-4.01

RE: CEQA - NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE WESTERN REALCO BLOOMINGTON FACILITY FOR THE COUNTY OF SAN BERNARDINO LAND USE SERVICES DEPARTMENT

Dear Mr. White:

Thank you for giving the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. We received this request on March 24, 2016 and pursuant to our review, the following comments are provided:

Permits/Operations Support Division (Melissa Walker, Chief, 909-387-7995):

- 1. Any work affecting the San Bernardino County Flood Control District (District) parcels would need a Flood Control Permit since these parcels are for Comprehensive Storm Drain Plan (CSDP) 3-4 which is a master planned facility.

Flood Control Planning Division (David Lovell, PWE III, 909-387-7964):

- 1. We have reviewed the NOP and the project impacts to the District will include a Flood Control Easement going through the center of the property. We request that consideration in the NOP be given to the Facility Improvements in CSDP #3. Also, in our cursory review, it appears the District right-of-way is about 50 ft., and not 25 ft. as indicated in the NOP. We can be more specific as the document is developed. The CSDP #3 document can be found in the DPW Planning Division.

Water Resources Division (Mary Lou Mermillod, PWE III, 909-387-8213):

- 1. The NOP states that the existing District right-of-way would be abandoned and an alternate easement would be dedicated to the District to facilitate future drainage improvements. Details of this should be discussed with the District's Right-of-Way, Section Chief, Tom Williams at (909) 387-8256.

If you have any questions, please contact the individuals who provided the specific comment, as listed above.

Sincerely,

NIDHAM ARAM ALRAYES, MSCE, PE, QSD/P
Public Works Engineer III
Environmental Management

NAA:PE:er

BOARD OF SUPERVISORS

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GREGORY C. DEVEREAUX
Chief Executive Officer



April 22, 2016

Mr. Kevin White, Senior Planner
County of San Bernardino
Land Use Services Department – Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, California 92415
E-mail: kevin.white@lus.sbcounty.gov

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Western Realco Bloomington Facility [SCAG NO. IGR8802]

Main Office
818 West 7th Street
12th Floor
Los Angeles, California
90017-3435
t (213) 236-1800
f (213) 236-1825
www.scag.ca.gov

Dear Mr. White,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Western Realco Bloomington Facility ("proposed project") to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including the Sustainable Communities Strategy ((SCS) pursuant to Senate Bill (SB) 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.¹ Guidance provided by these reviews is intended to assist local agencies such as local jurisdictions and project proponents to take actions that help contribute to the attainment of the regional goals and policies in the RTP/SCS.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Western Realco Bloomington Facility in unincorporated San Bernardino County. The proposed project includes the construction of a 676,983 square foot distribution building with associated facilities and improvements such as a guard booth, parking, bicycle racks, landscaping and detention basins on approximately 34.54 acres.

When available, please send environmental documentation to SCAG's office in Los Angeles or by email to sunl@scag.ca.gov providing, at a minimum, the full public comment period for review. If you have any questions regarding the attached comments, please contact the Inter-Governmental Review (IGR) Program, attn.: Lijin Sun, Senior Regional Planner, at (213) 236-1882 or sunl@scag.ca.gov. Thank you.

Sincerely,

Ping Chang
Acting Manager, Compliance and Performance Monitoring

¹ Lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the 2016 RTP/SCS for the purpose of determining consistency for CEQA. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a determination of consistency with the 2016 RTP/SCS for CEQA.

The Regional Council consists of 86 elected officials representing 191 cities, six counties, six County Transportation Commissions, one representative from the Transportation Corridor Agencies, one Tribal Government representative and one representative for the Air Districts within Southern California.

**COMMENTS ON THE NOTICE OF PREPARATION OF A
DRAFT ENVIRONMENTAL IMPACT REPORT FOR
THE WESTERN REALCO BLOOMINGTON FACILITY [SCAG NO. IGR8802]**

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS. For the purpose of determining consistency with CEQA, lead agencies such as local jurisdictions have the sole discretion in determining a local project's consistency with the RTP/SCS.

2016 RTP/SCS GOALS

The SCAG Regional Council adopted the 2016 RTP/SCS in April 2016. The 2016 RTP/SCS seeks to improve mobility, promote sustainability, facilitate economic development and preserve the quality of life for the residents in the region. The long-range visioning plan balances future mobility and housing needs with goals for the environment, the regional economy, social equity and environmental justice, and public health (see <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>). The goals included in the 2016 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2016 RTP/SCS are the following:

SCAG 2016 RTP/SCS GOALS	
RTP/SCS G1:	<i>Align the plan investments and policies with improving regional economic development and competitiveness</i>
RTP/SCS G2:	<i>Maximize mobility and accessibility for all people and goods in the region</i>
RTP/SCS G3:	<i>Ensure travel safety and reliability for all people and goods in the region</i>
RTP/SCS G4:	<i>Preserve and ensure a sustainable regional transportation system</i>
RTP/SCS G5:	<i>Maximize the productivity of our transportation system</i>
RTP/SCS G6:	<i>Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking)</i>
RTP/SCS G7:	<i>Actively encourage and create incentives for energy efficiency, where possible</i>
RTP/SCS G8:	<i>Encourage land use and growth patterns that facilitate transit and active transportation</i>
RTP/SCS G9:	<i>Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*</i>
	<small>*SCAG does not yet have an agreed-upon security performance measure.</small>

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the goals and supportive analysis in a table format. Suggested format is as follows:

SCAG 2016 RTP/SCS GOALS	
Goal	Analysis
RTP/SCS G1: <i>Align the plan investments and policies with improving regional economic development and competitiveness</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
RTP/SCS G2: <i>Maximize mobility and accessibility for all people and goods in the region</i>	<i>Consistent: Statement as to why; Not-Consistent: Statement as to why; Or Not Applicable: Statement as to why; DEIR page number reference</i>
etc.	etc.

2016 RTP/SCS STRATEGIES

To achieve the goals of the 2016 RTP/SCS, a wide range of land use and transportation strategies are included in the 2016 RTP/SCS. Technical appendances of the 2016 RTP/SCS provide additional supporting information in detail. To view the 2016 RTP/SCS, please visit: <http://scagrtpscs.net/Pages/FINAL2016RTPSCS.aspx>. The 2016 RTP/SCS builds upon the progress from the 2012 RTP/SCS and continues to focus on integrated, coordinated, and balanced planning for land use and transportation that the SCAG region strives toward a more sustainable region, while the region meets and exceeds in meeting all of applicable statutory requirements pertinent to the 2016 RTP/SCS. These strategies within the regional context are provided as guidance for lead agencies such as local jurisdictions when the proposed project is under consideration.

DEMOGRAPHICS AND GROWTH FORECASTS

Local input plays an important role in developing a reasonable growth forecast for the 2016 RTP/SCS. SCAG used a bottom-up local review and input process and engaged local jurisdictions in establishing the base geographic and socioeconomic projections including population, household and employment. At the time of this letter, the most recently adopted SCAG jurisdictional-level growth forecasts that were developed in accordance with the bottom-up local review and input process consist of the 2020, 2035, and 2040 population, households and employment forecasts. To view them, please visit <http://www.scag.ca.gov/Documents/2016GrowthForecastByJurisdiction.pdf>. The growth forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts			Adopted Unincorporated San Bernardino County Forecasts		
	Year 2020	Year 2035	Year 2040	Year 2020	Year 2035	Year 2040
Population	19,863,000	22,091,000	22,138,800	304,300	340,400	344,100
Households	6,458,000	7,325,000	7,412,300	98,800	110,500	111,300
Employment	8,414,000	9,441,000	9,871,500	68,800	88,300	91,100

MITIGATION MEASURES

SCAG staff recommends that you review the Final Program Environmental Impact Report (Final PEIR) for the 2016 RTP/SCS for guidance, as appropriate. SCAG's Regional Council certified the Final PEIR and adopted the associated Findings of Fact and a Statement of Overriding Considerations (FOF/SOC) and Mitigation Monitoring and Reporting Program (MMRP) on April 7, 2016 (please see: <http://scagrtpscs.net/Pages/FINAL2016PEIR.aspx>). The Final PEIR includes a list of project-level performance standards-based mitigation measures that may be considered for adoption and implementation by lead, responsible, or trustee agencies in the region, as applicable and feasible. Project-level mitigation measures are within responsibility, authority, and/or jurisdiction of project-implementing agency or other public agency serving as lead agency under CEQA in subsequent project- and site- specific design, CEQA review, and decision-making processes, to meet the performance standards for each of the CEQA resource categories.

Salas Puente, Ruben D

From: Cruz <cruzsembello@hotmail.com>
Sent: Wednesday, April 13, 2016 8:24 PM
To: White, Kevin - LUS
Subject: April 13 Scoping Meeting

Hello! Kevin,

Thank you for today's "Scoping" meeting this morning. Wanted to reiterate some of my questions/comments.

1. Please consider having evening meeting for those not able to attend today's morning meeting. There are many concerns in my neighborhood on Stallion Lane. Meeting dates should be available in advance to all. MAC does not have website or does not publish meetings with agenda in advance so we may attend meetings. Especially in regards to development.

2. **Set Back-** to deter Graffiti. This would include landscaping.

3. **Lighting-**I know there is ordinance and guidelines in place...however do not want bright lights shining into homes.

4. **Linden Street Exit-**Consideration would be appreciated to detour traffic to Santa Ana, Jurupa or Cedar. Zimmerman Elementary School is across the street with already congestion. Safety issue for children/parents.

5. **Air Quality-**I know that is part of EIR...Truck, exhaust emissions are a concern because of surrounding schools and residents. How many trucks/vehicles will be exiting facility and adding to already existing problems.

6. **Safety-**Will there be added law enforcement to area due to added traffic issues.

Again, thank you for your attention. Please feel free to contact me if any questions.

Regards,

Cruz Baca (Sembello)
Owner: 18484 Stallion Lane
Bloomington, CA 92316

Phone: 626 806-9583

Salas Puente, Ruben D

From: ken graham <kengraham0000@gmail.com>
Sent: Wednesday, April 20, 2016 8:30 AM
To: White, Kevin - LUS
Subject: scoping meeting

Good morning Mr. White, I would like to apologize for talking to the MAC representative and missing the last statement of the meeting. I did not realize the meeting was ending. my main concerns about this project are,
(1) There is no way for the big rigs to turn left and go north so as a result they will be turning into residential area to make three right hand turns to end up on Jurupa and then turn left on Cedar Ave. to end up going north. This is already a problem since they erected a center island and residents can't turn left exiting residential streets now. Everyone is forced to use Jurupa to turn left in the neighborhood now and the added traffic of the big rigs using this route also would just clog up the light at Cedar since there is no dedicated left turn lane. We even have double trailers coming up 14 th street right now.

(2) The traffic at shift end and shift start from the sheer number of employees this distribution center would require using the same roads as children walking to and from school, and also getting rides to school would definitely create a safety hazard. There are two elementary schools within a half mile, a high school within one mile, and another junior high school within one mile, and a park at the corner of Linden and Jurupa with kids playing and little league baseball being played all the time.

(3) The nighttime noise of a business of this nature probably can't be muffled

(4) The hazards of chemical spills if chemical are allowed to be loaded and unloaded at this location. Would there be any restrictions since this is a residential area.

(5) what is the reason for no dirt disturbance for the last 10 - 15 years through code enforcement agency.

(6) Is this land for sale or is eminent domain going to be used to acquire all or part of said land.

(7) Commercial land just as large is already up for sale even closer to the 10 frwy than this site and it wouldn't even have to be rezoned.




County of San Bernardino
EIR Public Scoping Meeting
Western Realco Bloomington Facility Project
San Bernardino County Government Center
April 13, 2016 at 9:00 a.m.

This form may be used to submit comments and suggestions in regard to environmental issues that should be included in the Draft Environmental Impact Report (EIR) for the proposed Western Realco Bloomington Facility Project.

Name (please print) PAMELA VALDEZ
Mailing Address 18315 STALLION LN
BLM. CA 92316
Telephone No. (daytime) _____
Fax No. _____
E-mail address _____
Organization/Affiliation HOMESOWNER / BLOOMINGTON

The Draft EIR for the proposed Western Realco Bloomington Facility Project should address the following potentially significant environmental impacts:

TO CLOSE TO PUBLIC ELEMENTARY SCHOOL
AND SURROUNDING HOMES.
WILL IMPACT NEIGHBORHOOD TRAFFIC WITH
DAY USE OF OUR SURROUNDING STREETS

Signature 

Thank you for your assistance.

Written comments will be accepted until April 22, 2016 and may be directed to Kevin White, Senior Planner, at the Land Use Services Department, Planning Division, located at 385 North Arrowhead Avenue, First Floor, San Bernardino, CA 92415-0182, Fax (909) 387-3223 or E-mail Kevin.White@lus.sbcounty.gov.

To Mail, Fold and Staple

***Cruz Baca Sembello
c/o 14740 E. Clark St.
Baldwin Park, CA 91706
Email: cruzsembello@hotmail.com
(626) 806-9583***

Feb. 6, 2016
Kevin White, Senior Planner
County of San Bernardino
County Government Center
386 N. Arrowhead Ave.
San Bernardino, CA 92415-0817

Re: Bloomington Industrial Facility Draft Environmental Impact Report

Mr. White,

I am the property owner at 18484 Stallion Lane, Bloomington CA. I have been asked to give my support for the above project. I am wondering why there were no other follow up meetings or communication until now, since the initial meeting a year ago. Many of us stated our concerns, including an email I sent to you Mr. White, with my concerns, that was never answered. I will be in support, but only if the following points, that I previously mentioned in my email, are met.

- 1- No In or Out exits on Linden Street. There is a school there and safety is important.
- 2- Set back of buildings or walls. Walls close to street only invite "Graffiti". Landscaping, trees, etc. would also be needed.
- 3- Lights. If there are extra lights that will be installed they should not be intrusive to residents.

I will not be able to attend meeting of Bloomington MAC tonight. I was not aware this would be on agenda; notice was just brought to my attention on Monday, Feb 5. I would appreciate follow up to meeting.

Please feel free to contact me either by phone or email if any further questions or discussion.

Regards,

Cruz Baca Sembello
(Computer Generated)

February 1, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

RE: Bloomington Industrial Facility Draft Environmental Impact Report

Dear Mr. White:

We, the undersigned, are writing to express our full support for the Bloomington Industrial Facility and to urge the County, as the lead agency for the environmental review and permitting processes, to approve the Project. The signatories to this letter are local residents living near the Project site, and we believe the Project will benefit our community in multiple ways.

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Given the significant benefits described above, we support the Bloomington Industrial Facility Project and look forward to welcoming this new development into our community.

Sincerely,



By

Israel Flores

Name

11250 MAPLE AVE
Address Bloomington Ca.

February __, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Given the significant benefits described above, we support the Bloomington Industrial Facility Project and look forward to welcoming this new development into our community.

Sincerely,


By _____

Alejandro Martinez
Name _____

18414 Sunpa Ave. Bloomington
Address _____

February __, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,



By

MARTIN VILLASEÑOR
Name

11016 Maple Ave
Address
Bloomington

February __, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,



By

Mitchell Vega.
Name

18467 Stallion Ln
Address

February __, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,

By 

RICARDO GARCIA
Name

18355 STALLION LN
Address

Bloomington CA 92316

February 1, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,


By

MANUEL HUAO
Name

18448 Stallion Ln B. Lantier Ca
Address

February 6, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Given the significant benefits described above, we support the Bloomington Industrial Facility Project and look forward to welcoming this new development into our community.

Sincerely,



By

Dorothy Cheryl Gardner
Name

18395 Stallion Ln
Address

Bloomington, CA

February __, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

RE: Bloomington Industrial Facility Draft Environmental Impact Report


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Sincerely,


By _____
Juana Garcia
Name

18382 Jurupa Ave
Address

Bloomington CA 92316

February __, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

RE: Bloomington Industrial Facility Draft Environmental Impact Report

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Sincerely,

Salman

By

Sal.Ramero

Name

19438 Jurupa Ave

Address

February 4, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,

HOWARD BAKER

By

Howard Baker

Name

1290 LINDEN AVE

Address

Bloomington

February 10, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

RE: Bloomington Industrial Facility Draft Environmental Impact Report

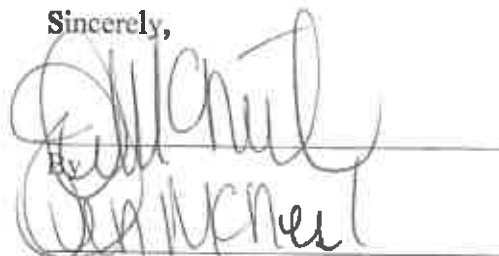
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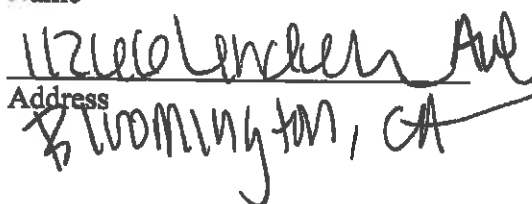
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Sincerely,



Name



Address

February 1, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,


By _____

Cynthia Floriano
Name

18354 Stallion Ln
Address

February 6, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,



By

LOUETTA GOZNEY
Name

8394 Stallion Ln
Address

February 1, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,


By

SALVADOR SANCHEZ
Name

1181 MAPLE AVE BLOOMINGTON
Address

February 1, 2017

Via US Mail or Email [Kevin.White@lus.sbcounty.gov]

Kevin White, Senior Planner
County of San Bernardino
County Government Center
385 N. Arrowhead Avenue
San Bernardino, CA 92415-0187

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Sincerely,


By

LEONARD J. HARRIS
Name

11265 MAPLE AVE
Address

BLOOMINGTON, CAL.

92316

Colton Joint Unified School District

Jerry Almendarez, Superintendent
Dr. Frank Miranda, Assistant Superintendent, Business Services Division
Owen Chang, Director, Facilities, Planning & Construction



BOARD OF EDUCATION

Mr. Dan Flores, *President*
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Mr. Randall Ceniceros
Mrs. Patt Haro
Mr. Pilar Tabera
Mr. Kent Taylor

January 30, 2017

Kevin White, Senior Planner
County of San Bernardino
Land Use Services Department-Planning Division
385 North Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0187

Re: Bloomington Industrial Facility EIR, SCH # 2016031085

Dear Mr. White:

Colton Joint Unified School District (CJUSD) is interested in the above-referenced project due to its proximity to two CJUSD elementary schools: Walter Zimmerman Elementary School is located at 11050 Linden Avenue, to the immediate northwest of the Project site, and Crestmore Elementary School is located at 18870 Jurupa Avenue, approximately 750 feet east of the project site. CJUSD also owns an adjacent vacant lot which may be utilized for a future school site.

For the reasons stated herein, in addition to various legal and technical deficiencies within the EIR, CJUSD strongly urges the County to deny this project due to its incompatibility with the surrounding school and residential uses, and the unacceptable health and safety risks to students at these two elementary schools.

1. The EIR's Measurement of Distance From School Sites is Inconsistent.

Different measures of distance from the project site are given for Walter Zimmerman and Crestmore Elementary Schools within the EIR. The following inconsistencies necessarily affect the analysis of risk from toxic air contaminants, noise, vibration, etc. and must be corrected, for example:

- **Page 4.4-10:** Walter Zimmerman Elementary School is located approximately 70 feet northwest across Linden Avenue and Crestmore Elementary School is located approximately 750 feet east.
- **Page 4.6-6:** Walter Zimmerman Elementary is located 260 feet to the northwest and Crestmore Elementary is located 860 feet to the east.

2. The Project is Inconsistent with the Bloomington Community Plan.

As stated on page 4.5-9 of the EIR, the project would be inconsistent with several objectives of the community plan:

1212 Valencia Drive, Colton, CA 92324-1798 – (909) 580-5000

"The Project site is close to a park, elementary school and residential uses. Due to truck traffic and operations hours, it is not considered a compatible land use with residential, institutional (school), and park uses. Truck trips associated with the proposed Project would create traffic, noise, and air quality impacts that could impact the surrounding land uses. The design features include buffers, setbacks, and landscaping. Proposed landscaping, water quality features, and fences provide both physical and visual buffers around the project perimeter. While these design features minimize impacts to surrounding land uses, they do not fully resolve this inconsistency." (Emphasis added).

Page 4.5-10 goes on to state: "...environmental nuisances would include emissions associated with trucks, which are not considered compatible with residential uses." Certainly, diesel emissions from trucks are not consistent with school uses either, which make this a highly inappropriate location for a 676,983 square foot distribution facility.

3. Mitigation Measures to Reduce Construction Noise Impacts to Schools Are Inadequate.

As acknowledged by the EIR on page 4.6-4, "[noise] can also disrupt effective communication between teachers and pupils in schools". Walter Zimmerman Elementary School is located 260 feet to the northwest and Crestmore Elementary is located 750-860 feet to the east of the project site. Based on the close proximity to these schools and the construction noise modeling results contained in EIR Table 4.6-9, project construction will likely exceed the County's interior and exterior noise standards that are applicable to school environments, causing disruption to classroom instruction and outdoor activities.

Compliance with the County's limitations on hours of construction will not render construction noise impacts to less than significant. Under the line of cases discussed in *Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714, compliance with a local noise ordinance is not necessarily dispositive of whether a project's noise impacts are significant. Particularly in this case, the EIR and proposed mitigation measures do not adequately address noise impacts that will be unique to the nearby schools. For example, Mitigation Measure NOI-1(5) limits hours of construction to between 7:00 a.m. and 7:00 p.m., which will allow construction to occur during the entire school day when school is in session.

The EIR should be revised to include meaningful noise mitigation measures, such as temporary construction noise barriers, or greater efforts to coordinate completion of the loudest construction activities when school is not in session. Noise modeling should be conducted for each school property to demonstrate the efficacy of any such proposed mitigation measures. If noise levels will not be reduced to acceptable levels throughout the duration of construction, the EIR should be revised to acknowledge that construction noise impacts to the nearby schools (in addition to the nearby residents) will be significant and unavoidable.

4. Construction Air Quality Impacts to Schools Have Not Been Adequately Analyzed.

The project site is approximately 34.5 acres in size, and the EIR states that grading will occur on up to 3.5 acres per day during the grading phase of the project. The EIR's discussion of construction air quality impacts is somewhat misleading, as page 4.1-23 states:

"Construction projects contained in a site of less than 5 acres are generally considered to represent less than significant health risk impacts due to (1) limitations on the off-road diesel equipment able to operate and thus a reduced amount of generated diesel PM, (2) the reduced amount of dust-generating ground disturbance possible compared to larger construction sites, and (3) the reduced duration of construction activities compared to the development of larger sites."

While this would be relevant if the total project site acreage were less than 5 acres, it is not—it is more than six times that size.

5. The EIR's Analysis of Cumulative Health Risks from Toxic Air Contaminants is Inadequate.

1212 Valencia Drive, Colton, CA 92324-1798 – (909) 580-5000

The EIR's analysis of health risks from exposure to operational diesel particulate matter also fails to acknowledge existing exposure to toxic air contaminants in the project vicinity. The project will add increased cancer risk to the maximally exposed receptors and school sites, in addition to the existing, ambient cancer risk that is already several orders of magnitude higher than 10 in 1 million. Specifically, the Health Risk Analysis states that based on local air monitoring, the current excess cancer risk in the project area is 427 in one million—this represents the “baseline” health risk for purposes of cumulative analysis.

The EIR should acknowledge this existing, cumulatively significant impact due to the overall poor air quality in the region and the increased diesel emissions due to the recent proliferation of warehouse and distribution uses in the Inland Empire. However, the EIR makes no mention of the existing cancer risk attributable to toxic air contaminants (namely, diesel particulate matter) in the region, and therefore fails to identify this as an existing, cumulatively significant impact. Without properly framing the additional cancer risk attributable to the project's truck trips in the context of the already extremely elevated cancer risk in the region, the EIR fails as an informational document. Although the Health Risk Analysis does refer to the existing, cumulatively significant excess cancer risk (427 in one million), this was not reflected in the EIR's analysis and discussion of this impact. A report buried in an appendix is not a substitute for a good-faith, reasoned analysis in the EIR itself. (*California Oak Foundation v. City of Santa Clarita* (2005) 133 Cal. App. 4th 1219, 1239, citing to *Santa Clarita Organization for Planning the Environment v. County of Los Angeles* (2003) 106 Cal.App.4th 715, 722-723).

6. The EIR Fails to Address Potential Vehicular (Truck)/Pedestrian Conflicts.

The project would generate approximately 1,490 daily vehicle trips in passenger car equivalents, 102 of which would occur during the morning peak hour and 108 of which would occur during the evening peak hour. The existing residential development currently generates a total of approximately 114 daily vehicle trips, 9 of which occur during the morning peak hour and 12 of which will occur during the evening peak hour. Therefore, the Project would result in a net increase of 1,375 daily trips, with 93 occurring in the morning peak hour, and 96 occurring in the evening peak hour. (EIR at 4.7-15 to 4.7-16). Heavy trucks will account for the majority of this increased traffic.

The evening peak hour (4:00 p.m. to 6:00 p.m.) does not reflect the increased traffic surrounding the elementary schools, which are dismissed at 1:55 p.m. (and at 12:30 p.m. every Wednesday, which is a minimum day).

The EIR also fails to include any discussion of the safety of school children who may be walking to and from school in the vicinity of such heavy truck traffic. The EIR's only mention of crosswalks is as follows:

“The intersections of Linden Avenue/Jurupa Avenue and Cedar Avenue/Jurupa Avenue within the Study Area provide marked pedestrian crosswalks; however, there are no posted signs prohibiting pedestrian crossings at unmarked pedestrian crossing intersections Oak Street/Jurupa Avenue and Stallion Lane/Linden Avenue.” (EIR at 4.7-6 to 4.7-7).

The project, if approved, should be required to provide meaningful mitigation to prevent conflicts between students and trucks. This may include funding for permanent, dedicated crossing guards at locations determined in consultation with CJUSD, or additional crosswalk improvements with appropriate signage and illumination.

7. The EIR Fails to Provide an Adequate Range of Alternatives.

The EIR analyzes two alternatives in addition to the mandatory No Project Alternative: 1) a Reduced Intensity Alternative, and 2) a Commercial Use Alternative. Neither of these alternatives would alleviate the fundamental inconsistencies between industrial/commercial uses and residential/school uses, and neither would serve to reduce the significant and unavoidable impacts that would occur under the project. In addition, the “No Project” alternative

evaluated under the EIR actually assumes residential development on the site (30 dwelling units) consistent with the existing land use and zoning designations, rather than assuming that the site would remain vacant.

Evaluating what could potentially occur under the existing land use designations would more properly be analyzed under an "Existing Zoning Alternative". In addition, a higher-density residential development (which would likely be more financially feasible) should also be analyzed as a potential alternative, in order to allow the decision makers to make a meaningful comparison between potential development scenarios.

In closing, the proposed project is not suitable for this location given the proximity to schools and residences. As stated in the EIR itself, all of the mitigation measures and design considerations are not enough to resolve the fundamental land use incompatibilities that would result from the project being constructed in this location. At a minimum, if the project is allowed to move forward, the applicant should be required to provide effective mitigation to reduce construction noise impacts and to ensure pedestrian/crosswalk safety. The EIR should also be recirculated to address the existing cumulative toxic air contaminant impact in the project area, and to include analysis of additional alternatives, as described above.

Sincerely,



Owen Chang
Director, Facilities Planning & Construction



Department of Public Works

- Flood Control
- Operations
- Solid Waste Management
- Surveyor
- Transportation

Gerry Newcombe
Director

February 1, 2017

County of San Bernardino
Land Use Service Department – Planning Division
Kevin White, Senior Planner
385 N. Arrowhead Avenue, First Floor
San Bernardino, CA. 92415-0187
kwhite@lusd.sbcounty.gov

File: 10(ENV)-4.01

RE: NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE BLOOMINGTON INDUSTRIAL FACILITY FOR THE COUNTY OF SAN BERNARDINO LAND USE SERVICES DEPARTMENT

Dear Mr. White,

Thank you for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. We received this request on December 22, 2016 and pursuant to our review, the following comments are provided:

General Comment

1. The project is subject to the Comprehensive Storm Drain Plan No. 3-4, dated September 1997. Any revisions to the drainage should be reviewed and approved by the County of San Bernardino Department of Public Works. If you have any questions, please contact David Lovell in the Flood Control Planning Division at 909-387-8120.
2. Any work affecting the County Maintained Road System right-of-way would need a Transportation Permit. For further information, please contact Melissa Walker in the Permits/Operations Support Division at 909-387-7995.

Environmental Management Division (Patrick Egle, Planner III, 909-387-8109):

On page 2.0.2, 2nd paragraph, the DEIR states, "The existing San Bernardino County Flood Control District (SBCFCD) parcels are linear parcels that bifurcate the middle of the Project site. These parcels are intended to support future flood control improvements associated with a railroad drainage master plan, to accept/convey drainage from the rail use to the north. This alignment would be abandoned in favor of one which would direct future flows east along the northern Project boundary and south along Cedar Avenue. The Project would dedicate the easement to SBCFCD to facilitate future drainage improvements."

BOARD OF SUPERVISORS

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Third Supervisorial Region

K. White, County San Bernardino Planning
NOA Draft EIR Bloomington Industrial Facility
February 1, 2017
Page 2 of 2

The SBCFCD often conveys flows from new drainages, however, any impacts to water quality or increase in flows can cause sensitive habitats to grow. In this case, the SBCFCD would be required to mitigate impacts to these habitats which are often extremely expensive. As such, any increase in water flow and the effects therein need to be discussed and analyzed in the Final EIR.

The new location of the flows should be reviewed by the County of San Bernardino Department of Public Works Flood Control Planning Division to ensure it meets the District's current and future needs.

We respectfully request to be included on the circulation list for all project notices and reviews. In closing, I would like to thank you again for allowing the San Bernardino County Department of Public Works the opportunity to comment on the above-referenced project. Should you have any questions or need additional clarification, please contact the individuals who provided the specific comment, as listed above.

Sincerely,



Michael R. Perry
Supervising Planner
Environmental Management



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February 2, 2017

VIA E-MAIL

Board of Supervisors
County of San Bernardino
385 N. Arrowhead Ave., Fifth Floor
San Bernardino, CA 92415

Re: **Notice of Support for Bloomington Industrial Facility Project ("Project")**

Dear Honorable Supervisors:

Laborers International Union of North America, Local Union No. 783 ("LIUNA") has voiced concerns on the Draft Environmental Impact Report prepared for the Project. The Project is being developed by Western Realco ("WR").

LIUNA is pleased to announce that they have reached an agreement with WR to resolve LIUNA's concerns. Pursuant to our agreement, WR has agreed to implement measures to protect the environment.

In consideration of these measures, LIUNA is pleased to support the Project, and urges the Board of Supervisors to approve the Project. LIUNA believes that the construction and operation of the Project will benefit the County.

Thank you for your attention to this matter.

LABORERS INTERNATIONAL UNION OF NORTH AMERICA,
LOCAL UNION NO. 783

By: *Michael R. Hogan*

Its: *Attorney*

White, Kevin - LUS

From: Joan Schneider <JSchneider@sanmanuel-nsn.gov>
Sent: Thursday, January 26, 2017 2:31 PM
To: White, Kevin - LUS
Subject: Bloomington Industrial Facility DEIR, SCH #2016031085

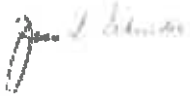
January 26, 2017

Dear Mr. White:

While reviewing San Manuel Band of Mission Indians files for background for NOP for the Bloomington Business Center, I reviewed the DEIR for the above project, especially the portions that had to do with Cultural Resources and Tribal Cultural Resources. I want to commend the company (Dudek) for its thorough and interesting background section. I found one error and you might ask Dudek to correct it. In Section 4.2-14, there is a reference to the home occupied by Ritner Sayles and Gerald Smith. Maxine Smith was not a psychiatrist (an MD with specialty in psychiatry) but she did hold a doctorate degree in psychology. There is a BIG difference. Tribe looks forward to working with County and the developer on this project during its implementation.

Thank you for sending to Tribe the disk with the DIER. San Manuel Band of Mission Indians appreciates the County of San Bernardino conducting consultation for this project.

Respectfully,



Joan S. Schneider, PhD
San Manuel Band of Mission Indians
Cultural Resource Management Department
Consulting Archaeologist
jschneider@sanmanuel-nsn.gov
26569 Community Center Drive
Highland, CA 92346

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA USPS AND E-MAIL:

February 3, 2017

kwhite@lusd.sbcounty.gov

Kevin White, Senior Planner

County of San Bernardino – Land Use Services – Planning Division
385 North Arrowhead Ave., First Floor
San Bernardino, CA 92415

Draft Environmental Impact Report (Draft EIR) for the Proposed Bloomington Industrial Facility

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the Final EIR.

The lead agency proposes the construction and operation of a 678,983 square foot (sf) high-cube warehouse on an approximately 34.5 acre site. The Draft EIR estimates approximately 232 daily diesel truck trips and 1,137 total daily vehicle trips. In the Air Quality Section, the lead agency quantified the project's construction and operation air quality impacts and has compared those impacts with the SCAQMD's recommended regional and localized daily significance thresholds. The lead agency determined that localized and regional daily construction and operation emissions are less than significant.

The lead agency also conducted a Health Risk Assessment (HRA) to determine the long-term air quality impacts from vehicles operating at the proposed project. The HRA found that maximum cancer risk from the project is 4.92 in one million, which is less than the SCAQMD significance threshold of 10 in one million. The SCAQMD staff has concerns about the assumptions used in the modeling, which likely underestimates the health risks. Details are included in the attachment.

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Jack Cheng, Air Quality Specialist, CEQA Section, at (909) 396-2448, if you have any questions regarding the enclosed comments.

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Planning & Rules Manager

Planning, Rule Development & Area Sources

JW:LS:JC

SBC161227-04

Control Number

ATTACHMENT**Air Quality Analysis**

1. Since the project includes demolition, the lead agency must comply with SCAQMD Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities. Please provide additional information regarding compliance with SCAQMD Rule 1403 in the Final EIR.

Daily Truck Trip Rate

2. SCAQMD staff recommends the lead agency limit the daily number of trucks allowed at the facility to levels analyzed in the Final EIR. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the project through CEQA prior to allowing this land use or higher activity level.

Health Risk Assessment (HRA) Analyses

3. The SCAQMD staff is concerned that the HRA has potentially underestimated the cancer risk from the proposed project. In the HRA, the lead agency used the AERMOD dispersion model to estimate DPM concentrations from the diesel vehicles generated by the proposed project and used the 2015 revised OEHHA guidelines to estimate the health risks to both residents and schools in the project vicinity. SCAQMD staff recommends the lead agency revise the HRA based on the following comments:
 - a. The lead agency used the Terrain Height Option “Non-Default Regulatory Option – Flat” in AERMOD. SCAQMD staff recommends that the lead agency revise the Health Risk Assessment (HRA) using the Regulatory Default Option “Elevated” or provide additional justification for the use of “Non-Default Regulatory Option.” The use of National Elevation Dataset (NED) 1 arc-second or DEM 7.5 minute terrain data is recommended if using the “Elevated” setting.
 - b. The lead agency used meteorological data from the SCAQMD’s San Bernardino station, which is located approximately 8.11 miles away from the Project site, while the SCAQMD’s Fontana and Rubidoux meteorological station are located approximately 6.5 and 3.5 miles away, respectively, from the project site. SCAQMD staff recommends that the lead agency revise the air quality modeling using a meteorological station that is more representative of the area and provide justification for its usage.
 - c. The HRA analysis involved the use of a 100-meter spacing receptor grid over the existing residences and schools. However, as modeled, the receptor grid may miss potential peak concentration locations along the property boundaries. SCAQMD staff recommends that the lead agency revise the model and start the grid at the property boundaries to ensure potential maximum concentrations are identified.
 - d. Some of the receptors were placed within the volume source exclusion zone and their results would be invalid. Since there are modeled volume sources which extend beyond the Project boundary, care should be taken to ensure that no receptors are placed within the volume source exclusion zone.

- e. On-site and off-site truck movement sources were modeled using separated line 2W volume sources instead of adjacent line volume sources. SCAQMD staff recommends revising the HRA in the Final EIR using adjacent line volume sources and following the U.S. EPA's haul road methodology when modeling the on-site and off-site truck movement.
- f. Line volume source SLINE – (On-Site Circulation) and SLINE2 (Off-Site Travel) were modeled with a release height of 8.37 feet, which is low for the exhaust stack of diesel trucks. The lead agency should provide a rationale to justify their assumption.
- g. On-site idling sources were modeled as elevated Area Sources (Initial Vertical Dimension = 3.01 m). SCAQMD staff recommends that the lead agency revise the HRA using a line volume that spans the entire docking area or provide rationale to justify the modeling assumption.
- h. The Transportation and Circulation report indicates that 70% of truck trips will travel north along Cedar Ave. The remaining 30% of truck trips will travel south along Cedar Ave. The HRA and dispersion modeling does not account for southbound truck traffic emissions. SCAQMD staff recommends including a southbound emissions source in the revised HRA.
- i. DPM emissions were calculated based on EMFAC2014 PM2.5 exhaust emissions. SCAQMD staff recommends using EMFAC2014 PM10 exhaust emissions since PM10 exhaust emissions are more conservative.
- j. In the HRA, the lead agency averaged the DPM emissions for the 30-years of exposure and used that emission rate to estimate health risks. This is not an appropriate methodology to estimate emissions using the 2015 revised OEHHA guidelines. The 2015 revised OEHHA guidelines acknowledge that children are more susceptible to the exposure to air toxics and have revised the way cancer risks are estimated to take this into account. Since the emissions from the project generated trucks get cleaner with time due to existing regulations, it would not be appropriate to average out the emissions over the 30-year exposure duration since this would underestimate the health risks to children who would be exposed to higher DPM concentrations during the early years of project operation. Therefore, SCAQMD staff recommends that the DPM emissions for each year of operation be applied to each of the corresponding age bins (i.e. emissions from Year 1 of project operation should be used to estimate cancer risks to the third trimester to 0 year age bin; Year 1 and 2 of project operation should be used to estimate the cancer risks to the 0 to 2 years age bins; and so on).

Potential Mitigation Measures

- 4. CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate these impacts. Pursuant to CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. In the event that the project generates significant adverse air quality impacts, information on mitigation measures as guidance to the lead agency are available on the SCAQMD CEQA Air Quality Handbook website:
<http://www.sqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>

Additional potential mitigation measures for the lead agency to consider may include the followings:

- a. Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.
- b. Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.
- c. Limit activities to the amounts analyzed in the Draft CEQA document.
- d. Promote clean truck incentive programs (see the discussion above regarding Cleaner Operating Truck Incentive Programs), and
- e. Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).
- f. Should the proposed project generate significant regional emissions, the lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce project impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead Agency and project applicant.
- g. Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2012 Regional Transportation Plan. It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, the SCAQMD staff recommends the lead Agency require the proposed warehouse and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, the SCAQMD staff recommends that the lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations.¹ Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.

¹ http://ladbs.org/LADBSWeb/LADBS_Forms/Publications/LAGreenBuildingCodeOrdinance.pdf



February 5, 2017

VIA EMAIL

Kevin White, Senior Planner
County of San Bernardino Land Use Services Department -- Planning Division
385 North Arrowhead Avenue, First Floor
San Bernardino, CA 92415-0187
kevin.white@lus.sbcounty.gov

SUBJECT: COMMENTS ON WESTERN REALCO BLOOMINGTON INDUSTRIAL FACILITY EIR

To whom it may concern:

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Western Realco Bloomington Industrial Facility. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

1.0 Summary

As we understand it, the proposed project includes the development of a single 676,983 square foot distribution building within an approximately 34.54-acre property, with associated facilities and improvements such as a guard booth, parking, bicycle racks, landscaping and detention basins. Two detention basins would be located near the Project's southern boundary along Cedar Avenue and Jurupa Avenue to provide water quality and runoff metering functions. Landscaping would be provided and would represent approximately 15 percent of the site coverage.

The project proposes 272 automobile parking stalls constructed for employee parking with access from Cedar Avenue and Jurupa Avenue. Parking and site paving would be concrete and asphalt, and would represent approximately 38 percent of the site coverage. Truck access would be from Cedar Avenue, and the dockyard would include 138 trailer storage stalls, four (4) grade level ramps, and 110 dock high doors.

3.0 Project Description

The EIR states that project site is composed of 17 parcels, in which "four of the parcels are publicly owned by San Bernardino County: Flood Control District (SBCFCD) (APN 0257-081-07, 0257-091-12, and 0257-091-24), and one parcel is owned by the Bloomington Recreation and Parks District (Parks District) (APN 0257-091-15). However, there is no ownership map provided or County APN map provided to illustrate this information. An ownership map must be provided in order to comply with CEQA's requirements for meaningful disclosure.

The EIR also states that "much of the new development that is occurring in the general Project area is industrial in nature". The EIR does not provide a list of industrial projects in the area to support this statement. There is no evidence provided to support this statement. This statement is misleading to the public and decision makers and must be removed in order to comply with CEQA's requirements for meaningful disclosure.

The conceptual site plan (Exhibit 3.0-5) indicates that there are two offices proposed as part of the project - a primary and secondary office. This information is not included anywhere in the project description. There square footage of the offices is not provided. The project description throughout the EIR must be revised to include the ancillary uses and square footage of the proposed primary and secondary office spaces in order to comply with CEQA's requirements for meaningful disclosure.

Project Circulation

The EIR states that "Project access would be from Cedar and Jurupa Avenues". The conceptual site plan (Exhibit 3.0-5) indicates that there are two 40' wide entrances and drive aisles on Cedar Avenue, two 30' wide entrances on Cedar Avenue, and one additional entrance on Cedar Avenue that is not dimensioned. There is one 40' wide entrance and drive aisle on Jurupa Avenue. This indicates that truck access will be provided on both Jurupa and Cedar Avenues. The Proposed Project section of the Project Description states that "truck access would only be from Cedar Avenue" when the site plan illustrates that truck access will occur from both Jurupa and Cedar. Further, there are dock doors facing Jurupa Avenue that will be accessed from the Jurupa entrance. There is also 40' wide aisle on the west side of the building that connects the north end docks to the Cedar Avenue entrance/exit, further demonstrating that the Jurupa Avenue aisle will be used for truck access. The statement that "truck access would only be from Cedar Avenue" is misleading to the public and decision-makers and does not comply with CEQA's requirements for meaningful disclosure. The statement must be removed and updated in order to be consistent with site design, circulation, and conceptual site plan. Any environmental analysis within the EIR must also be revised to take into account the truck access on Jurupa Avenue - including but not limited to traffic, air quality (odors, sensitive receptors), and hazards/hazardous materials.

Discretionary Actions and Approvals

The EIR states that "Approval of Tentative Parcel Map 19635 to combine the existing 17 parcels into one lot on 34.54 acres" will be required in order to approve the proposed project. However, TPM 19635 is not included for review by the public or decision makers. TPM 19635 must be included for public review in order to comply with CEQA's requirements for meaningful disclosure.

Further, "Abandoning the existing San Bernardino County Flood Control easement through the center of the project site, and dedication of a new easement along the northeast and eastern boundaries of the site" is also required to approve the project. Again, a map demonstrating the existing location of the San Bernardino County Flood Control easement and the proposed San Bernardino County Flood Control easement is not provided for review by the public and decision makers. A map disclosing the location of the existing and proposed easements must be included in order to comply with CEQA's requirements for meaningful disclosure.

4.0 Environmental Analysis

Cumulative Projects

The EIR methodology for determining cumulative projects is not adequate. The EIR states that “cumulative project data was requested from the County of San Bernardino and the City of Rialto. The County of San Bernardino provided a comprehensive list of development activity for the region. *The City of Rialto did not provide any development data for the project study area. The 26 page list of developments provided by the County was processed, and the appropriate developments have been included in this cumulative analysis*”. The EIR methodology should include any and all projects with a potentially cumulative impact to the region, regardless of whether or not the jurisdiction provided the information. Further, the scope of the project area should have a regional approach as the proposed project will have a logical travel pattern from the Ports of Los Angeles and Long Beach. The following list of projects to be included in the cumulative analysis is not exhaustive but provides a minimum standard for cumulative analysis for projects that are “in the pipeline” proposed, currently being processed, under construction, or recently operational:

1. Colony Commerce Center, Ontario: 2.9 million square feet of industrial use
2. San Gorgonio Crossings, Riverside County: 1.8 million square feet of industrial use
3. Perris Gateway Commerce Center, Perris: 380,000 square feet high cube warehouse
4. Indian Street Commerce Center, Moreno Valley: 446,000 square feet of industrial use
5. Moreno Valley Logistics Center, Moreno Valley: 1.7 million square feet of industrial use
6. Chestnut Street Warehouse, City of Industry: 614,000 square feet of industrial use

These projects should be included in the cumulative projects analysis in order to fully disclose the potentially cumulative impacts of the proposed project.

Table 4.01 - Cumulative Projects

The table presents a list of 12 projects given by the County of San Bernardino for analysis in the EIR. The table only gives the project number to identify to the project, which is completely irrelevant to the general public and decision makers as they do not have access to the County’s project numbers to identify the projects. A brief, one or two word description and size (square footage) of the projects are given. The location of these projects is not given at all. The EIR

does not provide a map of these projects. This does not comply with CEQA's requirements for meaningful disclosure. The location, name, and distance from the proposed project site must be disclosed in the EIR and they must be pictured on a map for identification.

4.1 Air Quality

Impact 4.1-4

The EIR states that "the Project site is located in an area of large-lot single family homes" but does not state the average lot size, or any lot size for any of the homes in the area. This statement is misleading because it leads the reader towards the assumption that because the lots are large, there are fewer homes and thus fewer sensitive receptors in the area. The statement is not supported by any evidence that the residences in the area are located on "large lots". The "large-lot" adjective of the statement should be removed from the EIR in order for the EIR to remain an adequate informational document.

The EIR then continues to state the distances of the sensitive receptors from the project site, but does not provide a map of the sensitive receptors or indicate where on their respective properties the sensitive receptors were placed for analysis. The EIR refers the reader back to Exhibits 3.0-2 through 3.04, but none of these exhibits illustrate the information relevant to this section - where the sensitive receptors are located in relation to the project site and where they were placed on their respective properties for analysis. Health Risk Assessments are supposed to be conservative and modeling should have assessed what might have happened to sensitive receptors given their exposure at their property lines. The same is true for the schoolchild analysis. There is no basis for not modeling exposures at the property line of the playground they are likely to use daily. At Crestmore Elementary, the playground is oriented towards the project site. At Zimmerman Elementary, the Kindergarten playground is oriented towards the project site and is immediately adjacent to the project site across Linden Avenue. A map of this information must be included for review by the public and decision makers in order to comply with CEQA's requirements for meaningful disclosure.

Additionally, Table 1 of the HRA (Appendix B) does not include the Upland Indonesian Seventh Day Adventist Church which is adjacent to the North of the project site. It is important to note that the church's programming also includes a Vacation Bible School in which children are at the church all day during the summer. The sensitive receptor analysis must be revised to include the church.

Impact 4.1-5

The EIR states that “construction activities associated with the Project may generate detectable odors from heavy- duty equipment exhaust” and goes on to say that “construction-related odors would be short-term in nature” even though there is not a required timeline for the project to be completed. However, the EIR does not provide a definition of “short-term” odors or a CEQA exemption for “short-term” odors. Again, there is no map provided to demonstrate where on their respective properties the sensitive receptors were placed for modeling. The EIR is inadequate as an informational document and must be amended to include this information.

Additionally, the EIR states that “construction-related odors dissipate rapidly as the nature of construction necessitates the need to move equipment around the construction site throughout a work day”, which has potential for validity except the project site is surrounded by sensitive receptors to the north, east, south, and west so moving around the construction site is irrelevant. As construction may move further from a sensitive receptor to the east, it will get closer to a sensitive receptor in the west, et cetera. This statement must be removed from the EIR or provide further evidence to support this statement. These potentially significant impacts to sensitive receptors are not mitigated and mitigation measures must be adopted as the information presented is speculative and unenforceable. (CEQA § 21081.6 (b).)

Finally, the analysis assumes a maximum 8 hour day of construction. This is contrary to the Noise analysis in which a maximum 12 hour day of construction is permitted (MM NOI 1.5). The Air Quality analysis must be revised to reflect the legally possible 12 hour day of construction that is sanctioned by the mitigation measures of the EIR.

4.5 Land Use*Impact 4.5-2*

Here, the EIR again states that “development in the area is generally trending toward industrial uses”. The development of industrial use in the project vicinity conflicts with the General Plan land use designation of BL/RS-1AA. Developing industrial uses in the project vicinity would not meet General Plan goals, policies, or objectives and would require a General Plan Amendment for approval. Additionally, later in this section the EIR states that the proposed project is inconsistent with the General Plan because it is located in a “predominantly residential area”. The statement that “development in the area is generally trending toward industrial uses”

should be removed as it is misleading to the public and decision-makers and presents a skewed view of the project site and vicinity.

The EIR indicates that “in an effort to shield adjacent residences from the proposed industrial development, the Project proposes a 100 foot setback from Cedar Avenue”. However, the building setback is not depicted on the Conceptual Site Plan (Exhibit 3.0-5). The landscaped area is depicted as 40’ wide and the parking lot is 26’ wide, indicating that the remaining, smaller planter adjacent to the building would need to be 34’ wide but that information is not given on Exhibit 3.0-5. Even though the building would potentially be setback 100’ from Cedar Avenue, there will still be continuous truck traffic through Cedar Avenue as that is described as the main entrance for the building. Please explain how a 100’ foot setback will help “shield” residents from the industrial use as it is not clear in the EIR. Possible mitigation measures could include a 100’ wide landscaped buffer between Cedar Avenue and the parking lot, but that is not discussed in the EIR.

Further, there are residences adjacent to the south along Jurupa Avenue and to the west along Linden Avenue as well but they are not mentioned in the EIR’s attempt to “shield” residents from industrial development. A 100 foot landscaped buffer along the south and west sides of the project site would be a potentially beneficial mitigation measure. This is especially true since along the west side of the building (Linden Ave.) there is a smaller, un-dimensioned landscape area adjacent to a 40’ wide drive aisle and on the south side (Jurupa Ave.) the residents face what appears to be at least 40 loading dock doors (we are not told in the EIR how many dock doors are on each side of the building, respectively), 15 truck parking spaces, and a large surface parking lot for passenger cars.

Table 4.5-2

The table presents the goals, policies, and objectives as “San Bernardino County General Plan Bloomington Community Plan 2007”. The San Bernardino County General Plan and Bloomington Community Plan are two separate documents. The first objective presented is from the San Bernardino County General Plan and the following two provisions are from the Bloomington Community Plan. They should be revised and labeled as such.

Additionally, the EIR does not discuss the proposed project’s consistency or inconsistency with the following goals and policies from the San Bernardino County General Plan:

GOAL V/LU 1. Provide opportunities, where possible, for a rural lifestyle that preserves the unique character within suitable locations of the Valley Region.

POLICIES V/LU 1.1

Where appropriate, support small scale agricultural uses and animal-raising activities that are established in association with rural residential uses to ensure the continuation of an important lifestyle in the Valley communities of Bloomington and Muscoy by maintaining the Additional Agricultural Overlay as delineated on the Land Use Policy Map.

The EIR does not discuss the proposed project's consistency or inconsistency with the following goals and policies from the Bloomington Community Plan:

Goal BL/LU 1. Provide a mix of housing choices that support a range of lifestyles in the community, ranging from traditional urban neighborhoods to more "rural" neighborhoods.

Policy BL/LU 1.1 Require strict adherence to the Land Use Policy Map unless proposed changes are clearly demonstrated to be consistent with the community character.

Goal BL/LU 2. Provide opportunities for a rural lifestyle that preserves the unique character within suitable locations (i.e. "policy areas") of the Bloomington Community Plan.

Policy BL/LU 2.1 Support small scale agricultural uses and animal-raising activities that are established in association with rural residential uses to ensure the continuation of an important lifestyle in the community plan area by maintaining the Additional Agricultural Overlay as delineated on the Land Use Policy Map.

Policy BL/LU 2.2 Utilize the following "policy areas" to identify and define subareas within the Bloomington Community Plan requiring a minimum 1 acre parcel size; and those requiring 20,000 sq. ft. minimum parcel size.

- A. The "policy area" for the 1 acre minimum parcel size (AAOverlay) is bounded by the Fontana City Limits line to the west; Spruce Street to the east; Jurupa Ave. to the south; and Santa Ana Ave. to the north.
- B. A "policy area" for the 20,000 sq. ft. minimum parcel size (AA Overlay) is bounded by Spruce Street to the west; the Rialto City Limits line to the east; El Rivino Rd. (the County Line) to the south, and Jurupa Ave. to the north [this policy area, however, does not include (i.e.,

excepts therefrom) the property designated "AM/SP – Industrial," Agua Mansa Specific Plan – Industrial].

C. A "policy area" for the 20,000 sq. ft. minimum parcel size (AA Overlay) is bounded by the Fontana City Limits line to the west, Locust Ave. to the east, Santa Ana Ave. to the south, and Slover Ave. to the north.

D. A "policy area" for the 20,000 sq. ft. minimum parcel size (AA Overlay) is bounded by Spruce Street on the west, the Rialto City Limits line to the east, Jurupa Ave. to the south, and Slover Ave to the north.

Policy BL/LU 2.3 In recognition of the community's desire to maintain rural residential areas, projects within the AA Overlay that propose to increase the density of residential land uses shall be considered only if the following findings can be made:

A. That the change will be consistent with the community character. In determining consistency the entire General Plan and all elements of the community plan shall be reviewed.

B. That the change is compatible with surrounding uses, and will provide for a logical transition in the plan area's development. One way to accomplish this is to incorporate planned development concepts in the design of projects proposed in the area.

C. That the change shall not degrade the level of services provided in the area, and that there is adequate infrastructure to serve the additional development that could occur as a result of the change. Densities should not be increased unless there exist, or are assured services and infrastructure, including but not limited to water, wastewater, circulation, police, and fire, to accommodate the increased densities.

The existing land use designation for the project site is Bloomington/Residential 1 Acre Minimum lot size-additional agricultural overlay (BL/RS-1AA) and Bloomington/Institutional (BL/IN). The proposed project is not consistent with GOAL V/LU 1 and POLICY V/LU 1.1 as it does not maintain the Additional Agricultural Overlay at the project site. The EIR does not disclose or discuss this information. The EIR is inadequate as an informational document and does not comply with CEQA's requirements for meaningful disclosure to the public and decision makers.

4.6 Noise

Exhibit 4.6-1

The exhibit indicates that sensitive receptors were not placed at their property lines nearest the project site for the noise analysis and modeling. Additionally, the only residential receptor measurement or modeling location along Linden Avenue was at 11266 Linden Avenue (M3). This residence is directly adjacent to the existing Edison substation and not the project site. The noise analysis is skewed in presenting analysis that does not include those who will be most affected - the residents along Linden Avenue that are not buffered by the existing substation. Further, M4 measurement was taken 2:56 PM - 3:11 PM, when the kindergarteners are likely to already be out of school for the day. There was also no noise measurement or modeling conducted for Crestmore Elementary, east of the project site even though the playground is oriented towards the project site. There was no noise measurement or modeling at Kessler Park, southwest of the project site even though the park is identified as a sensitive receptor. The noise analysis must be substantially revised to include this information.

On-Site Operations Noise

The EIR states that “operations in the proposed industrial building may be conducted 24 hours a day”. The EIR then states that the “nearest residences in the vicinity of the proposed Project site are located approximately 700 feet from the center and approximately 150 feet from the nearest side of the proposed industrial building, to the west”. This is contrary to information given throughout the EIR. There is no explanation given for the sensitive receptors to now be located 700 feet and 150 feet away from the project site. The residents will still be affected 24 hours a day by incoming truck traffic along Jurupa and Cedar Avenues, loading and dock doors along Jurupa Avenue, and a 40’ wide driveway adjacent to Linden Avenue. Please explain the reasoning behind placing the sensitive receptors 700 feet from the building and 150 feet from the west side of the building, respectively. The noise analysis should be conservative and place sensitive receptors at their property lines throughout the duration of analysis for construction and operational impacts.

4.7 Transportation and Circulation

The EIR does not discuss the proposed project’s consistency or inconsistency with the following goals and policies from the Bloomington Community Plan:

Goal BL/CII. Ensure a safe and effective transportation system that provides adequate traffic movement while preserving the rural character of the community.

Policy BL/CI 1.1 Ensure that all new development proposals do not degrade Levels of Service (LOS) on Major Arterials below LOS “C” during non-peak hours or below LOS “D” during peak- hours.

Policy BL/CI 1.2 Ensure that transportation system improvements are made to Slover Avenue and Valley Boulevard where facilities are at or near capacity.

Policy BL/CI 1.3 Full street improvements including paving, curbs, gutters and sidewalks shall be encouraged where necessary for public health, safety and welfare. Waiver of full road improvements in areas where parcel sizes are 1 acre or larger and where the public health, safety and welfare are not endangered may be considered. This may be accomplished by the following methods:

- A. Require the installation of full street improvements for higher density residential (greater than 1 du/acre), commercial, industrial, and institutional developments permitting safe pedestrian access.
- B. Require road improvements consisting of paving, curbs and gutters on major, secondary highways, collector streets and for major tract developments where the density is greater than 1 dwelling unit per gross acre.
- C. Require paved road shoulders and dikes to be constructed, as necessary, on local roadways designated as “water-carrying” by the County Public Works Department for proper drainage.

Policy BL/CI 1.5 Work with adjacent cities and appropriate agencies to identify deficiencies and provide needed improvements at the intersections of Cedar Avenue, Alder Avenue, Cactus Avenue and Interstate 10. Researched deficiencies shall include an evaluation of both vehicular and pedestrian access, and circulation at these intersections.

Policy BL/CI 1.6 Adopt and enforce a truck route plan for the Bloomington plan area that limits truck traffic to designated truck routes. Signs and improved enforcement shall direct non-local and through trucks to the designated truck routes. The truck route plan shall also identify opportunities for Transportation Services within the plan area to accommodate truck parking. Coordinate truck routing plans with the adjacent cities. Truck routes to include the following:

- A. Slover Avenue
- B. Cedar Avenue

Exhibit 4.7-1

The exhibit indicates that no analysis of impacts to the CA-60 freeway was taken even though the CA-60/Rubidoux Boulevard exit provides direct access to the project site (Rubidoux Boulevard becomes Cedar Avenue north of El Rivino Boulevard, approximately 1.4 miles from the project site).

Impact 4.7-1

Again, it is clear that the EIR did not analyze the potential impacts to the CA-60/Roubidoux Boulevard exit, even though it is anticipated for at least 30% of the inbound and outbound traffic from the project site to come from this direction.

8.0 Alternatives

CEQA requires analysis of a “reasonable range” of alternatives. Here, since the No Project Alternative is required, the EIR analyzes only two. This does not comply with a reasonable range of alternatives.

Project Objectives

The objective “Provide a new land use that is in support of the County of San Bernardino’s upcoming General Plan review to promote the Bloomington area” is unverifiable by the public or decision makers. The new General Plan has not been adopted and is not in effect. There is no support or evidence to demonstrate that the project site will have a General Plan land use designation that is different from the existing designation. A draft of the General Plan land use map or land use element is not provided. This objective is misleading to the public and decision makers as it leads the reader to believe that the land use change to the project site is imminent, already planned or approved, when it cannot be reasonably verified and the new General Plan has not yet been approved.

The objective “Reduce existing blight and the opportunity for criminal activity and provide for a range of potential light industrial, manufacturing and warehouse uses” presents two separate goals. The EIR does not discuss anywhere how the development of an industrial use will reduce blight or the opportunity for criminal activity, and how that goal is related to providing a range of industrial uses. The EIR does not discuss why or how the existing project site is “blighted” or provide reasoning for this conclusion. There is no discussion of any criminal activity at the project site either. This objective is misleading to the public and decision makers as it leads the

reader to believe the development of the project will reduce crime even though no crime statistics are presented.

Alternative 3: Commercial Use Alternative

Alternative 3 is found to not meet the objective to “reduce existing blight and the opportunity for criminal activity and provide for a range of potential light industrial, manufacturing and warehouse uses”. Not meeting the industrial use portion is obvious, but there is no explanation regarding how a commercial use would not reduce “existing” blight and the opportunity for criminal activity. If the site is considered “blighted” in its current state because it is vacant, then it is logical to assume that any development to activate the site would improve the “blighted” condition. Please provide an explanation of how Alternative 3 does not meet this objective.

Alternatives Considered but Rejected

An alternative location was rejected even though the proposed project requires a GPA and will have significant and unavoidable impacts to air quality and land use. The land use analysis of the EIR states that “because the impact is fundamentally related to the location of the project, no mitigation measures have been identified to resolve these inconsistencies”. This is the only alternative presented for analysis that was rejected. A reasonable range of alternatives should identify at least one alternative in which significant impacts can be mitigated or the GPA is not necessary. Additional alternatives for analysis could include, but are not limited to:

1. A project site that does not require a GPA.
2. A reduced intensity alternative that reduces the scope of the project enough to avoid significant impacts to air quality.
3. A project that complies with the existing General Plan Land Use designation.
4. A project design that eliminates the 40' wide driveway adjacent to Linden Avenue in order to further mitigate impacts to sensitive receptors along Linden Avenue.
5. A project design with 100' wide landscaped buffers along all sides of the building in order to mitigate urban blight, noise, odors, and other impacts associated with the operation of a 24-hour industrial use.
6. A project that complies with the existing (-AA) additional agricultural overlay designation at the project site.

Conclusion

For the foregoing reasons, GSEJA believes the EIR is flawed and an amended EIR must be prepared for the proposed project and recirculated for public review. Golden State Environmental Justice Alliance requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877.

Sincerely,



Joe Bourgeois

Chairman of the Board

Golden State Environmental Justice Alliance