



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

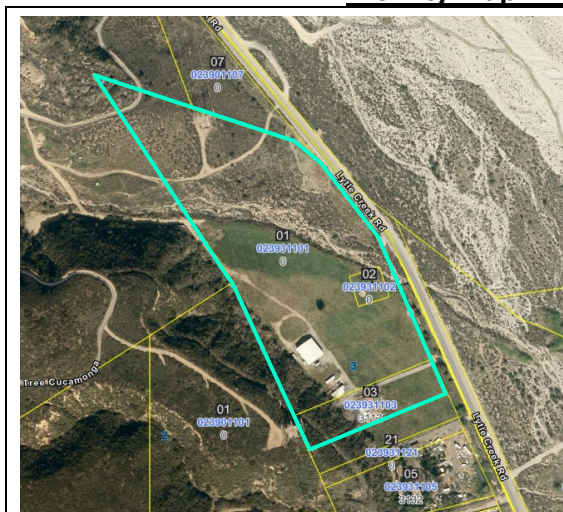
HEARING DATE: March 9, 2023

AGENDA ITEM #3

Project Description

APN: 0239-311-01, -02, & -03
Applicant: MOUNTAIN AVENUE BEES INC.
Community/ LYTLE CREEK
District: 2nd SUPERVISORIAL DISTRICT
Location: 3112 LYTLE CREEK ROAD
Project No: PROJ-2022-00024
Staff: JON BRAGINTON, CONTRACT PLANNER
Rep: LAND ENGINEERING CONSULTANTS INC.
Proposal: A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF AN APICULTURE FACILITY COMPRISED OF TWO 15,000 SQUARE-FOOT SINGLE STORY, STEEL-FRAMED METAL BUILDINGS FOR HONEY AND BEE PRODUCTION STORAGE LOCATED ON THREE (3) PARCELS TOTALING 18.36-ACRES

Vicinity Map -



12 Hearing Notices Sent on : February 24, 2023

Report Prepared By: Jon Braginton, Planner

SITE INFORMATION:

Parcel Size: 18.36 acres
Terrain: Gentle sloping terrain with sloping hillside to west
Vegetation: ruderal grass vegetation with chaparral on hillside to west

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

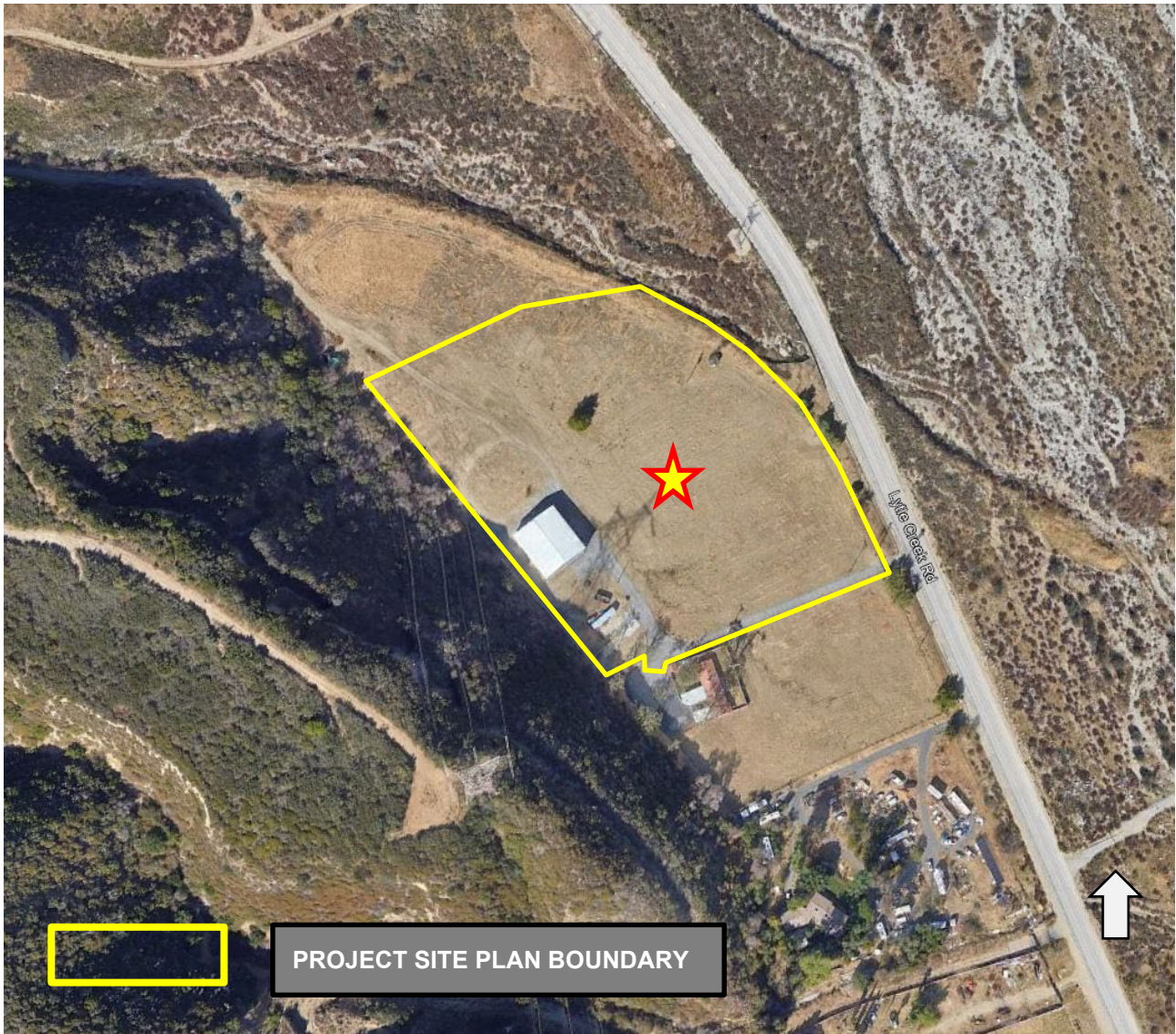
| AREA | EXISTING LAND USE | LAND USE CATEGORY | LAND USE ZONING DISTRICT |
|-------|-----------------------------------|--|---|
| SITE | Single Family Residence/warehouse | Rural Living (RL) | Rural Living (RL) and Rural Living (RL-10) 10-acre minimum lot size |
| North | Vacant | Open Space (OS) | Resource Conservation (RC) |
| South | Single Family Residences | Rural Living (RL) | Rural Living (RL) |
| East | Lytle Creek Wash | Public Facility (PF) / Open Space (OS) | Floodway (FW) / Resource Conservation (RC) |
| West | Vacant | Open Space (OS) | Resource Conservation (RC) |

| | <u>Agency</u> | <u>Comment</u> |
|---------------------------|-------------------------------|------------------------|
| City Sphere of Influence: | N/A | N/A |
| Water Service: | West Valley Water District | Will Serve |
| Sewer Service: | Environmental Health Services | Septic System proposed |

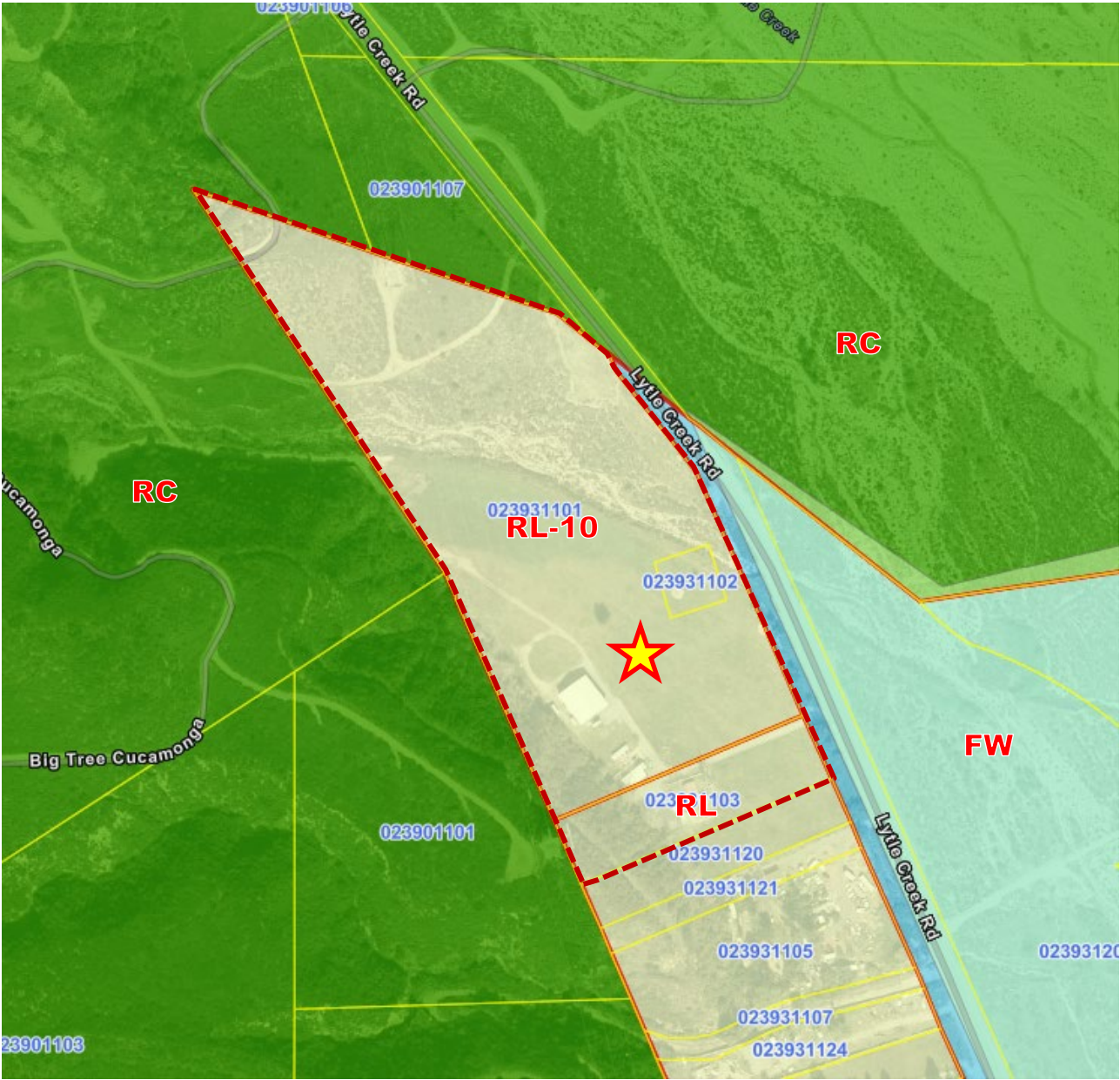
STAFF RECOMMENDATION: That the Planning Commission **ADOPT** the Mitigated Negative Declaration; **ADOPT** the findings as contained in the staff report; **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval; and **DIRECT** staff to file a Notice of Determination¹.

1. In accordance with Section 86.08.010 of the Development Code, the Planning Commission action may be appealed to the Board of Supervisors.

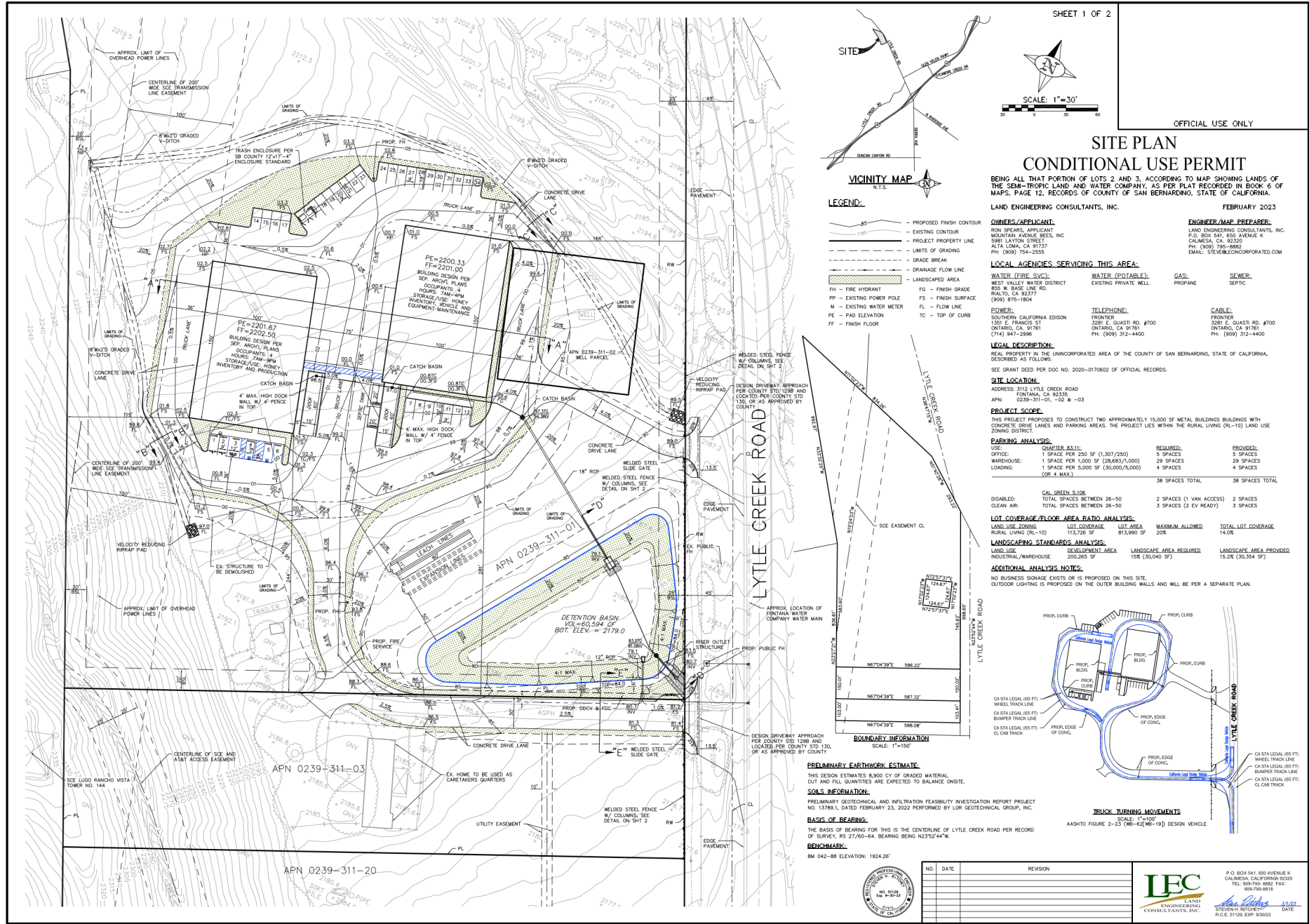
VICINITY MAP:
Aerial view of the Project Site



LAND USE DISTRICT MAP:

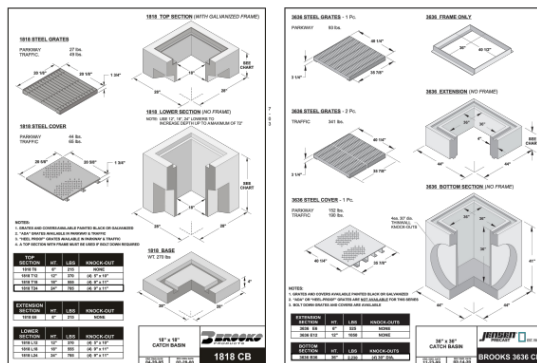
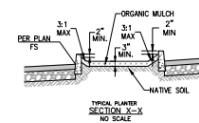
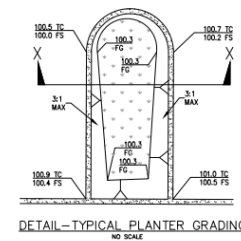
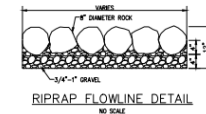
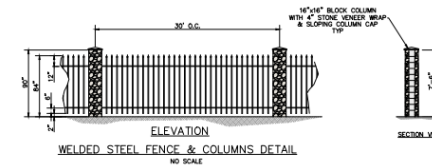
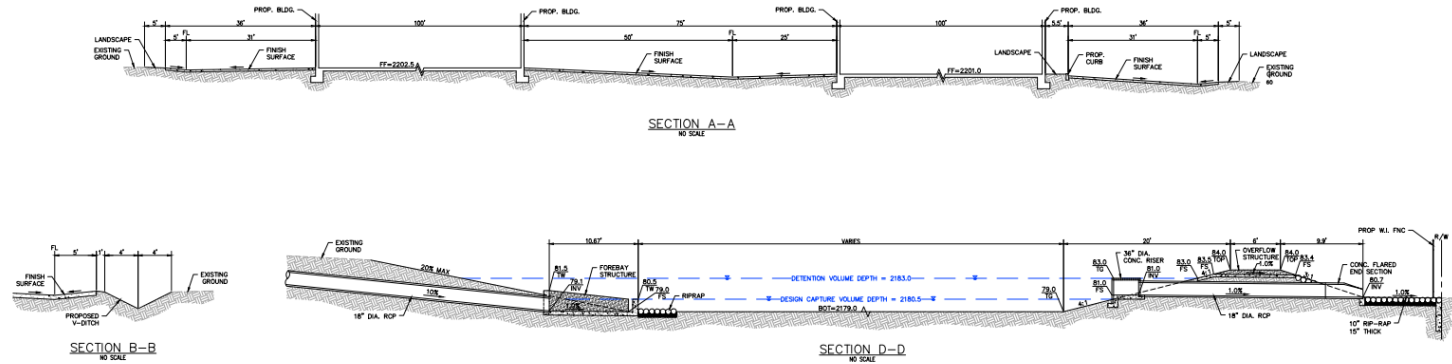


SITE PLAN



CROSS-SECTIONS

SHEET 2 OF 2

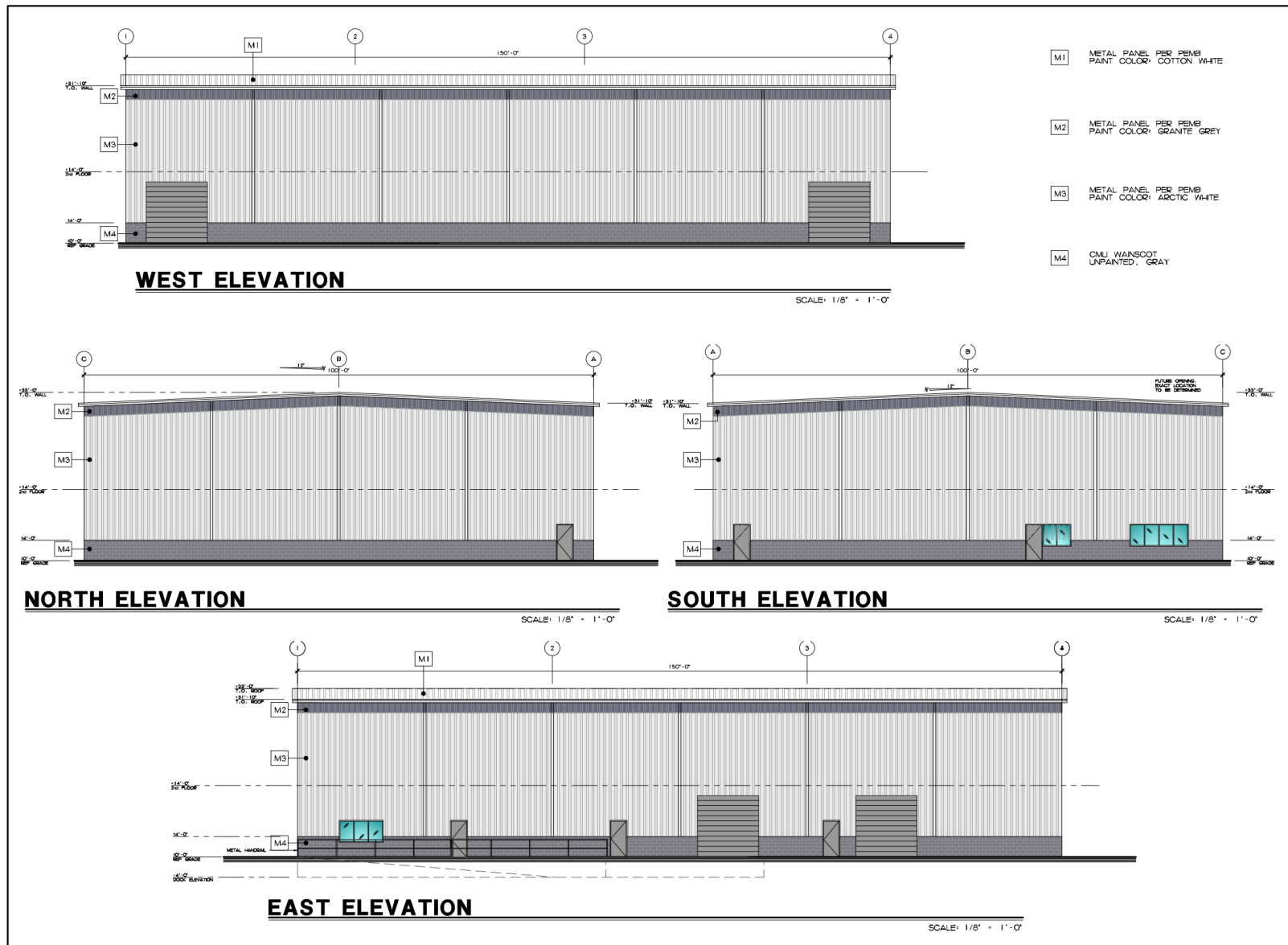


| NO. | DATE | REVISION |
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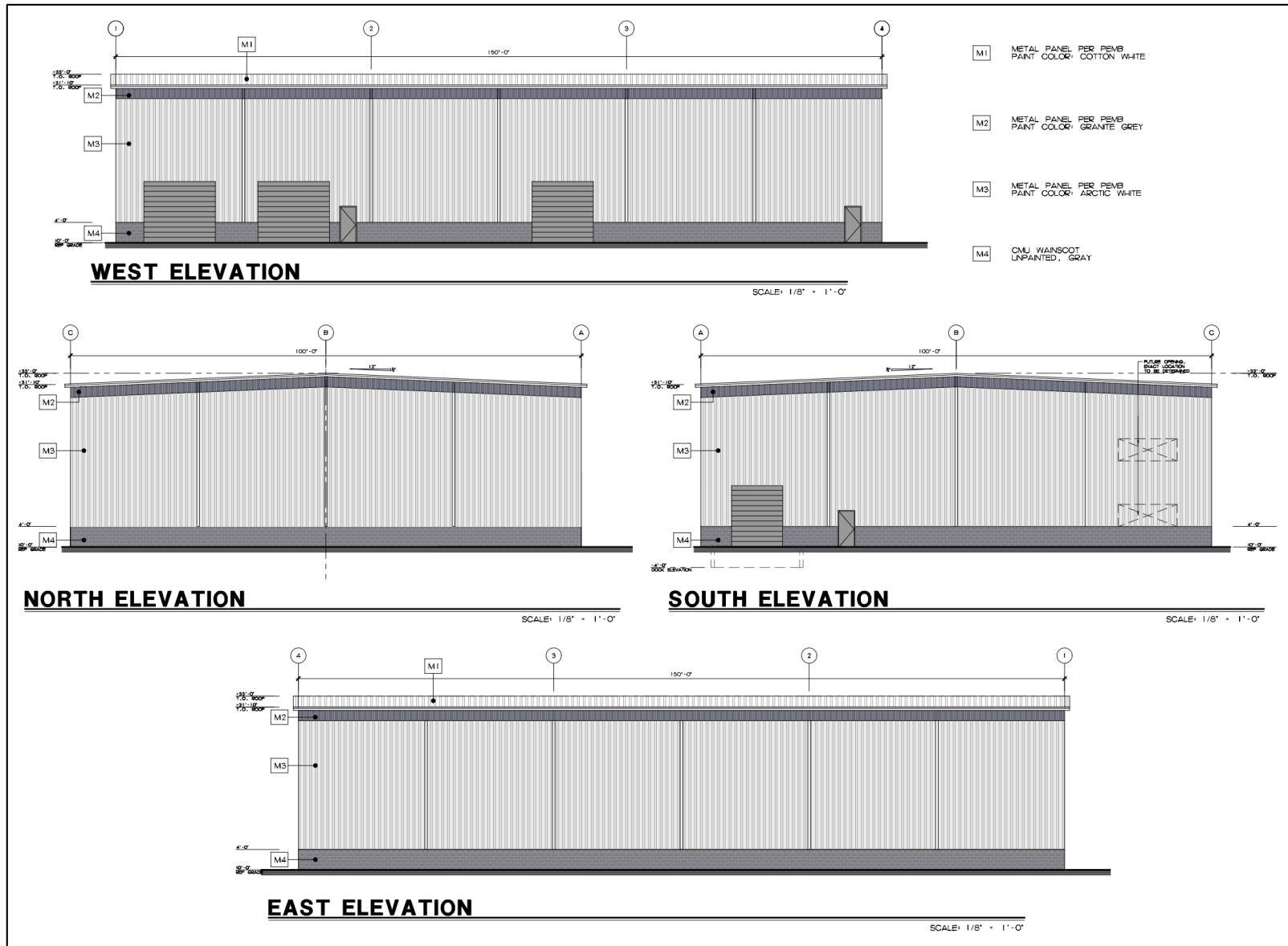


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WEST BUILDING ELEVATIONS



EAST BUILDING ELEVATIONS



SITE PHOTOS

Facing west from East Boundary



Facing South from Northern Boundary



Facing North from Northern Boundary



Facing Northwest from Lytle Creek Road



PROJECT DESCRIPTION:

The Applicant (Mountain Avenue Bees, Inc.) has submitted a Conditional Use Permit for the development of a raw honey processing, storage and distribution facility at 3112 Lytle Creek Road, in unincorporated San Bernardino County (Project). The Project site is situated on three (3) parcels totaling approximately 18.36-acres within the Rural Living (RL) and Rural Living 10-acre minimum (RL-10) Land Use Zoning District. As shown in Site Plan, the Project would be developed on a portion of the property totaling 9.33-acres and with the northern portion of the property to remain undeveloped.

The Project includes the construction of two (2) single-story, steel framed metal buildings, both 15,000 square feet, with a maximum height of 33 feet. The buildings would be used for storage, maintenance and production of food supplements for bees that are fed to hives as part of the honey production process. There would be no hives on the site. The supplements would be shipped to honey producers which are located in multiple facilities in five surrounding counties. Boxed honey frames would be delivered by truck and processed out of the frames into a liquid form and placed in food grade barrels or totes for shipment. Approximately 800,000 pounds of raw honey would be shipped from the proposed facility to a production facility that processes, packages and distributes the honey. The Project would operate seasonally from January through June and from October through December. The facility would operate from 7 a.m. to 4 p.m. daily. Approximately eight (8) full-time and six (6) seasonal employees would work at the facility. The Project would generate approximately 72 daily car/light truck trips and four delivery trips for a total of 76 daily trips.

PROJECT ANALYSIS:

Site Planning:

Access to the site is provided via two (2) driveways with a 30-foot wide driveway entrance and a secondary 20-foot wide driveway entrance connecting to Lytle Creek Road. For onsite parking, the Project will provide a total 38 spaces comprised of five (5) spaces for office uses, 24 spaces for warehouse uses, four (4) loading spaces, two (2) Americans with Disabilities (ADA) spaces and three (3) clean air vehicle spaces. As illustrated in the Site Plan, onsite truck circulation would occur around both buildings and in between with primary access from Lytle Creek Road via a 30-foot wide driveway. Parking spaces for employee and visitor vehicles will be situated along the northern Project perimeter and also along south facing building elevations. The Project Site Plan (Exhibit A) provides adequate area to accommodate all parking, loading areas, and access and circulation requirements as needed to comply with County requirements (See Table 2 below).

Code Compliance Summary: As noted above, the Project satisfies all applicable standards of the Development Code for development in the Rural Living (RL) and Rural Living 10-acre minimum (RL-10) Land Use Zoning District, as illustrated in Table 2:

Table 2: PROJECT CODE COMPLIANCE

| Project Component | Development Code Standard | | Project Plans |
|----------------------|---------------------------|-----|---------------|
| Warehouse /Office | CUP | | CUP |
| Parking | 38 spaces | | 38 |
| Landscaping | Landscaping | 15% | 15% |
| Building Setbacks | Front | 25' | 166' |
| | Street Side | 25' | 166' |
| | Side | 15' | 244' |
| | Rear | 10' | 115' |
| Building Height | 55 feet maximum | | 33 feet |
| Maximum Lot Coverage | 85% | | 14% |
| Drive Aisles | 26' | | 30' |

Landscaping: The Project, as illustrated on the Site Plan, will provide the required onsite landscaping which will be reviewed and approved as a separate landscape permit.

Fencing: As illustrated in the Cross-Sections (Pg. 6), a 7'-6" tall, welded steel fence with stone veneer wrapped pilasters and capping will be constructed along the property abutting Lytle Creek Road. The fence will extend a total of 470 liner feet from the southeastern corner of the property to approximately 60 feet north of the secondary driveway access point. The remaining existing fencing abutting Lytle Creek Road and along the northern and southern boundaries of the project will remain in place and shall be consistent with the San Bernardino County Development Code Section 83.02.060 – Screening and Buffering requirements.

Hours of Operation: The Project would operate seasonally from January through June and from October through December. The facility would operate from 7 a.m. to 4 p.m. daily. Approximately eight (8) full-time and six (6) seasonal employees would work at the facility.

California Environmental Quality Act Compliance

An Initial Study/Mitigated Negative Declaration (IS/MND) has been completed in compliance with the California Environmental Quality Act (CEQA) (Exhibit B). The IS/MND concludes that the Project will not have a significant adverse impact on the environment with the implementation of recommended mitigation measures contained in the IS/MND, which have been incorporated in the Conditions of Approval (Exhibit C). The recommended mitigation measures are intended to reduce potential impacts of the Project to biological resources, cultural resources, geology and soils, and tribal cultural resources. A Notice of Availability/Notice of Intent (NOA/NOI) to adopt the MND was advertised and distributed to initiate a 30-day public comment period, which concluded on January 22, 2023. No comment letters to the NOA/NOI have been received by Staff.

Public Comments:

Project notices were sent to surrounding property owners within 300 feet of the Project site, as required by Development Code Section 85.03.080. No comments to the Public Notice have been received by Staff.

RECOMMENDATION:

That the Planning Commission:

1. **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Exhibits B and D);
2. **ADOPT** the recommended Findings (Exhibit E);
3. **APPROVE** the Conditional Use Permit for the construction of an apiculture facility comprised of two (2) 15,000 square foot, single-story, steel-framed metal buildings for the processing, storage and distribution of raw honey, subject to Conditions of Approval (Exhibit C); and
4. **DIRECT** staff to file the Notice of Determination (Exhibit F).

ATTACHMENTS:

Exhibit A: Site Plan
Exhibit B: Initial Study/Mitigated Negative Declaration
www.sbcounty.gov/uploads/LUS/Valley/MtnAveBeesInc/PROJ_2022_00024_Initial%20Study_signed.pdf
Exhibit C: Conditions of Approval
Exhibit D: Mitigation Monitoring and Reporting Program
Exhibit E: Findings
Exhibit F: Notice of Determination

EXHIBIT A

Site Plan

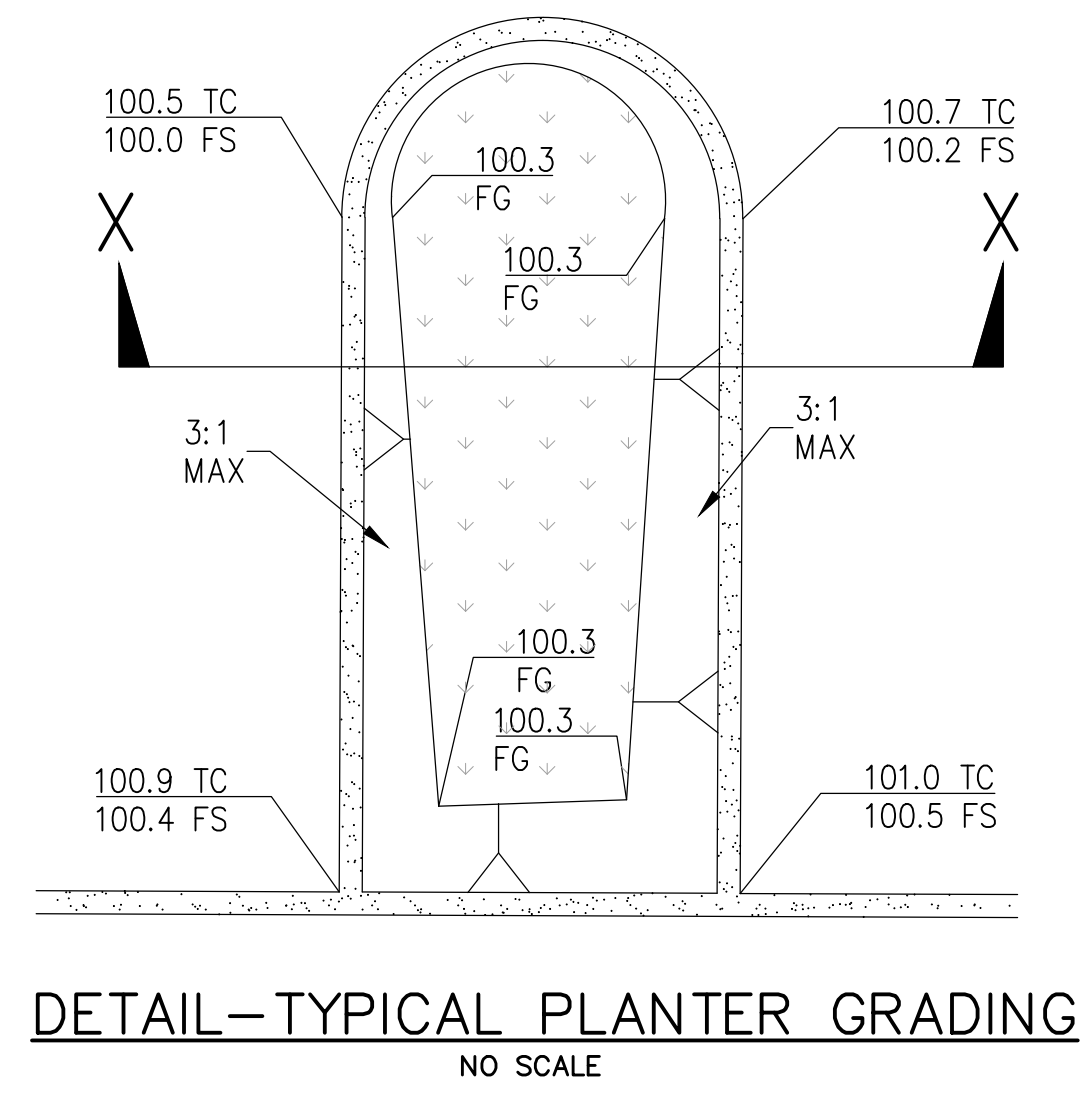
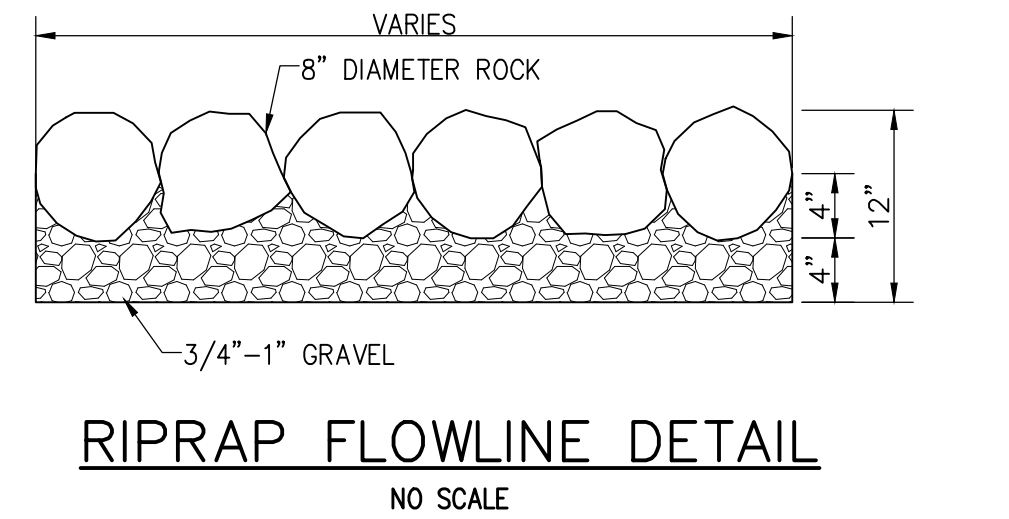
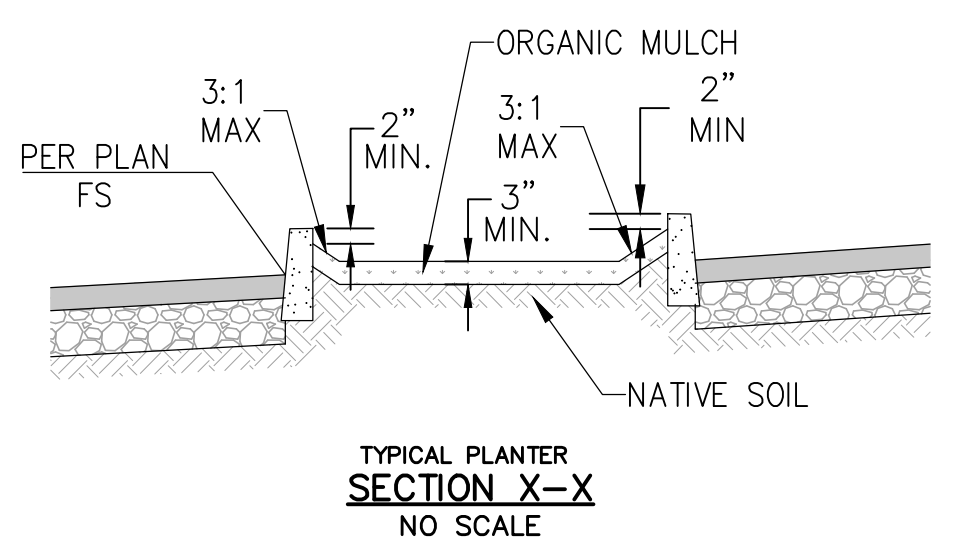
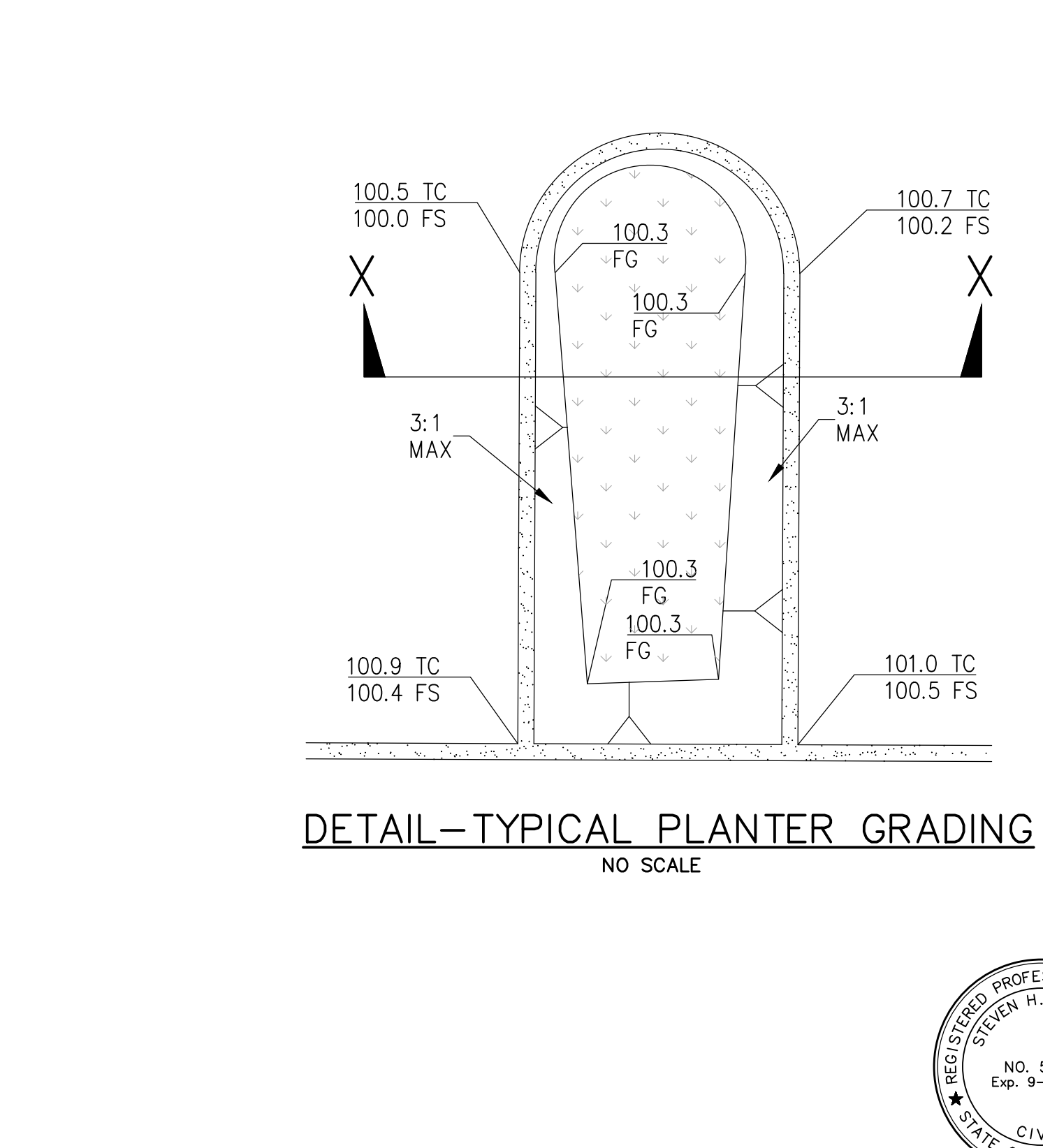
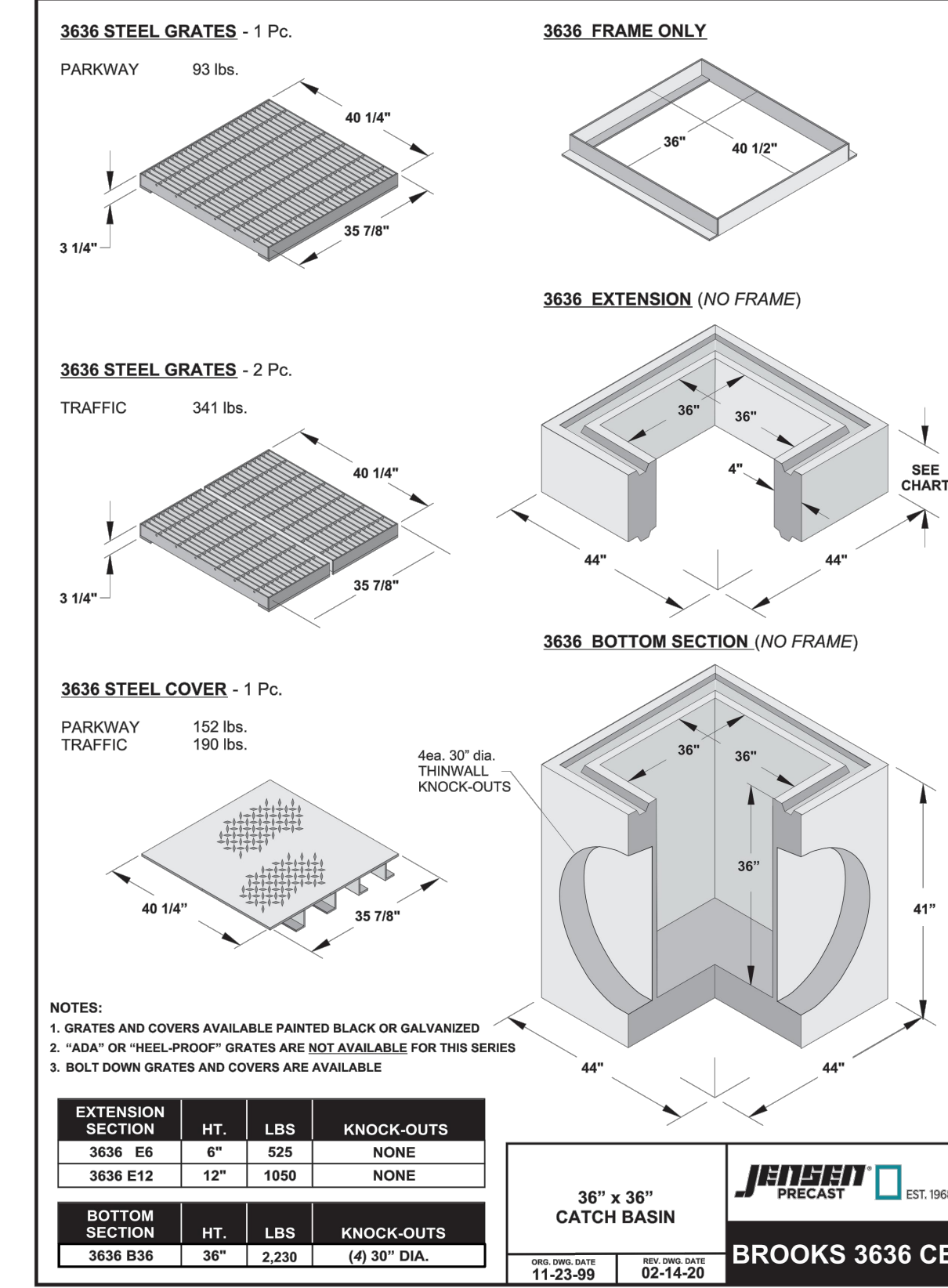
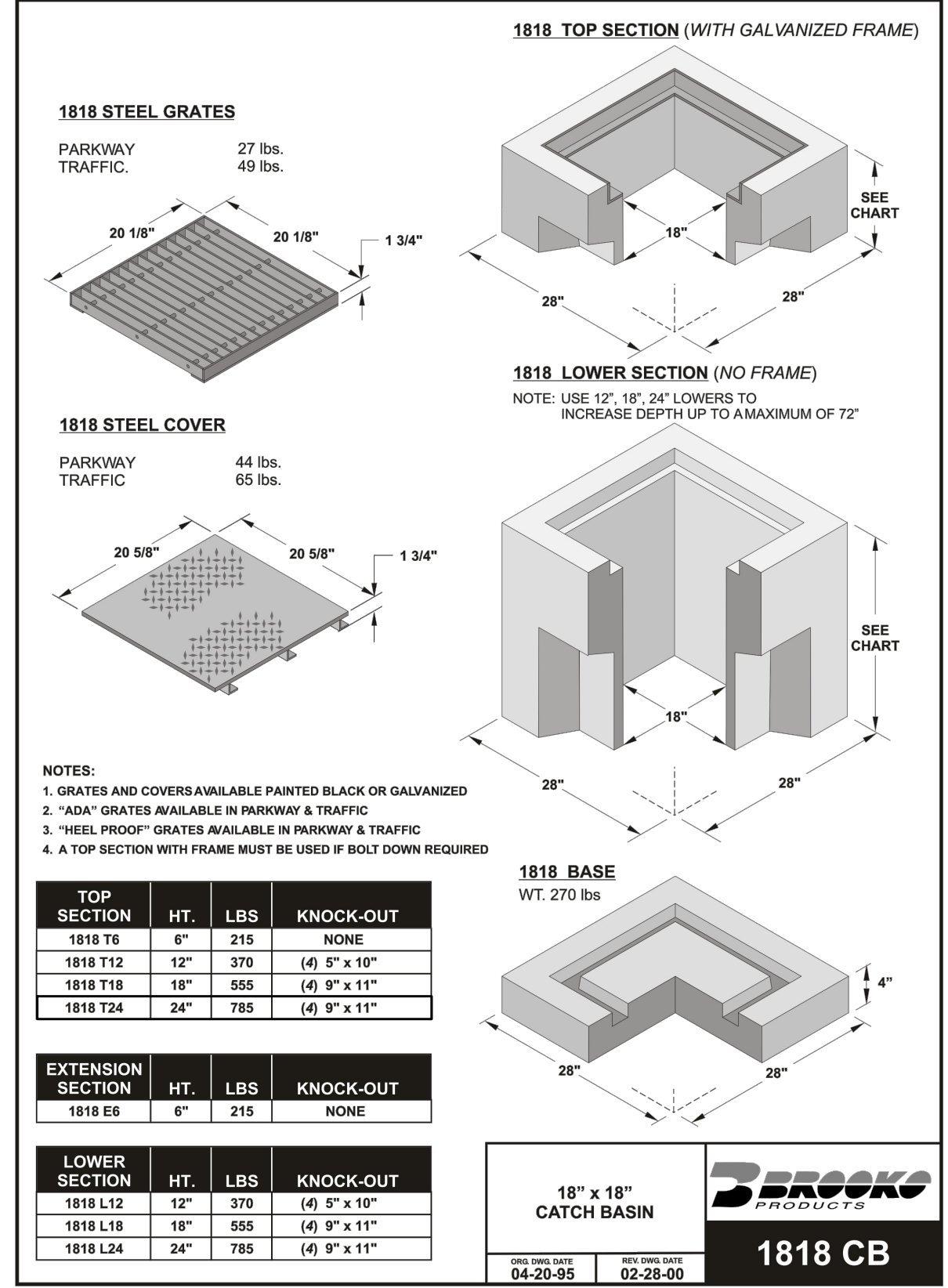
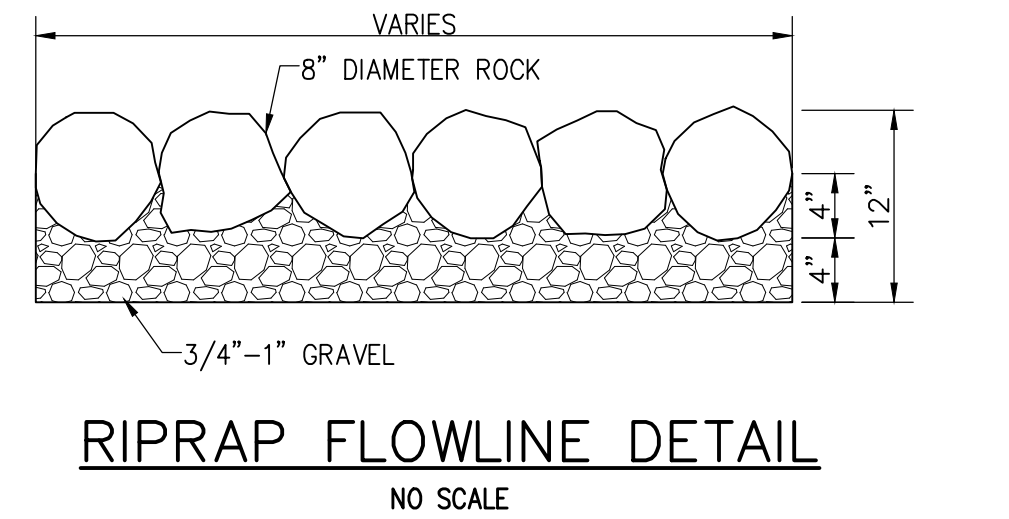
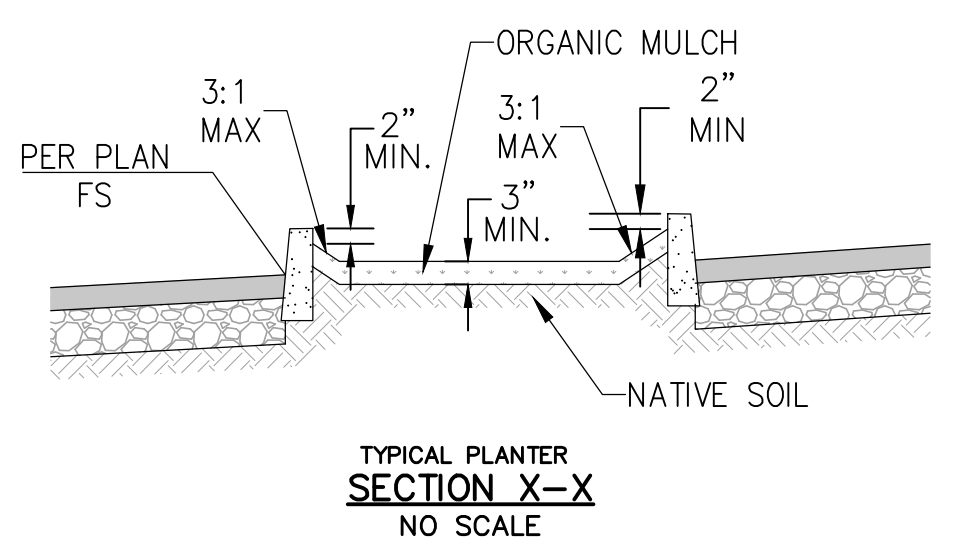
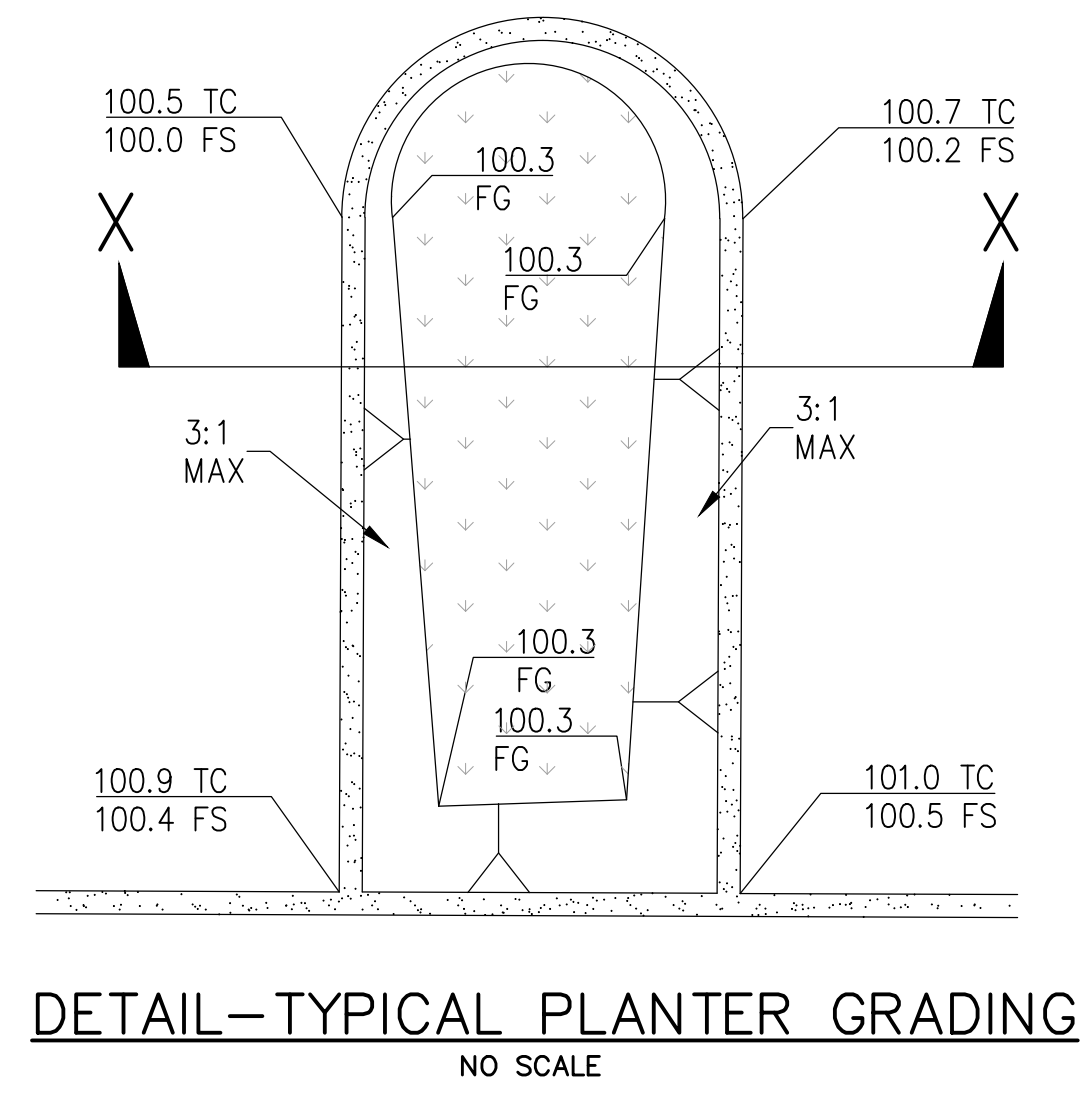
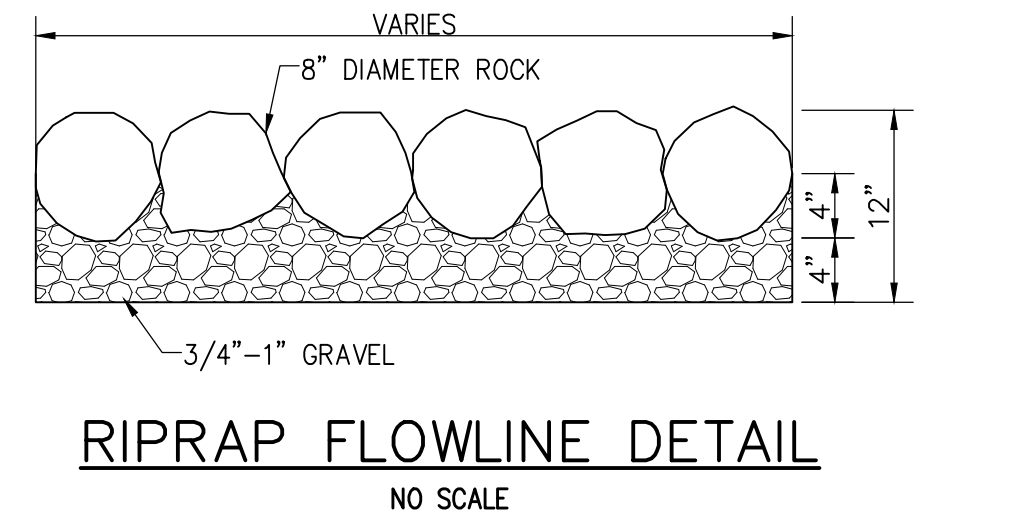
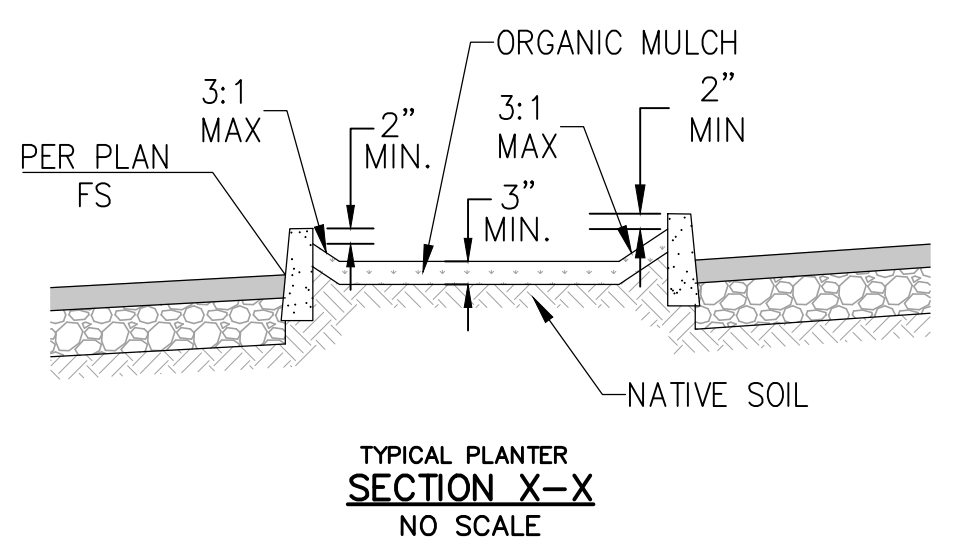
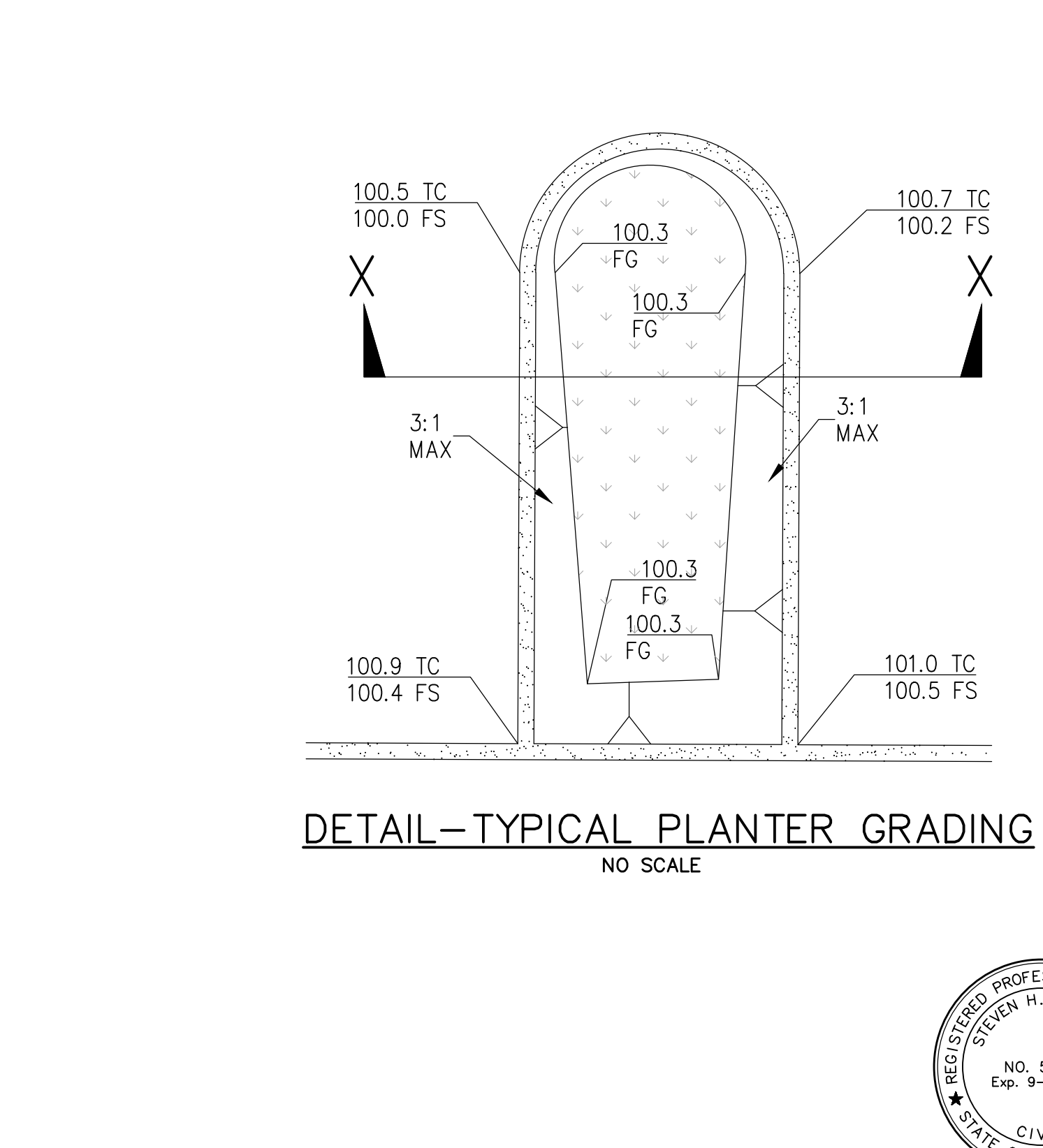
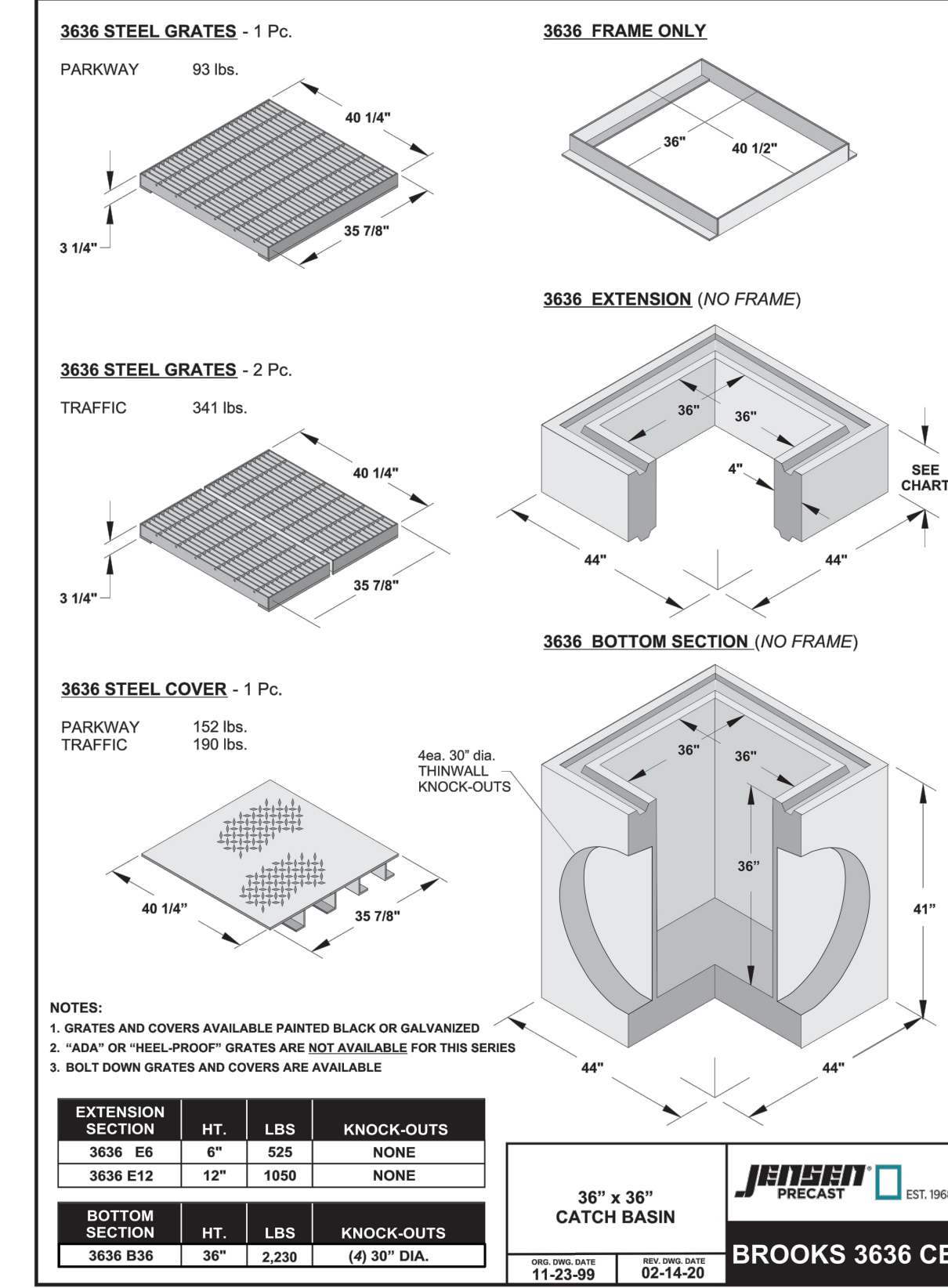
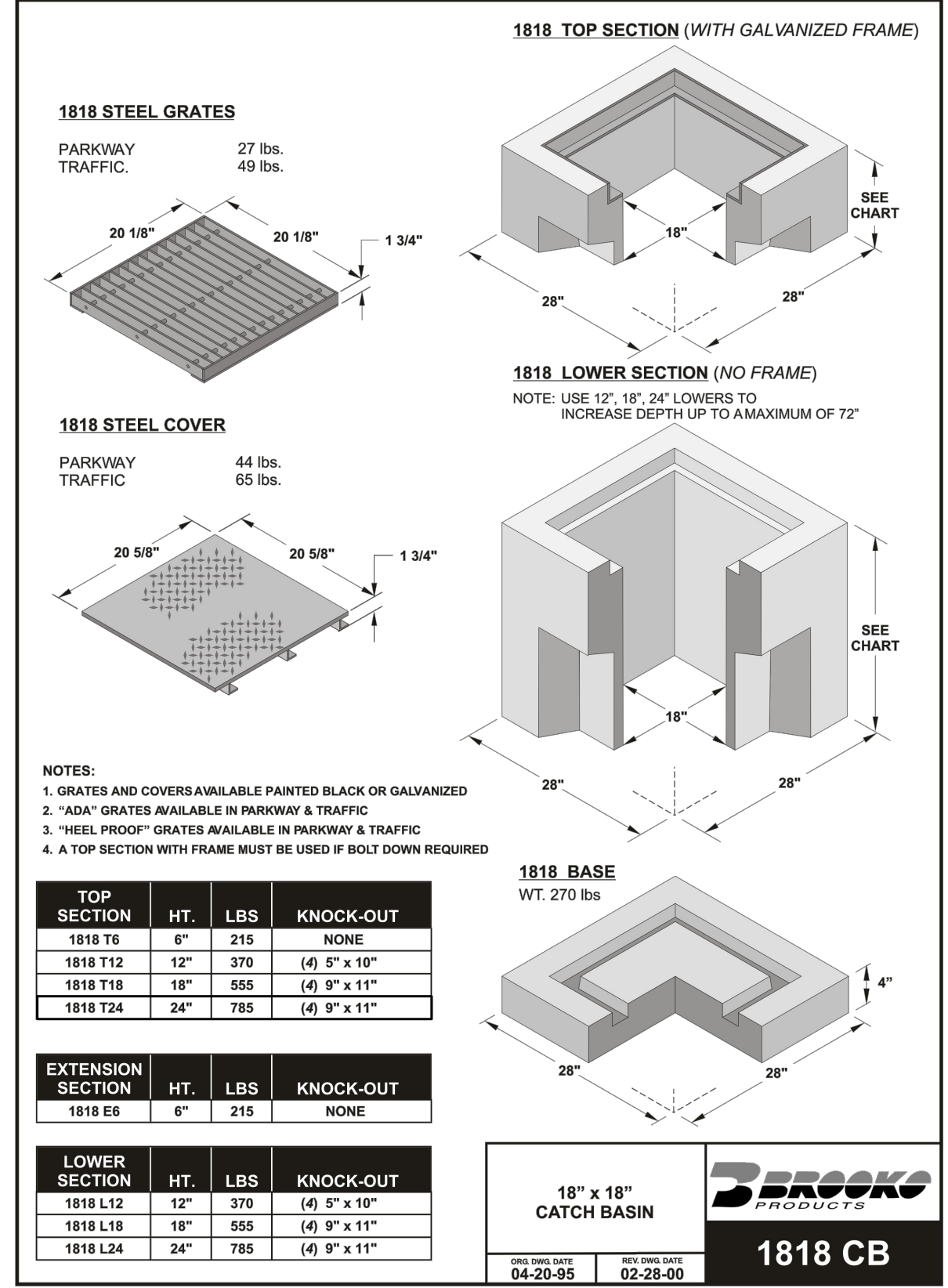
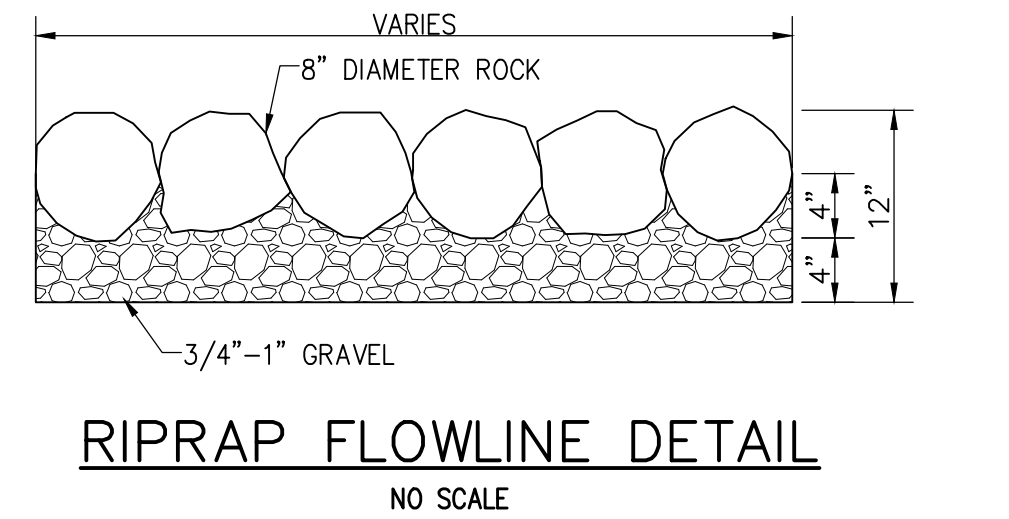
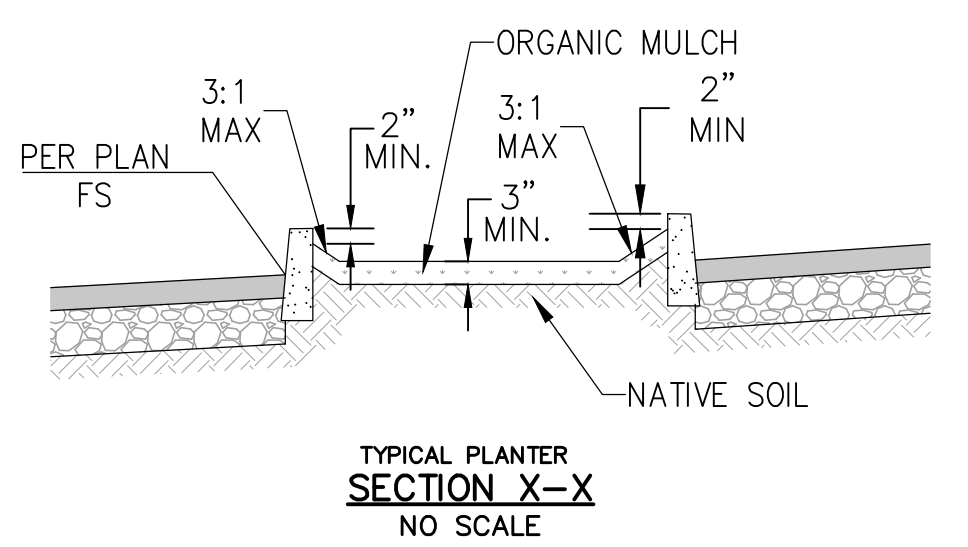
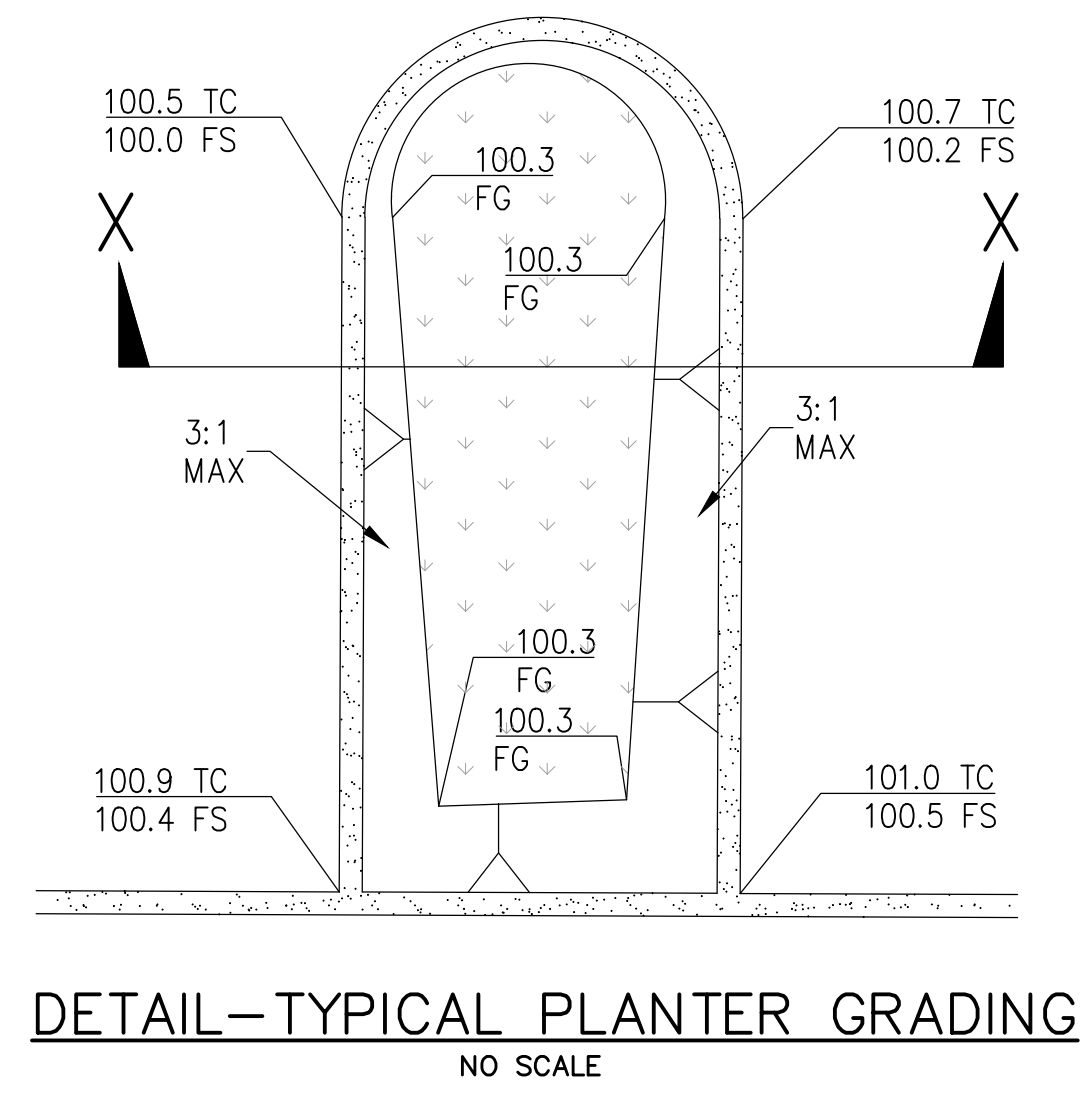
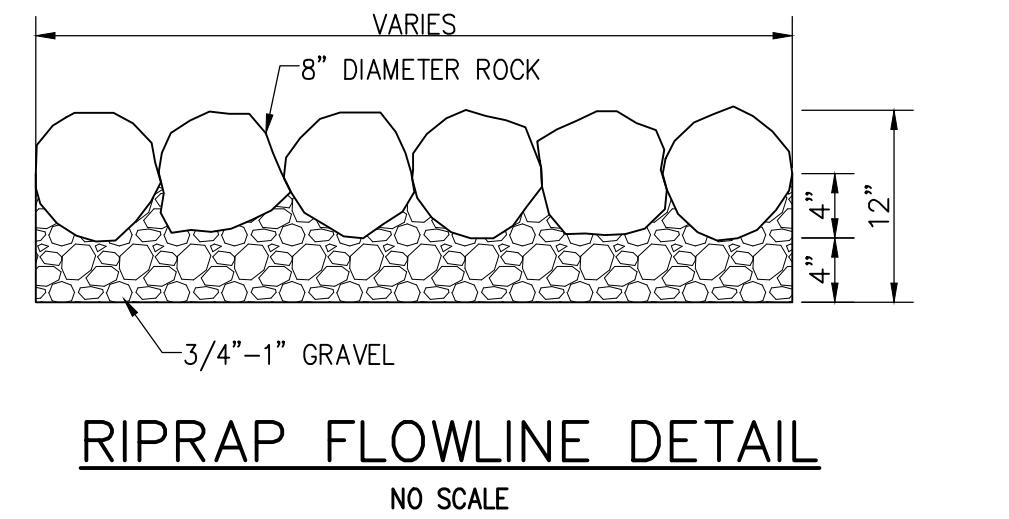
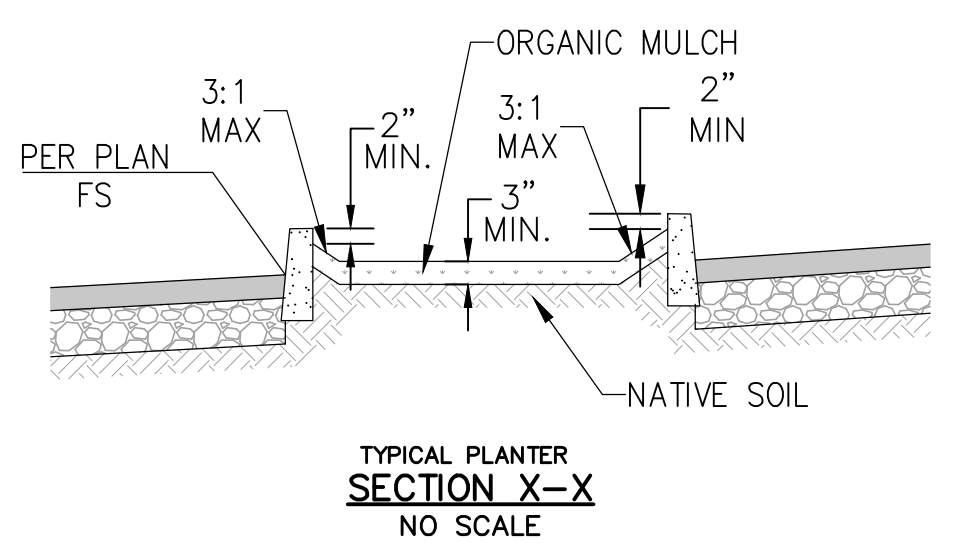
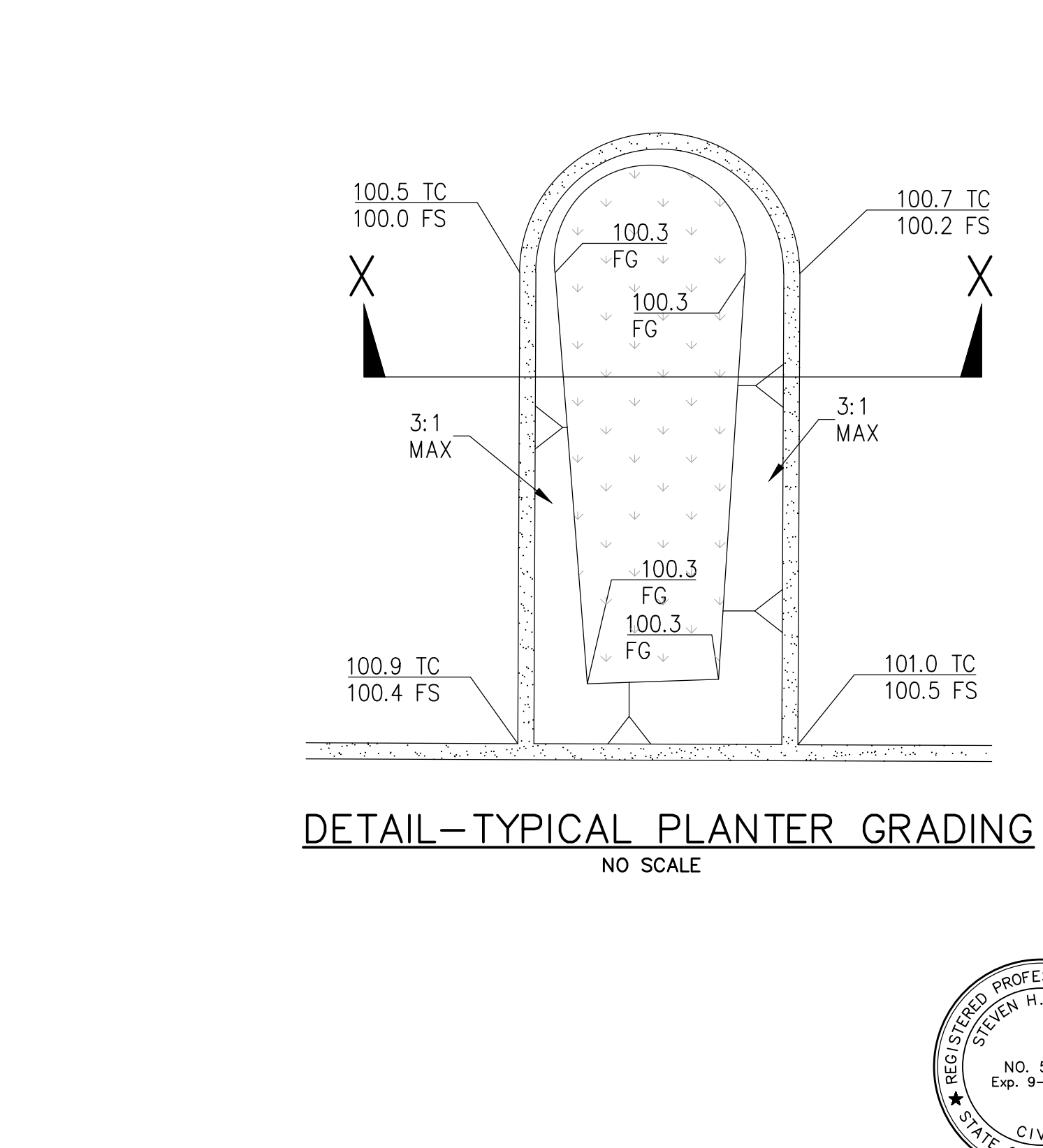
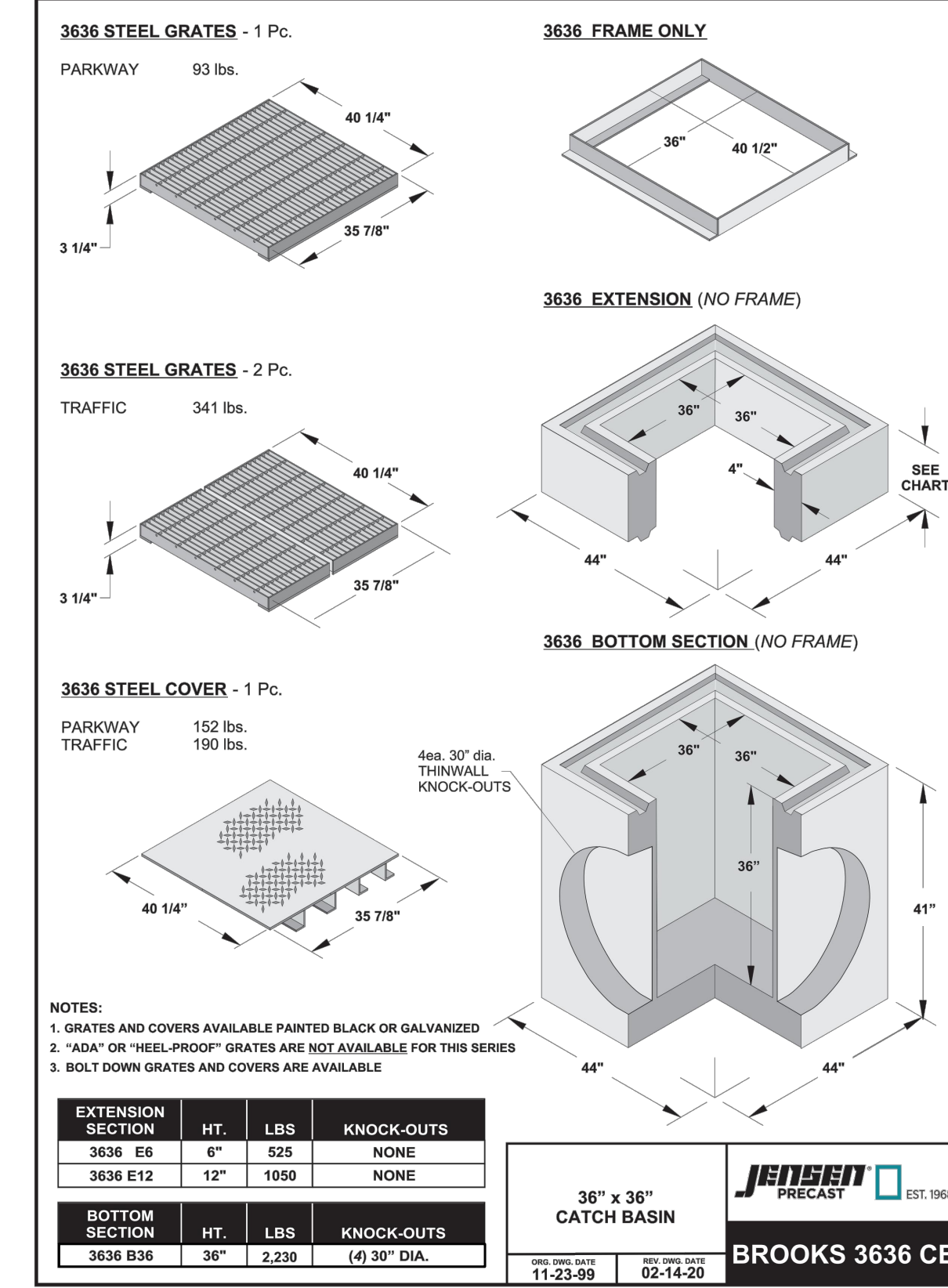
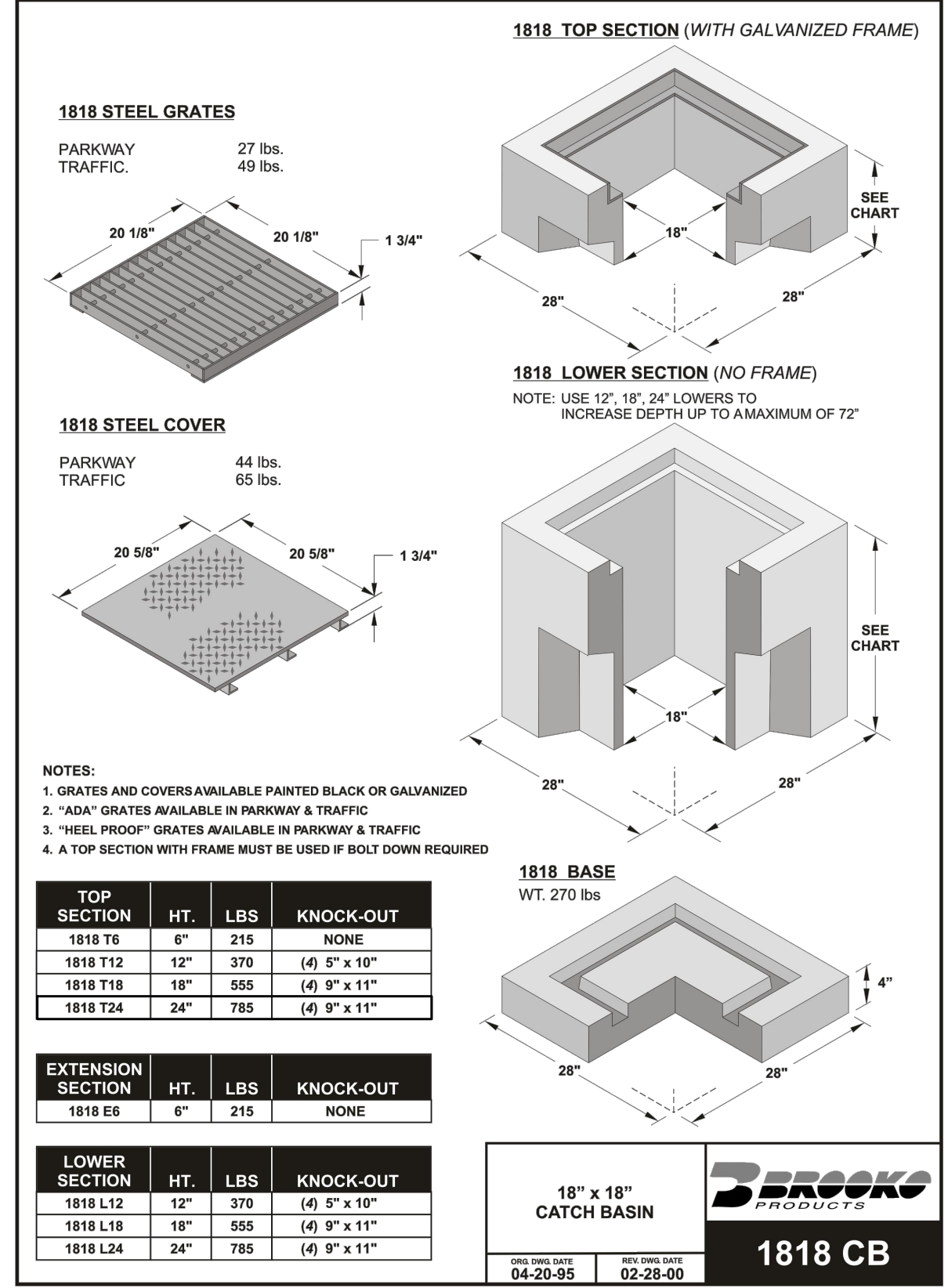
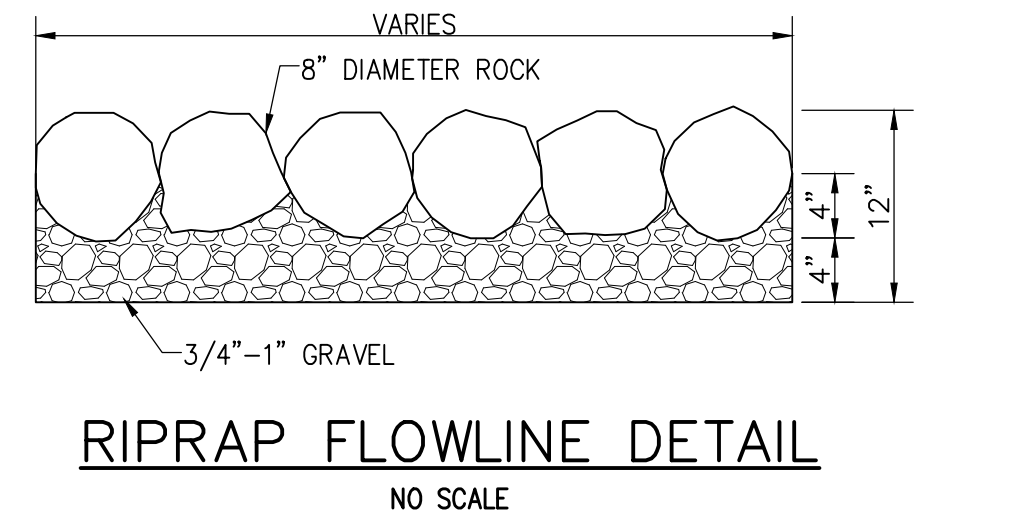
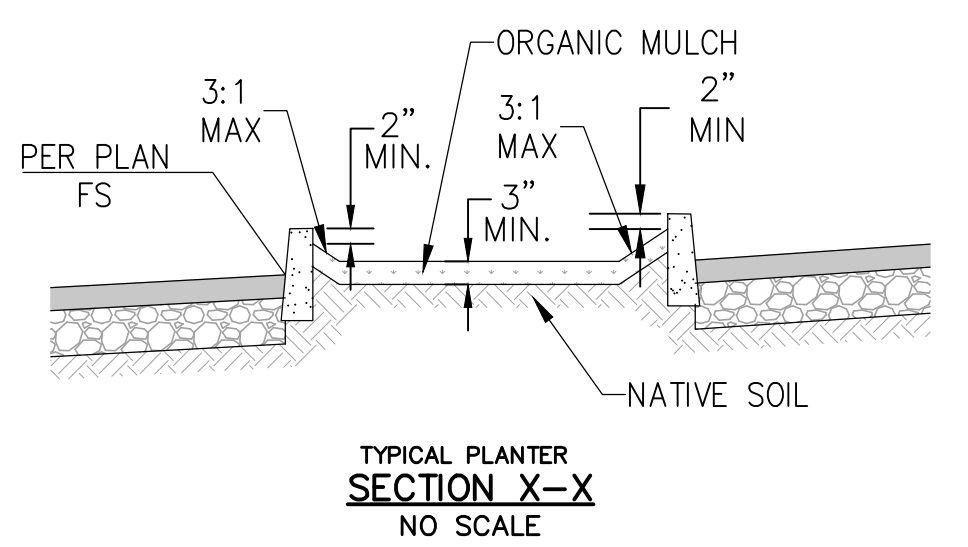
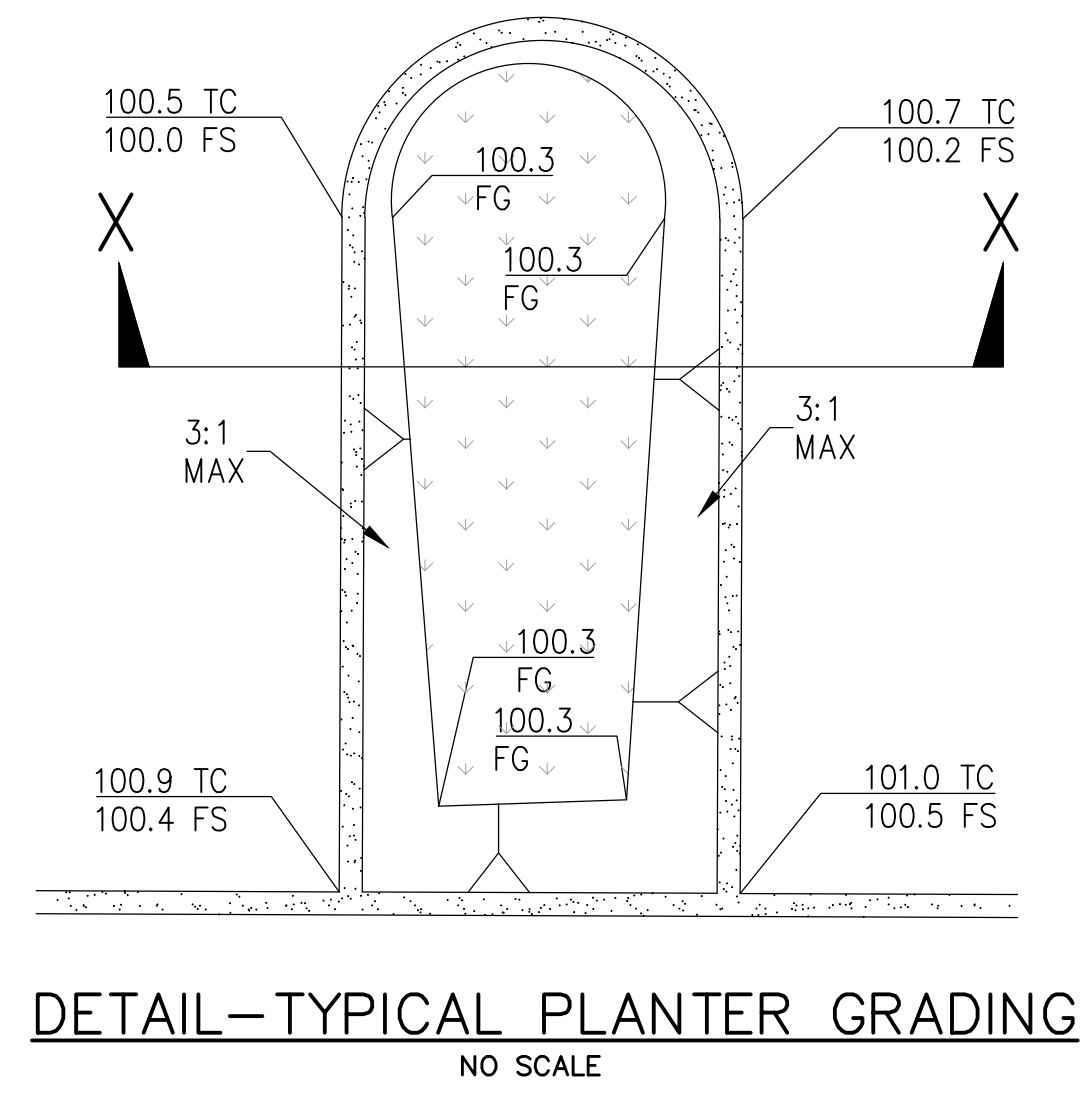
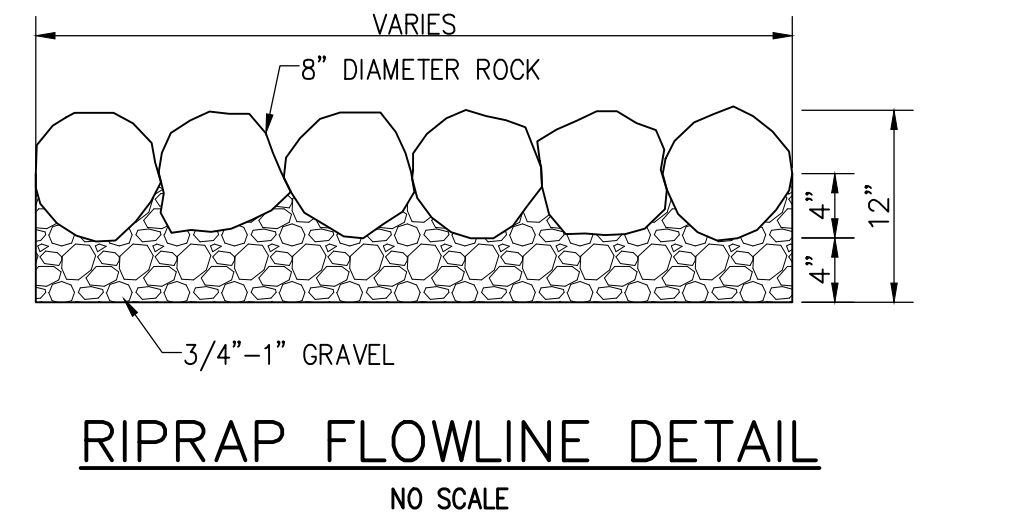
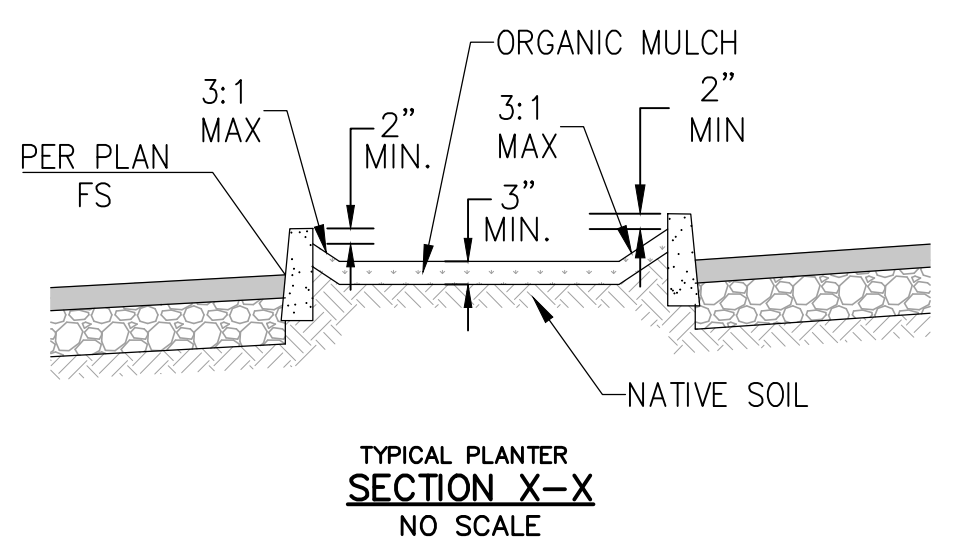
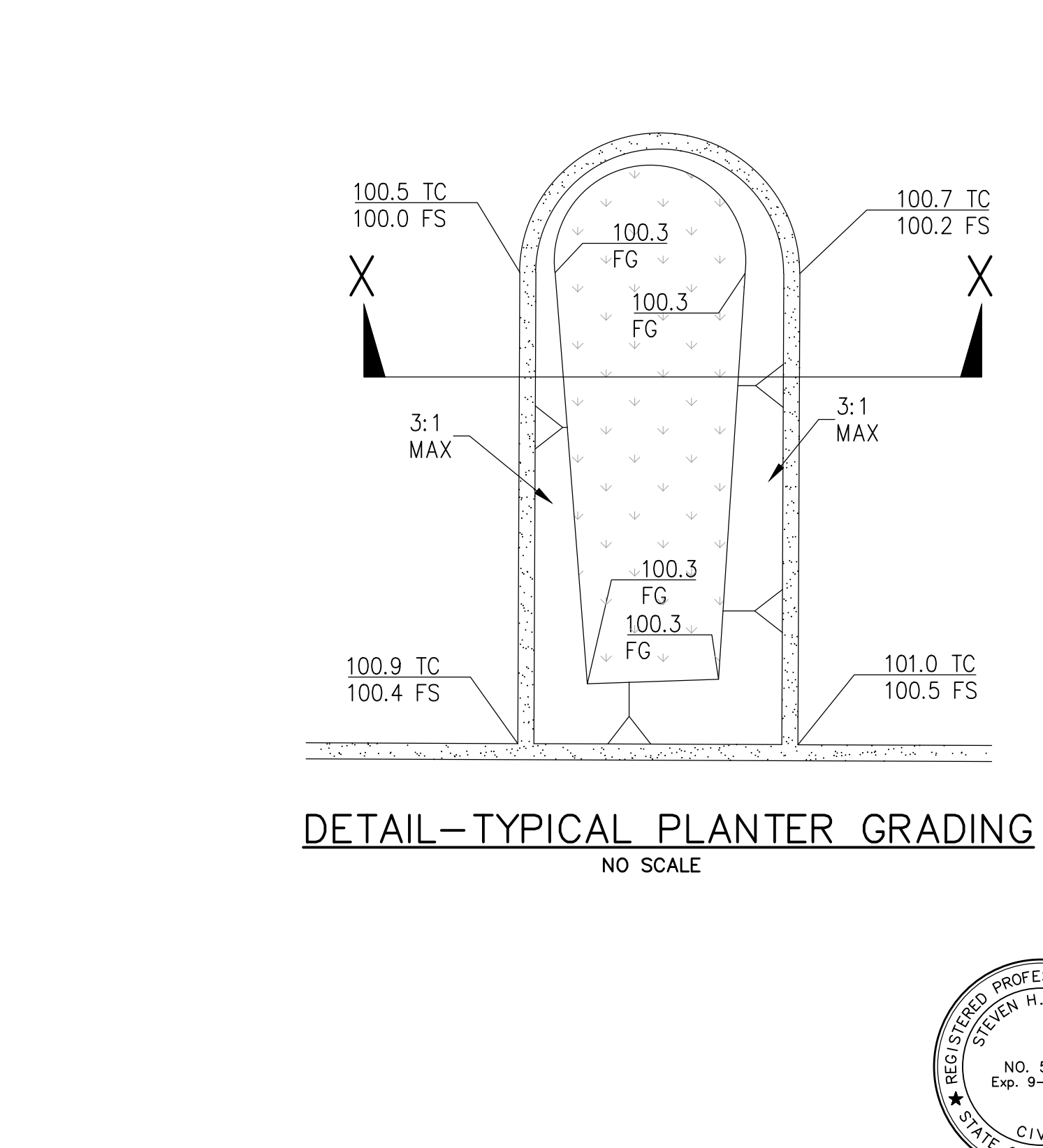
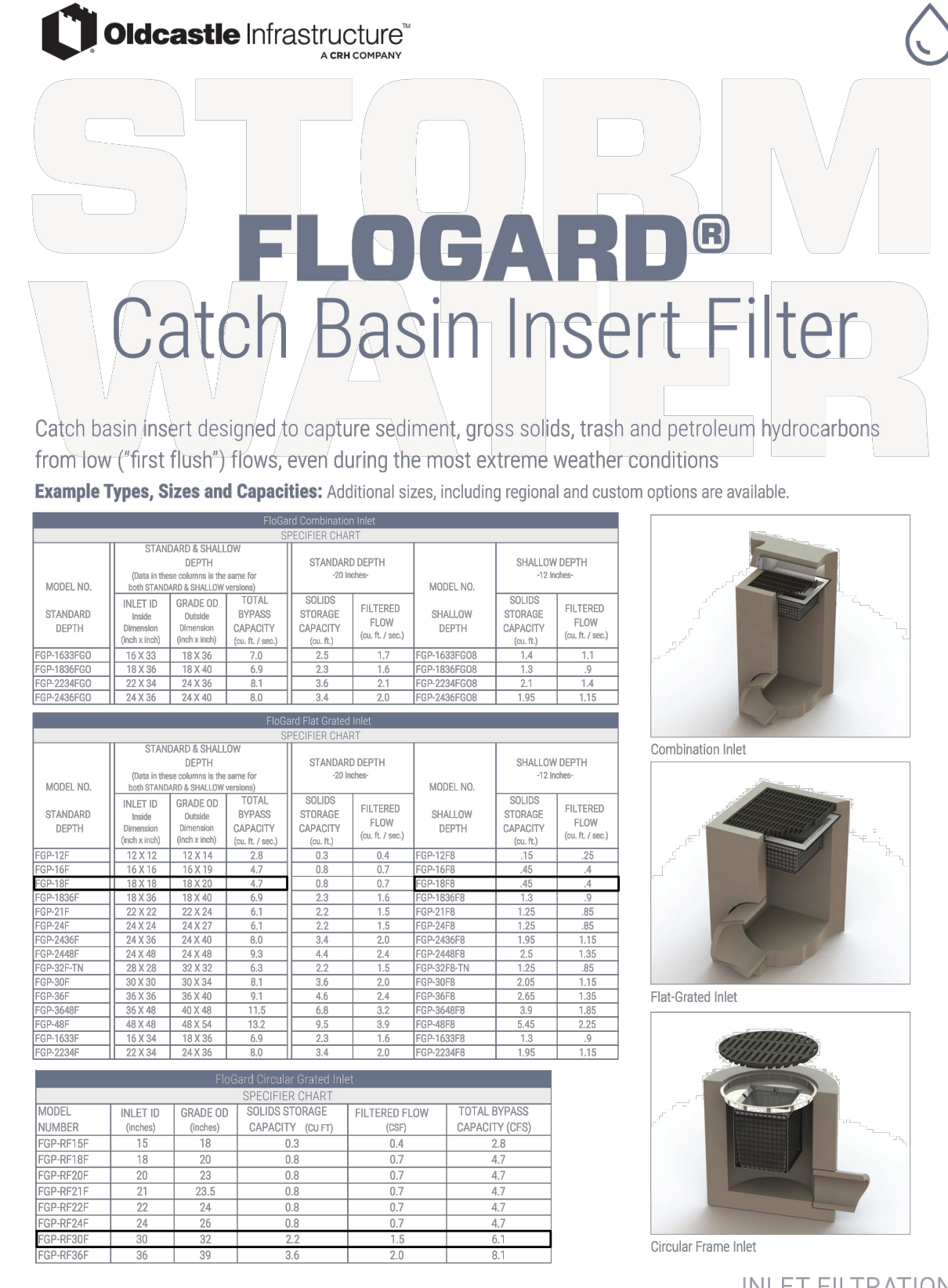
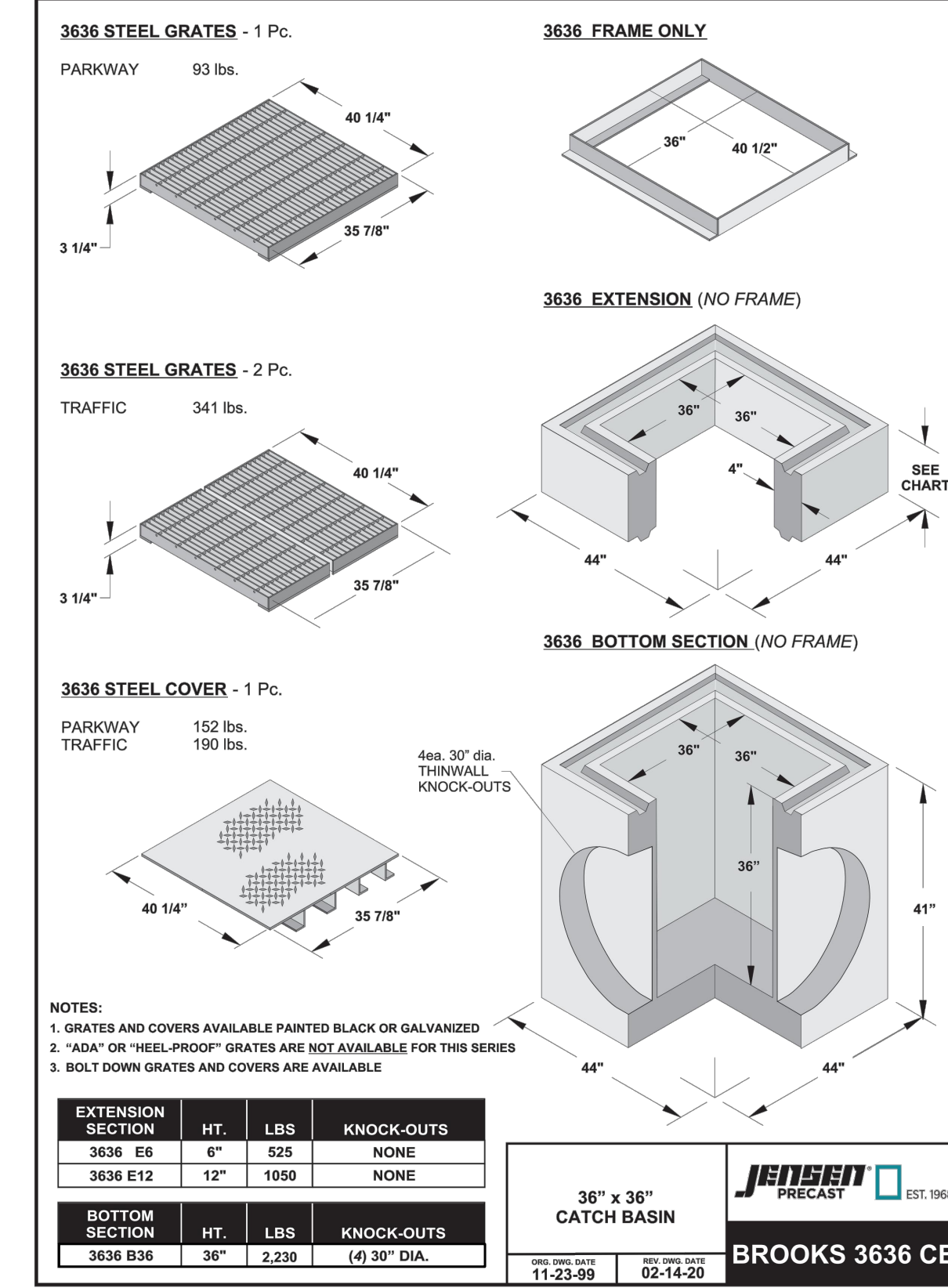
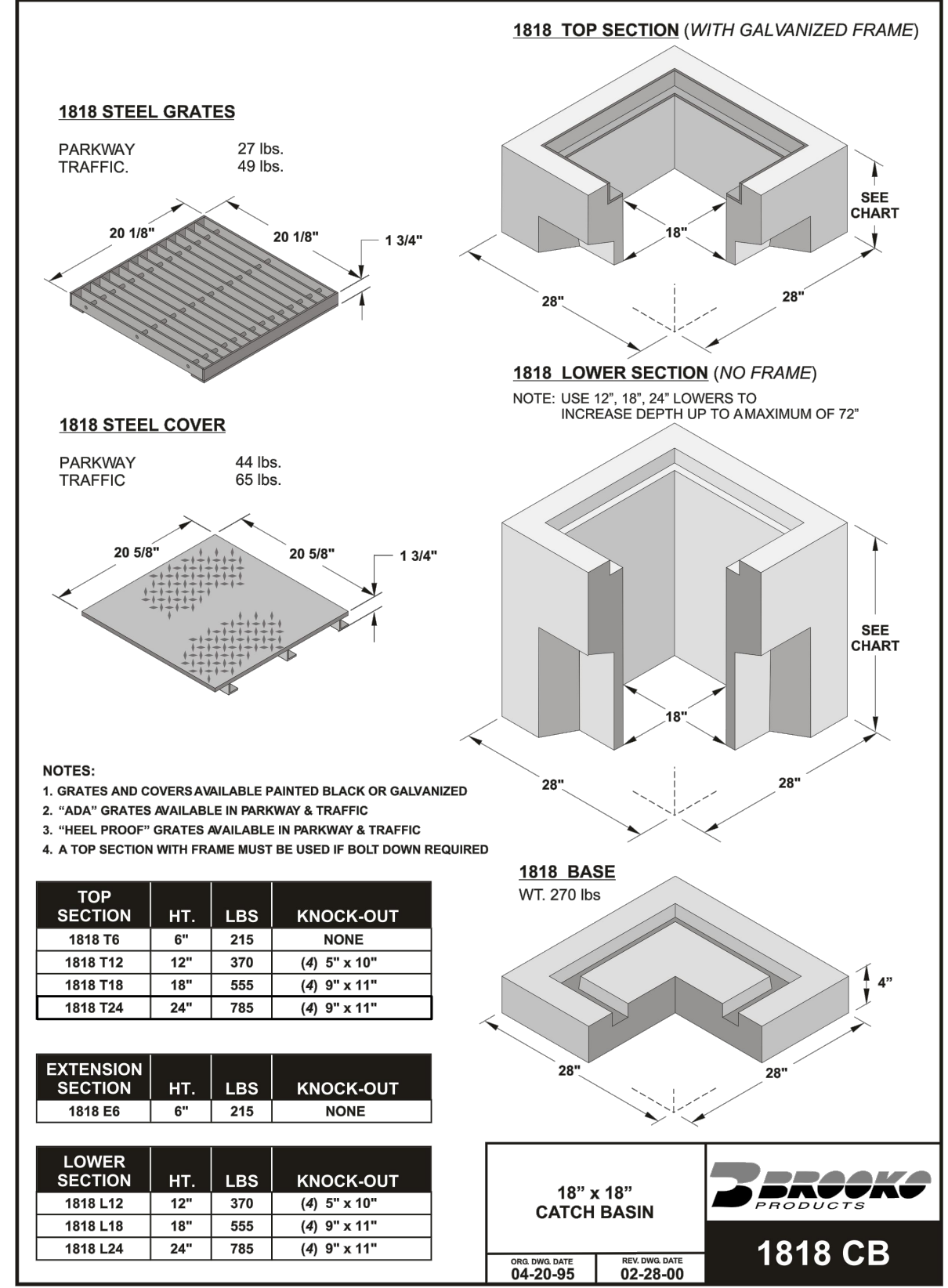
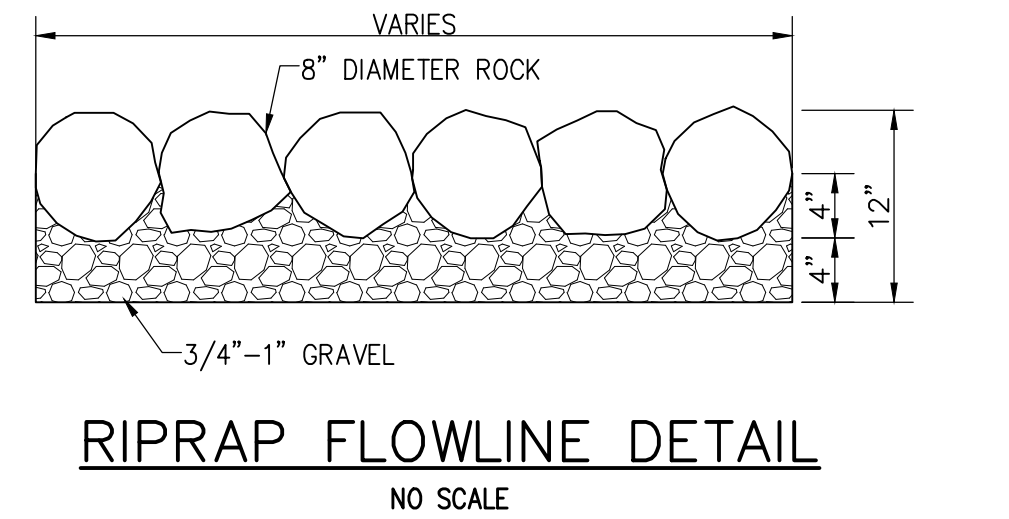
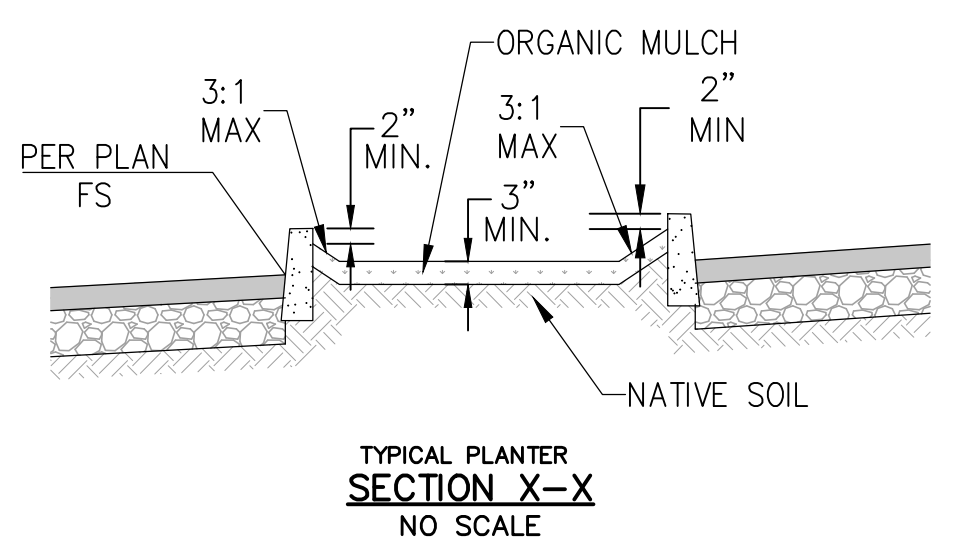
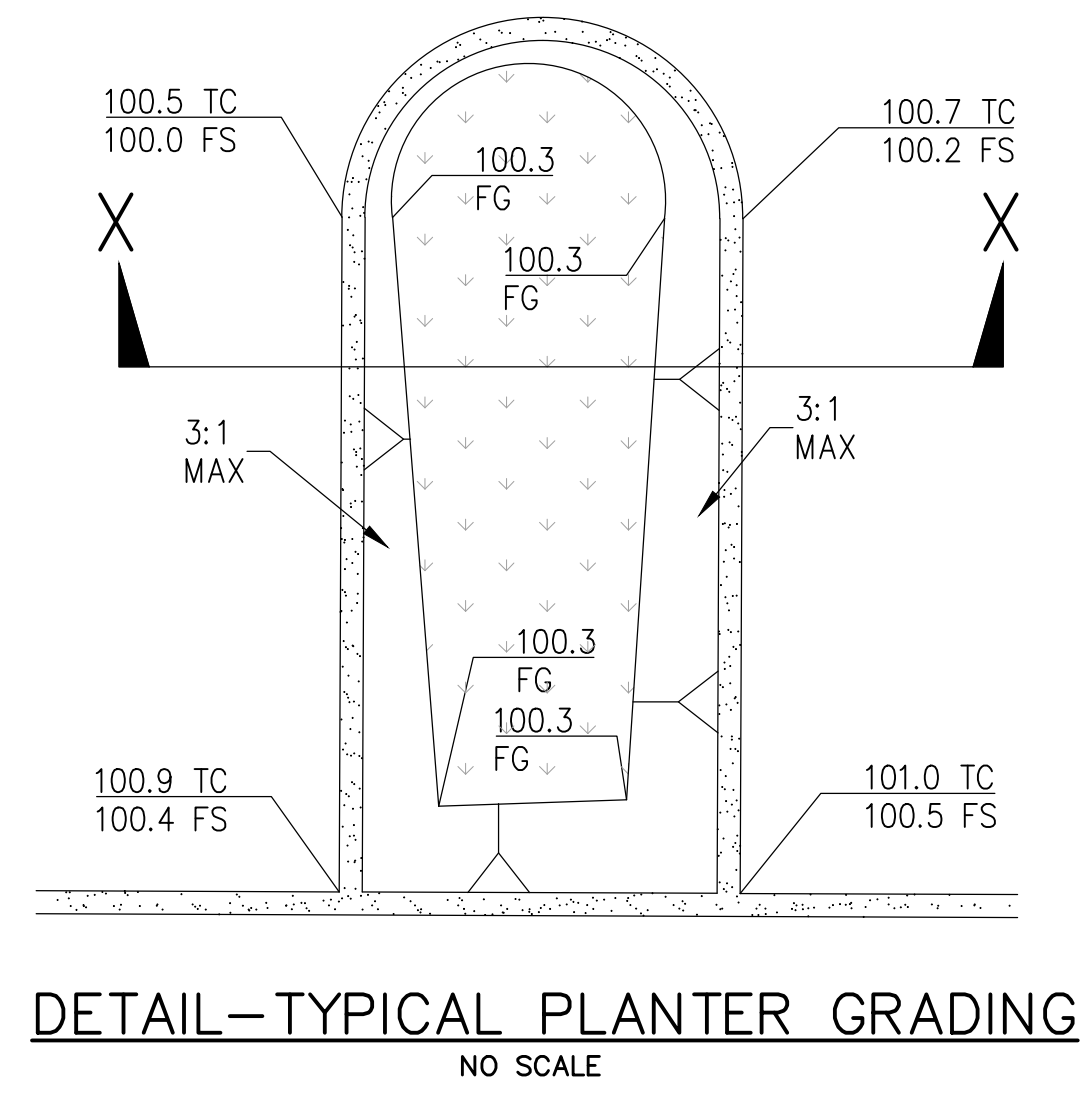
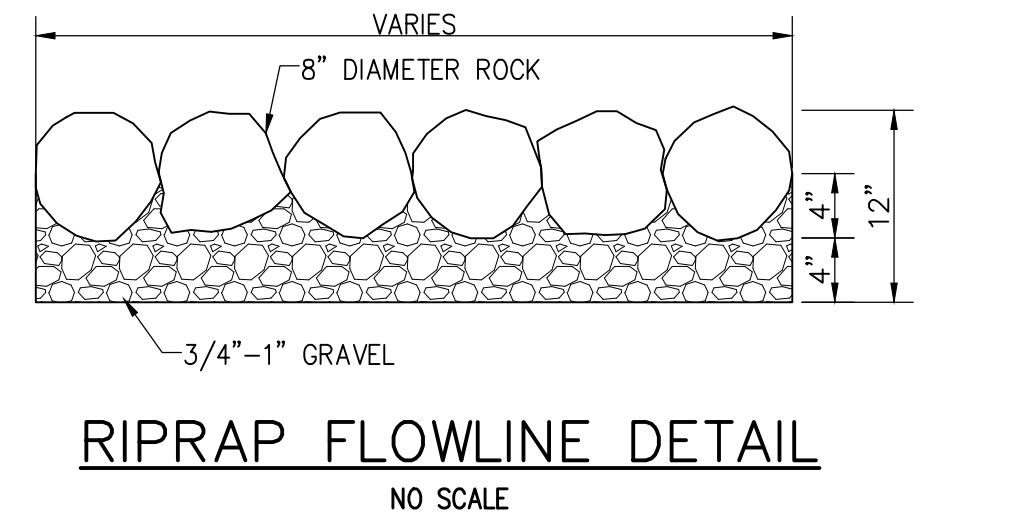
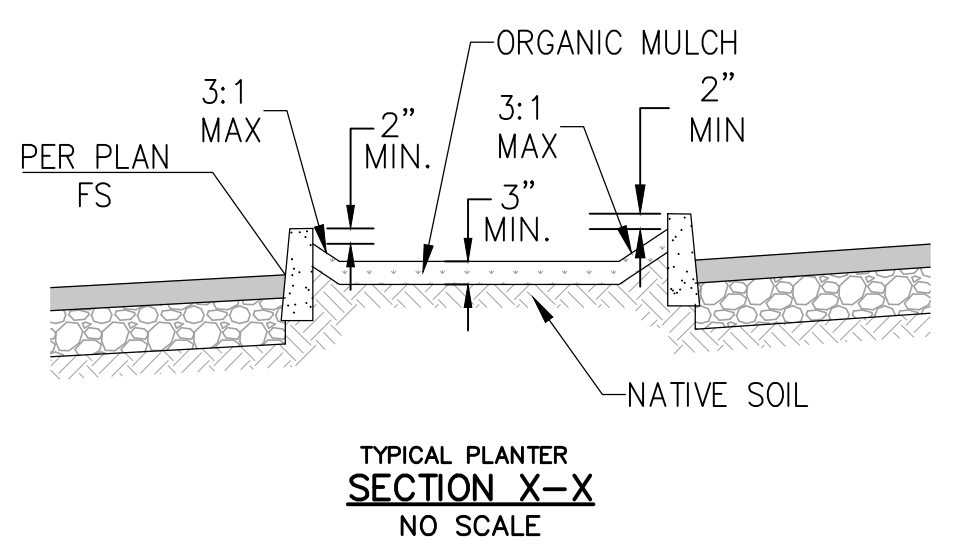
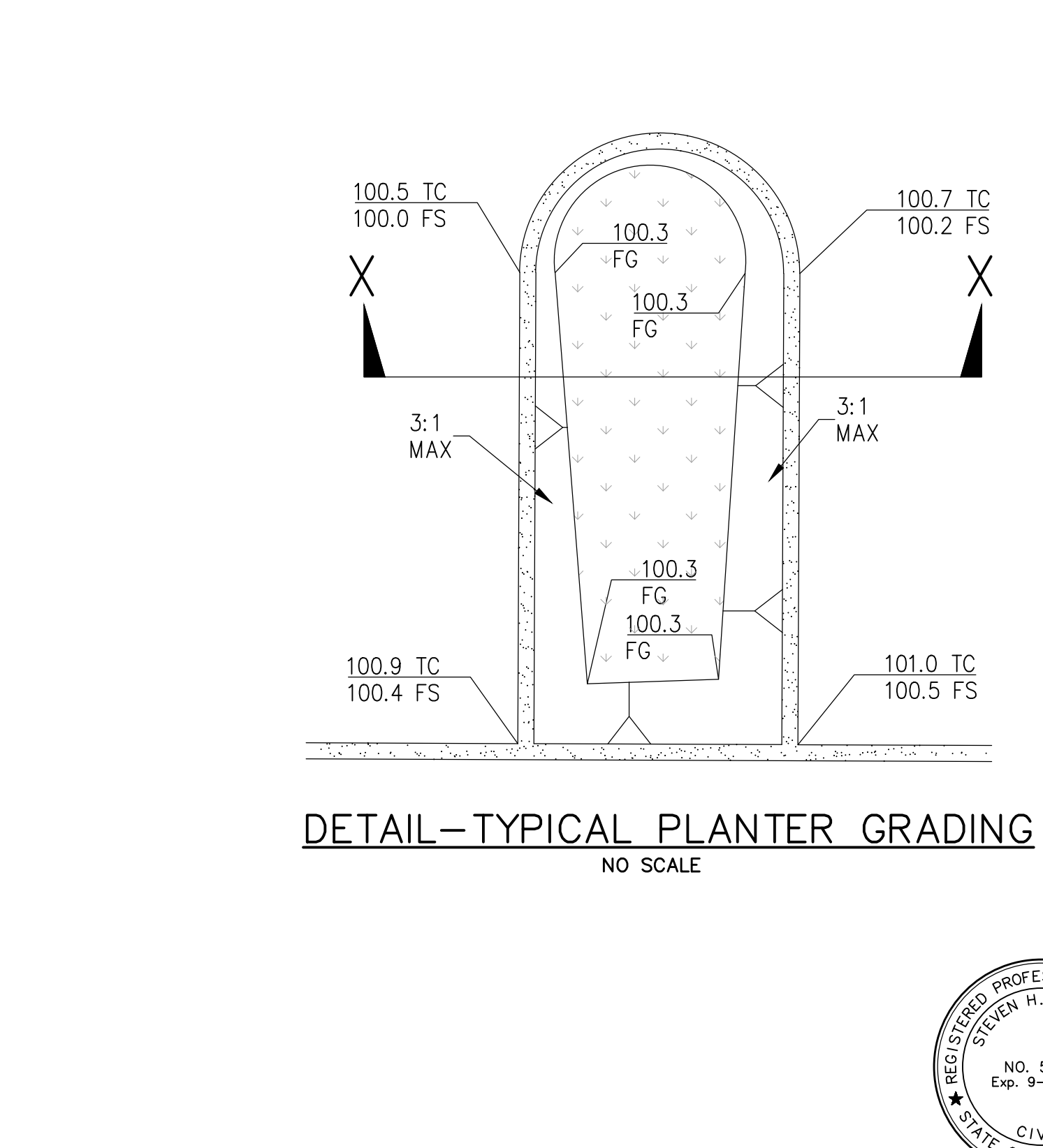
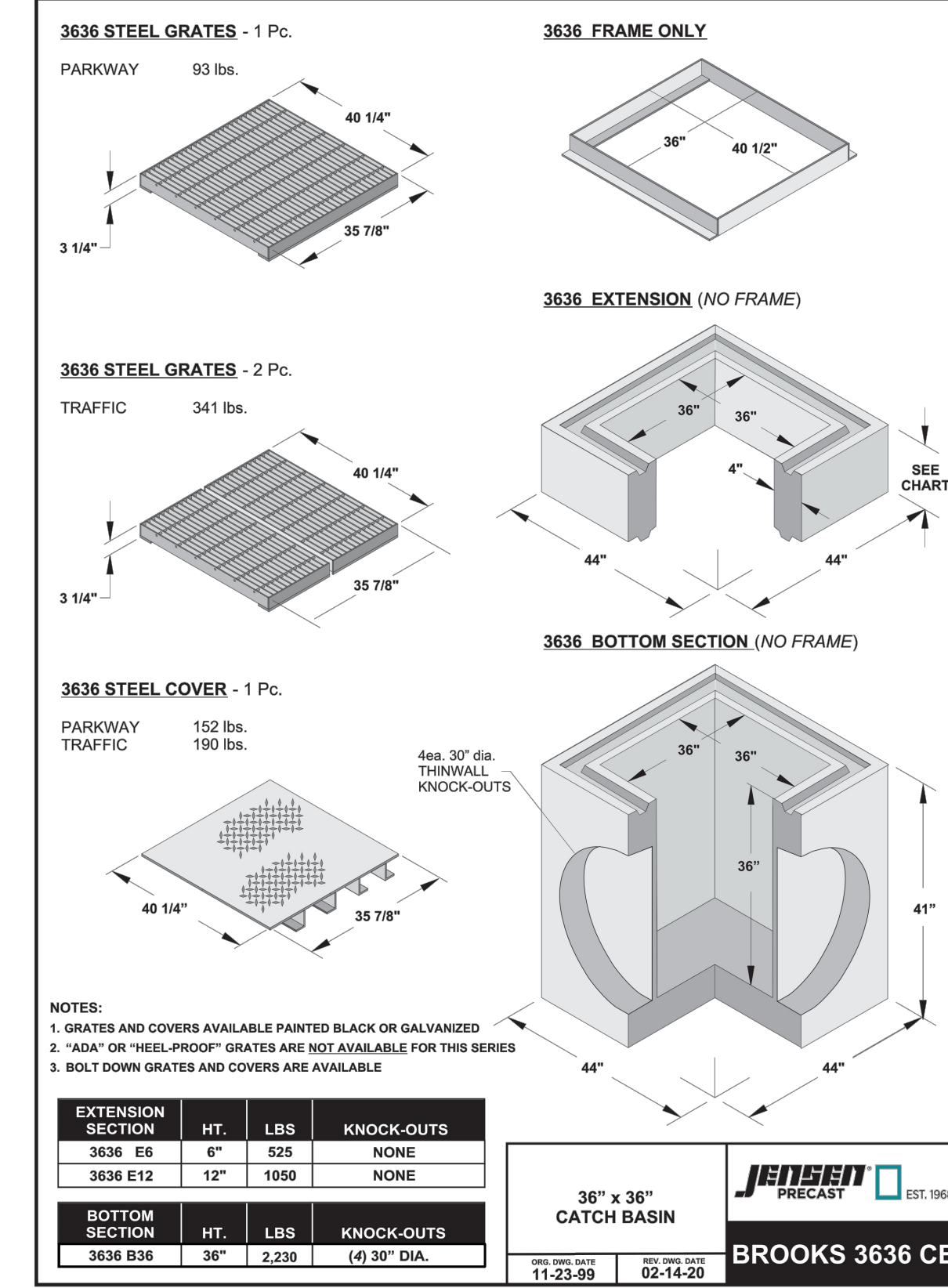
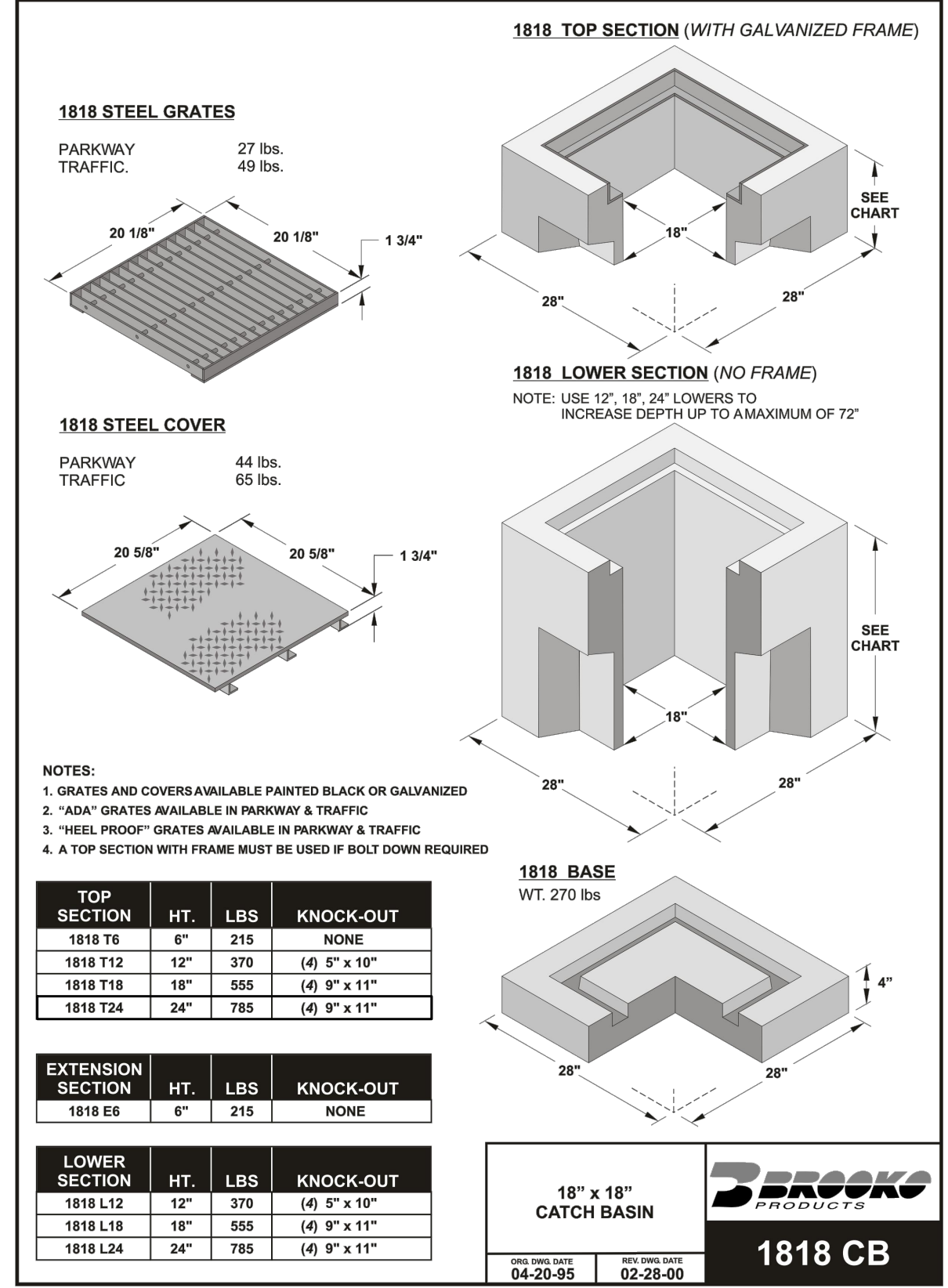
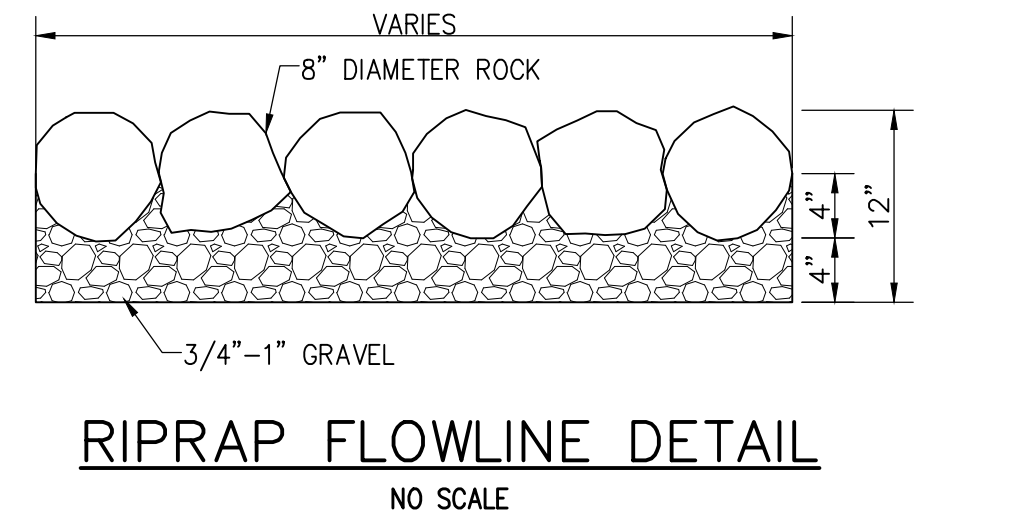
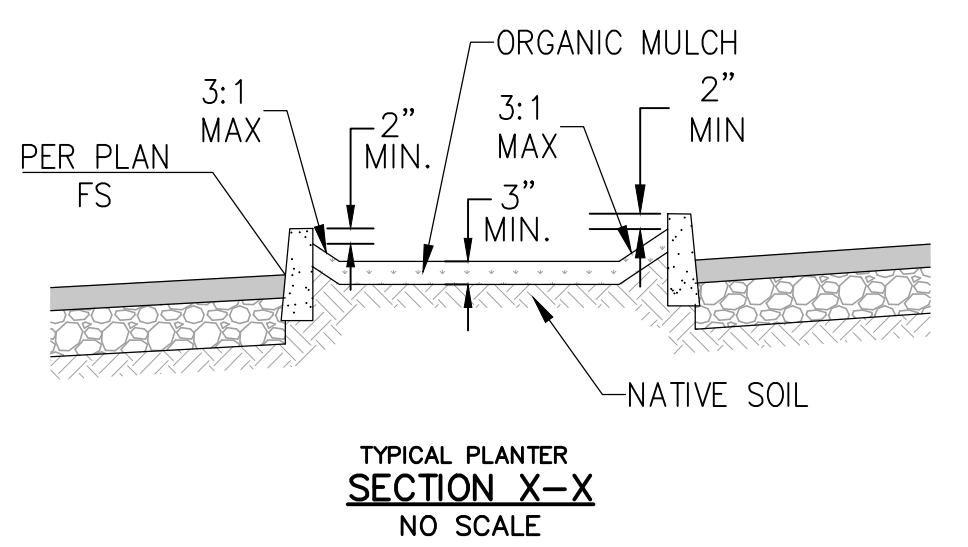
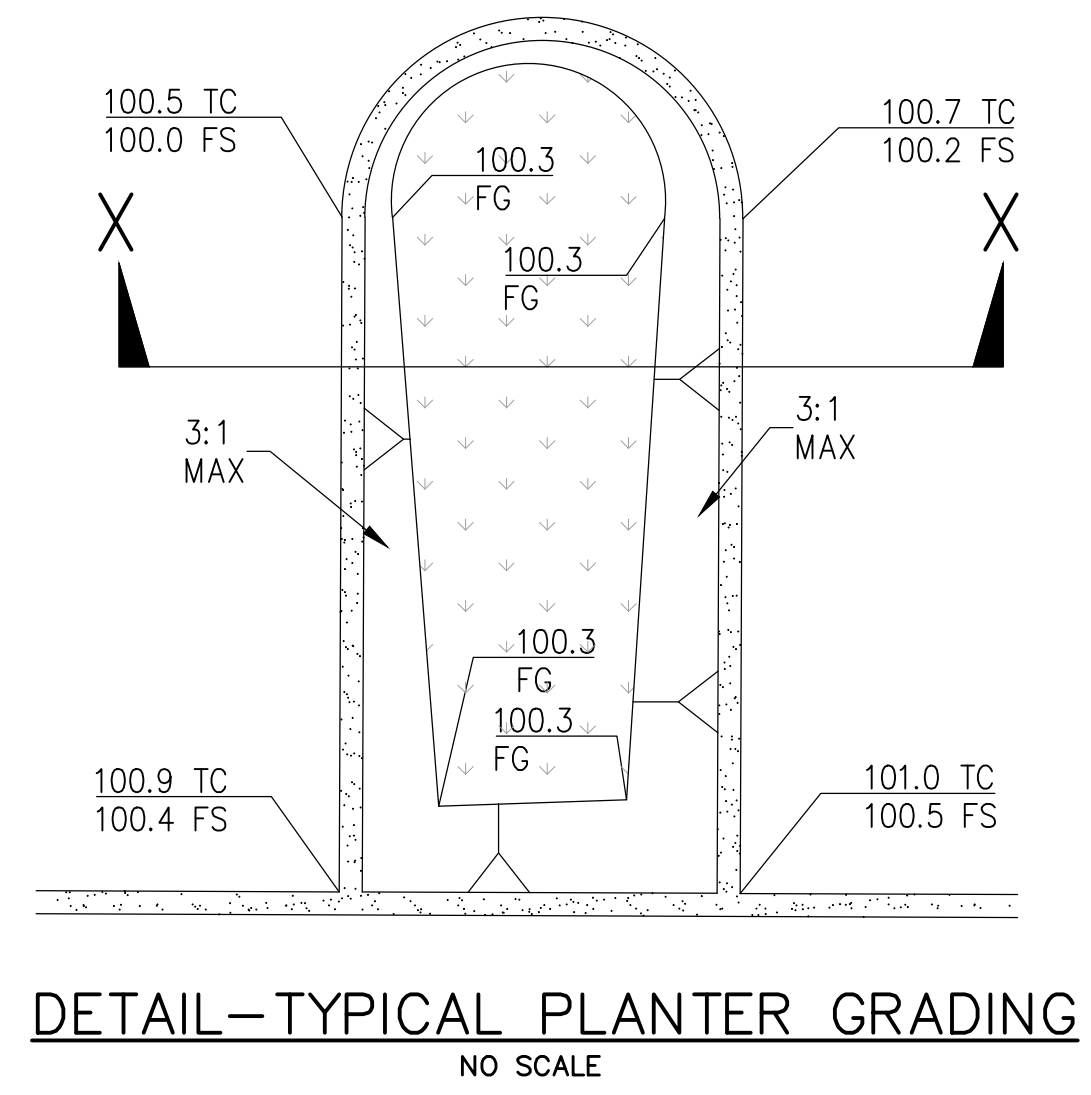
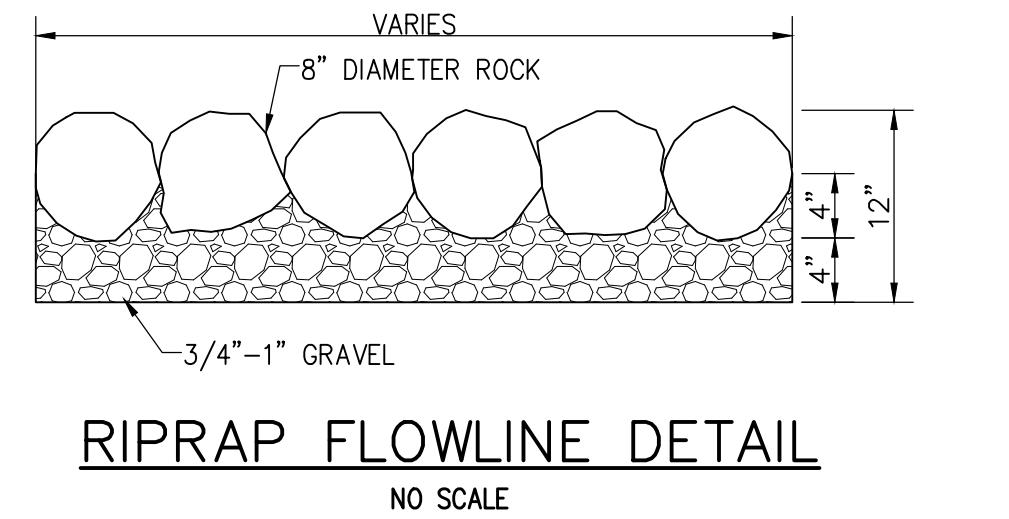
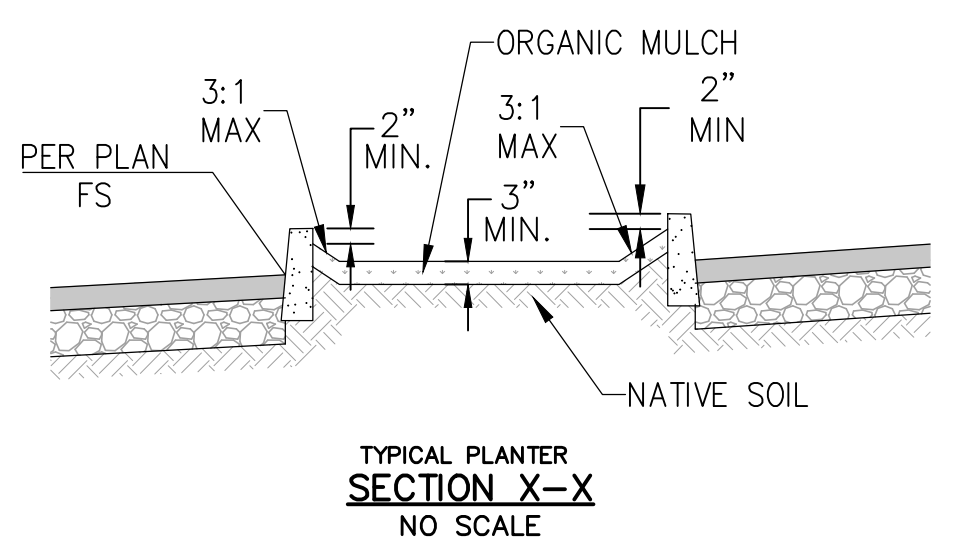
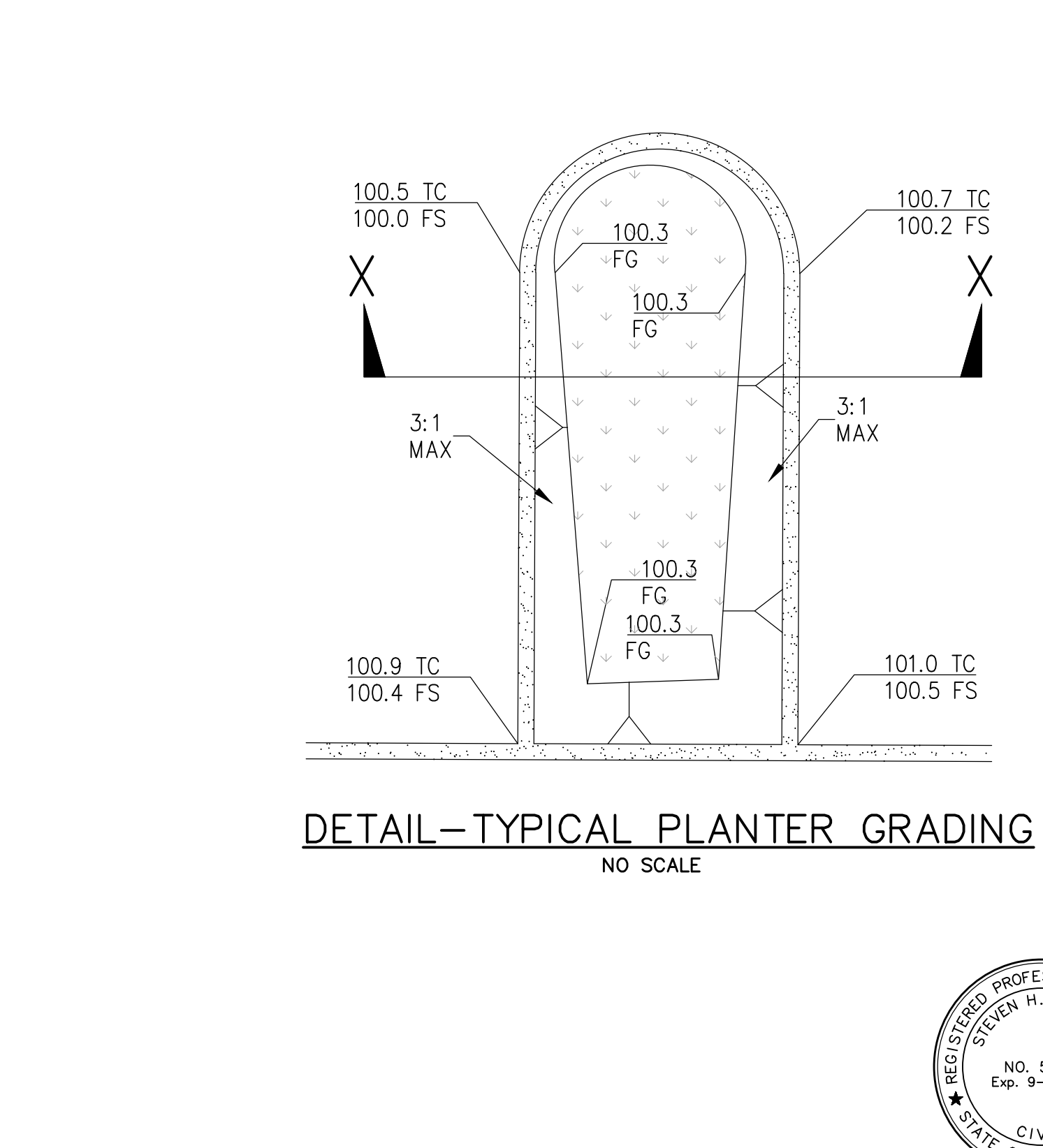
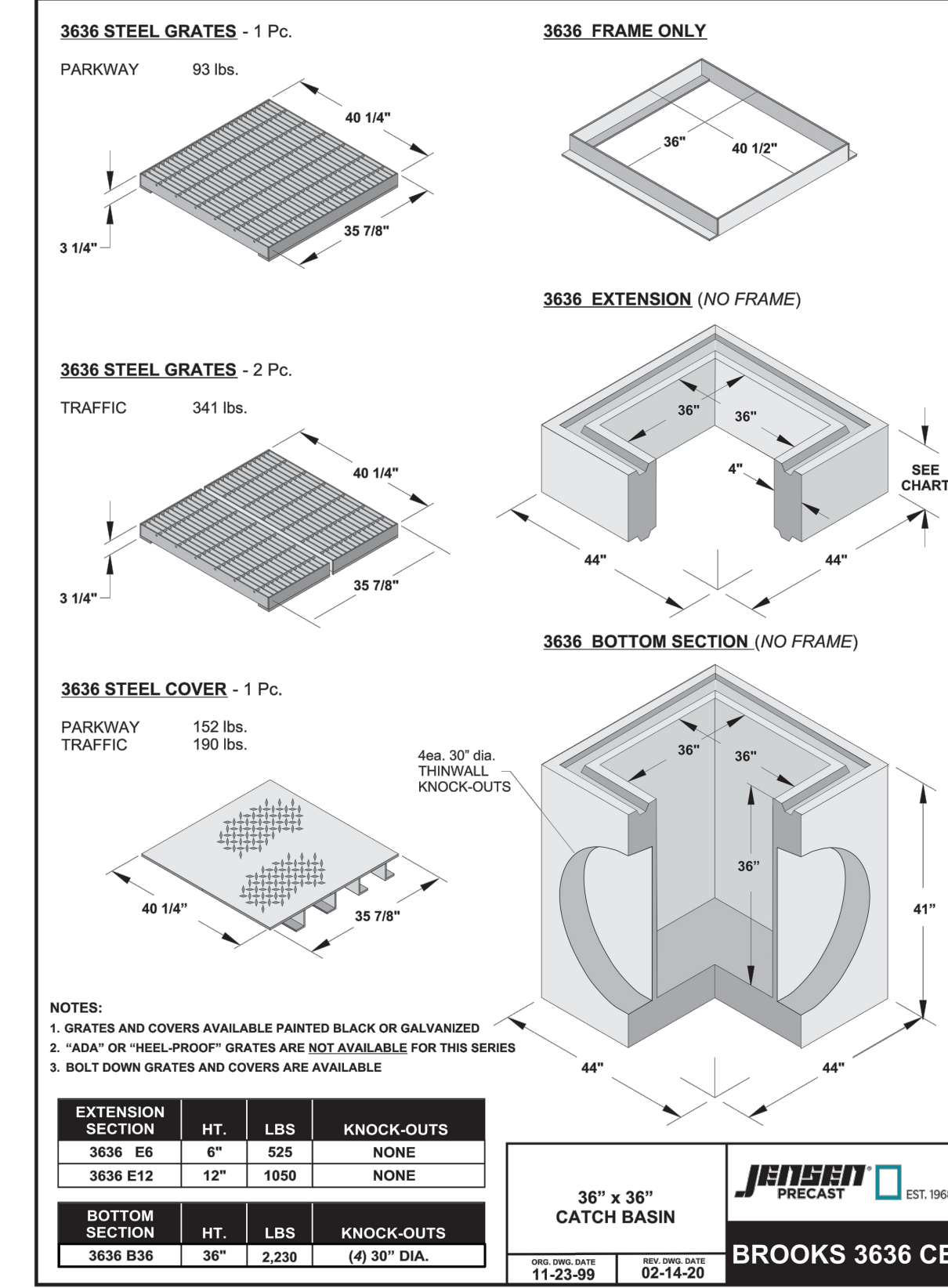
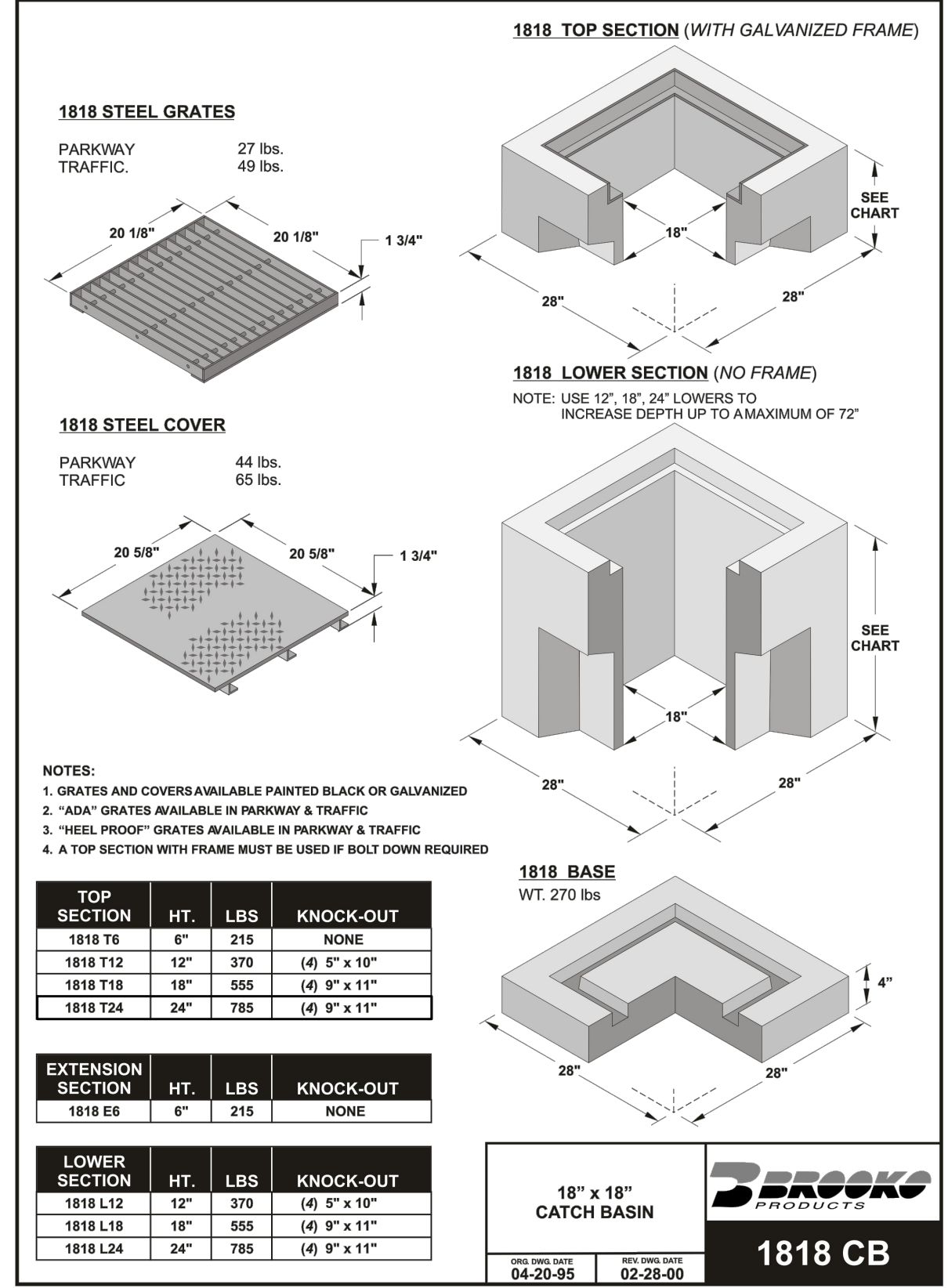
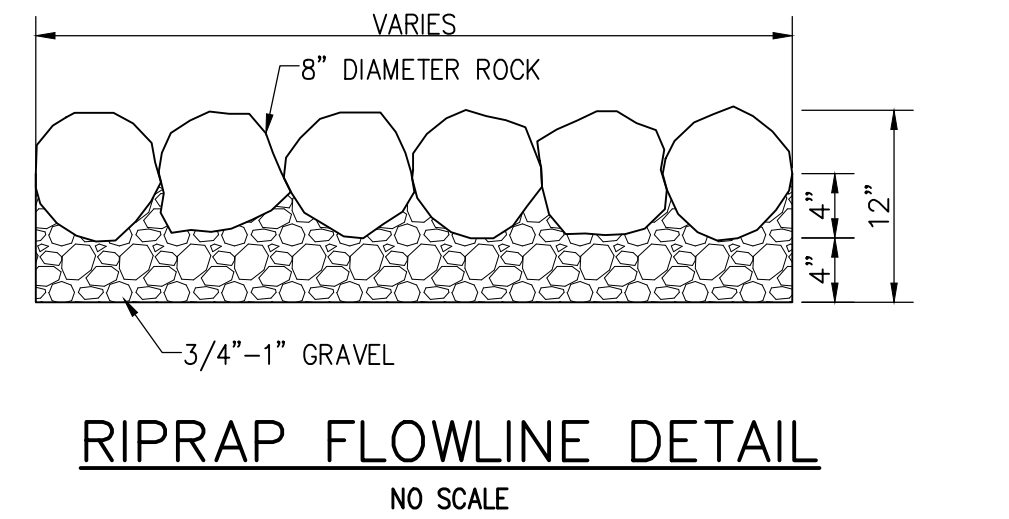
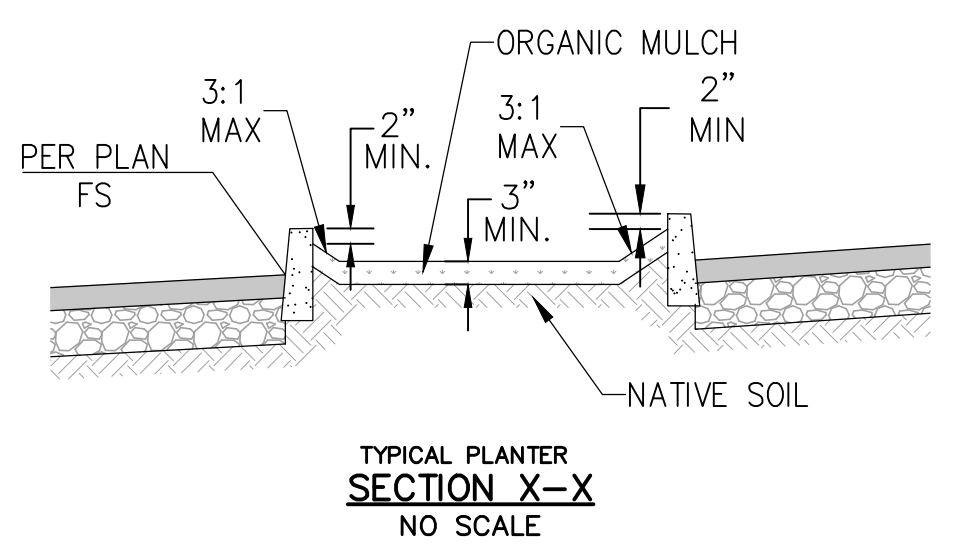
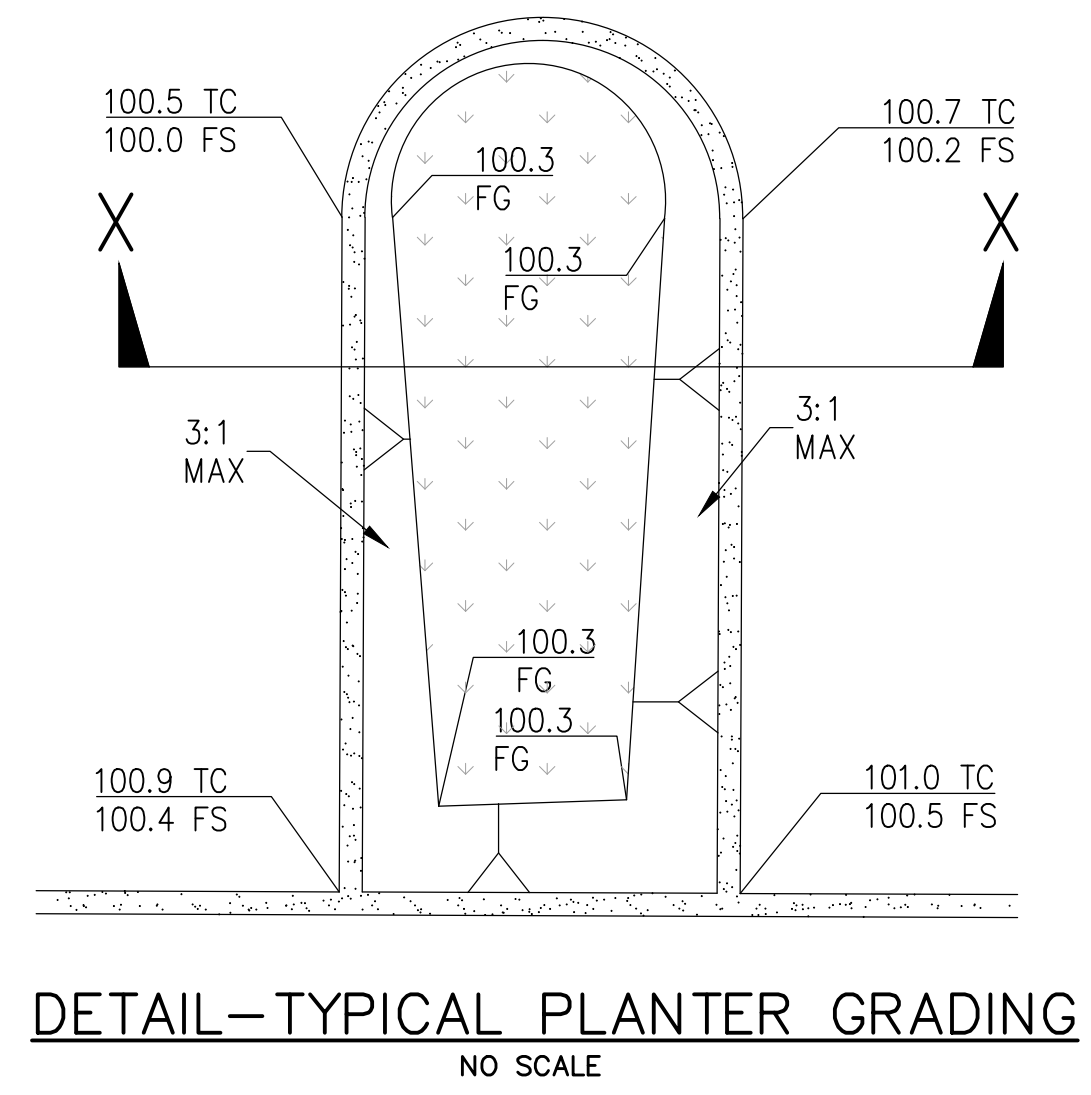
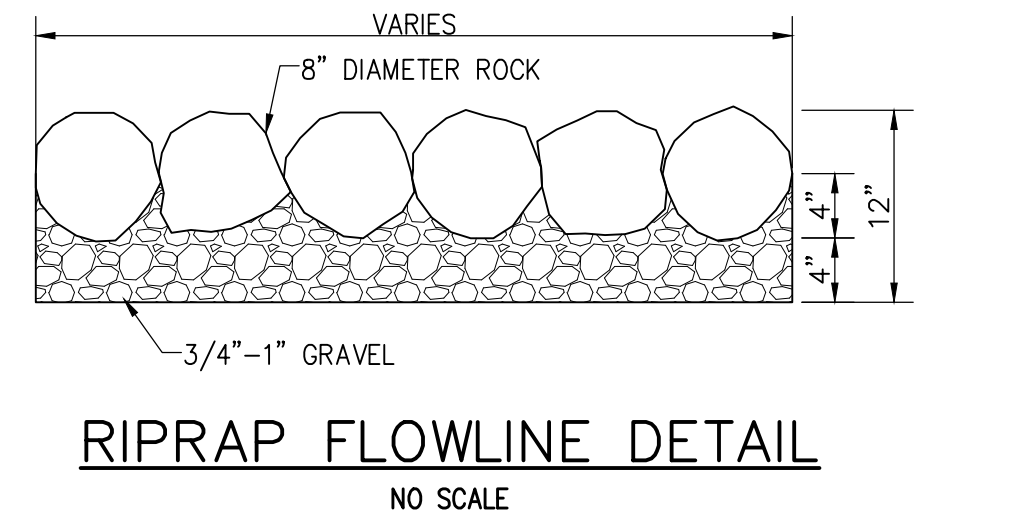
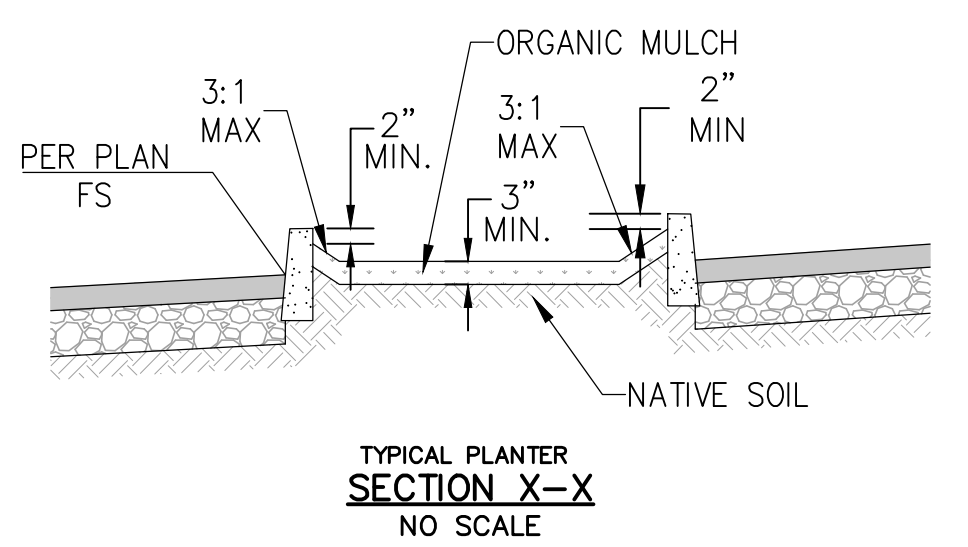
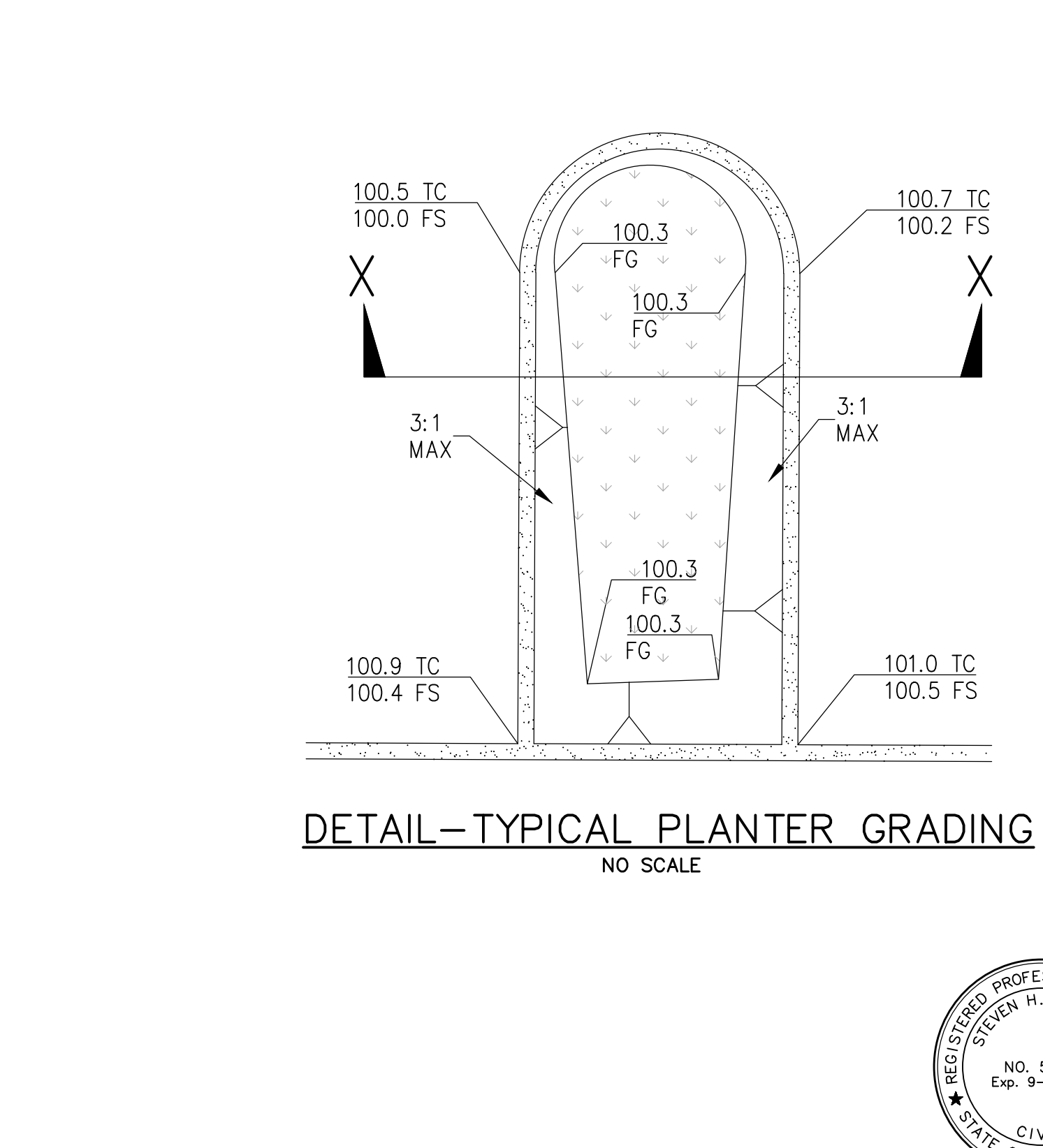
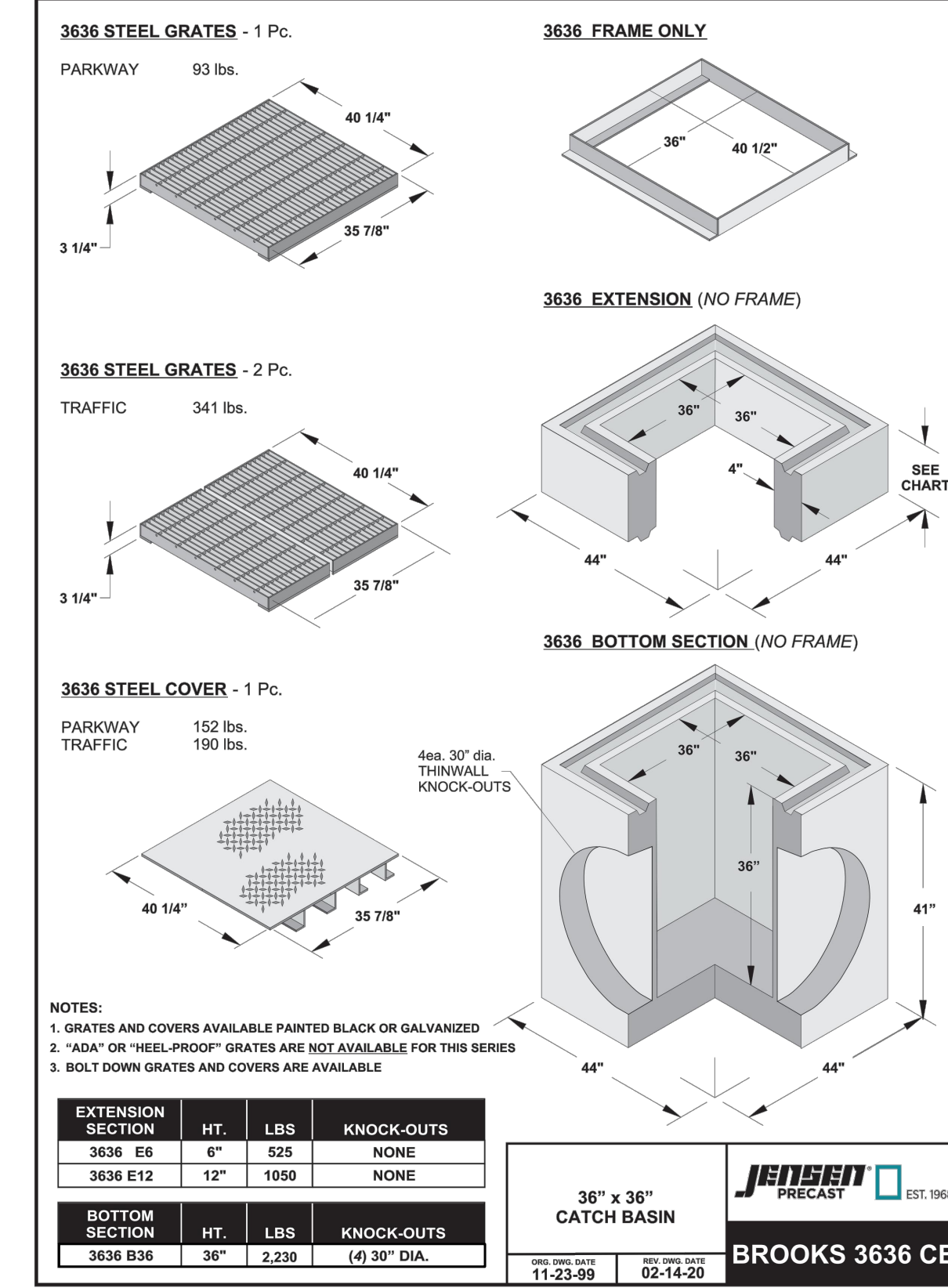
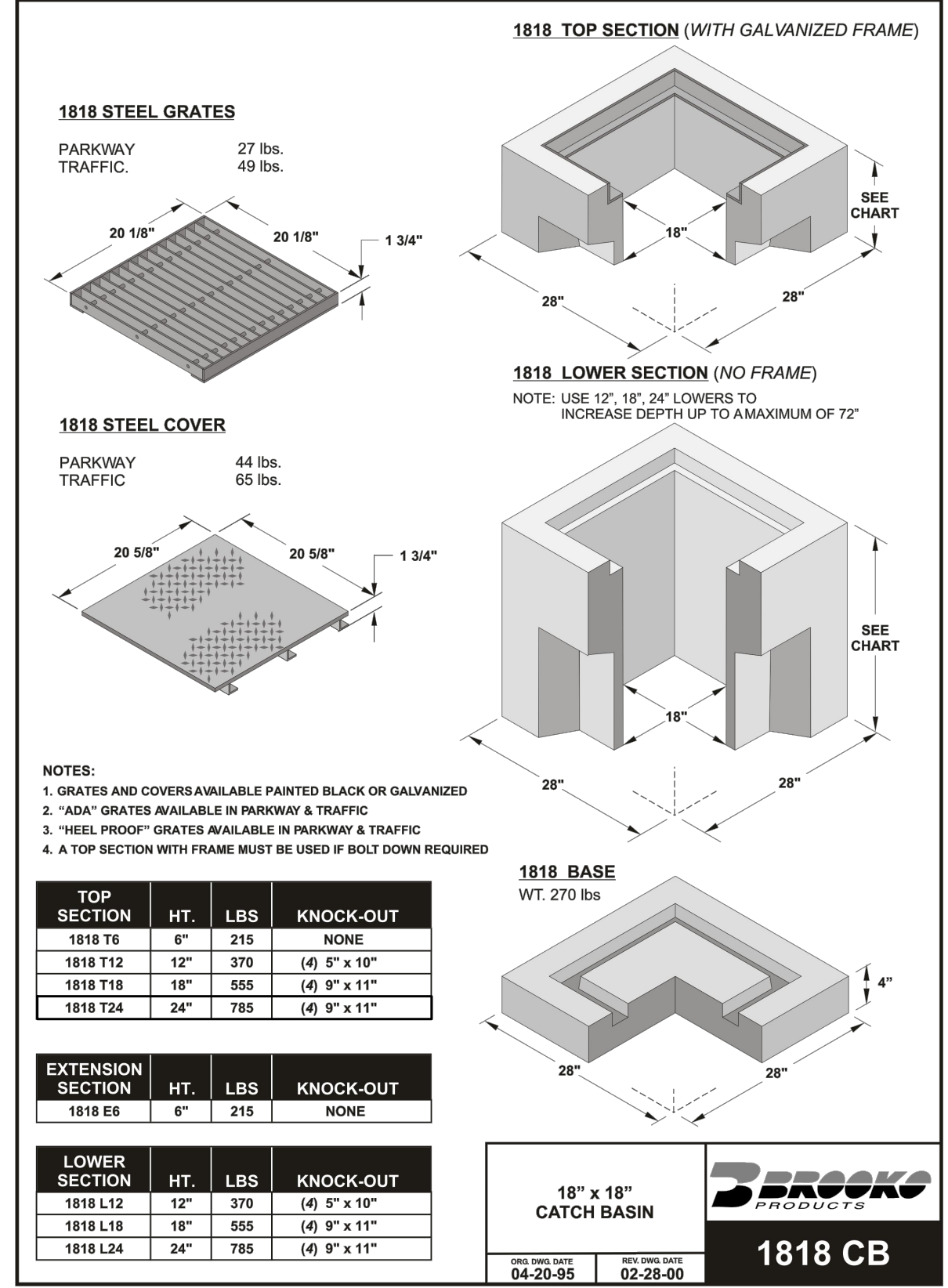
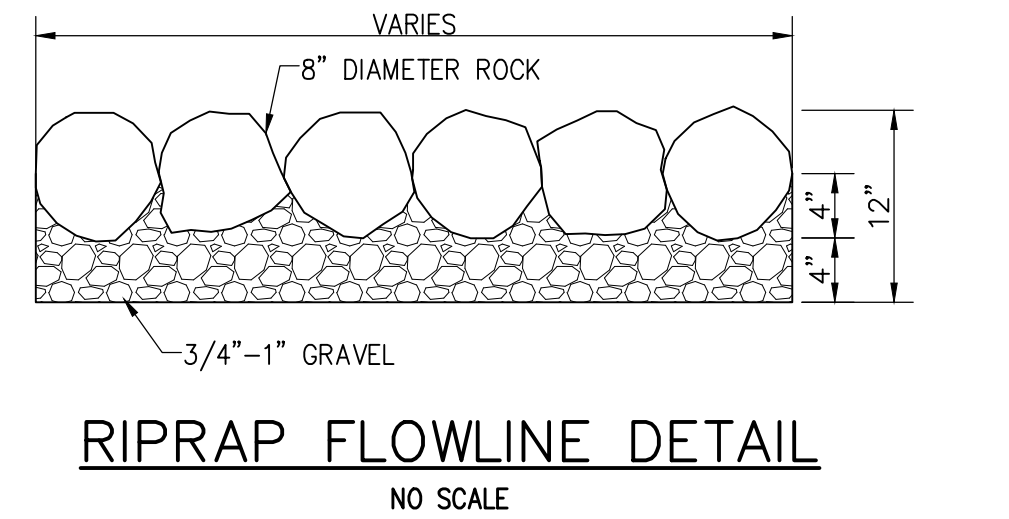
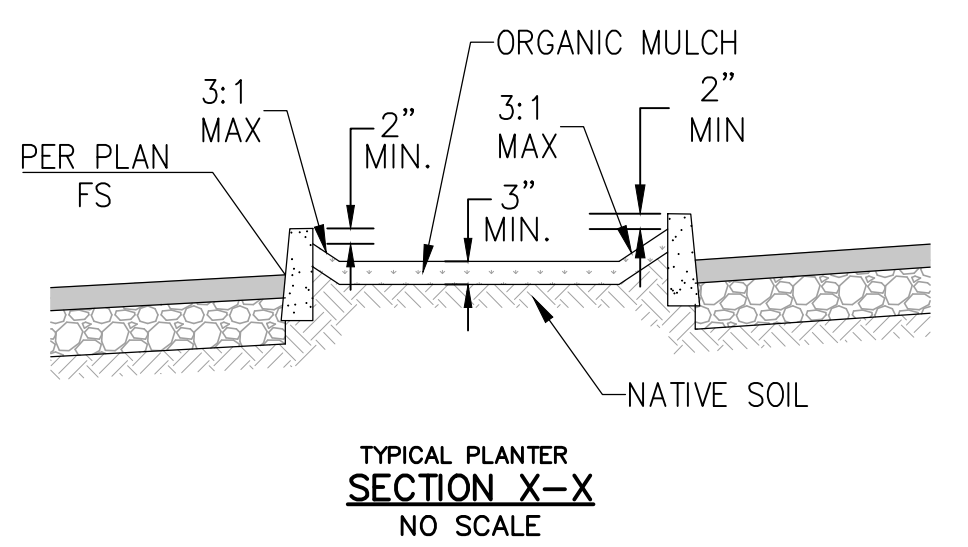
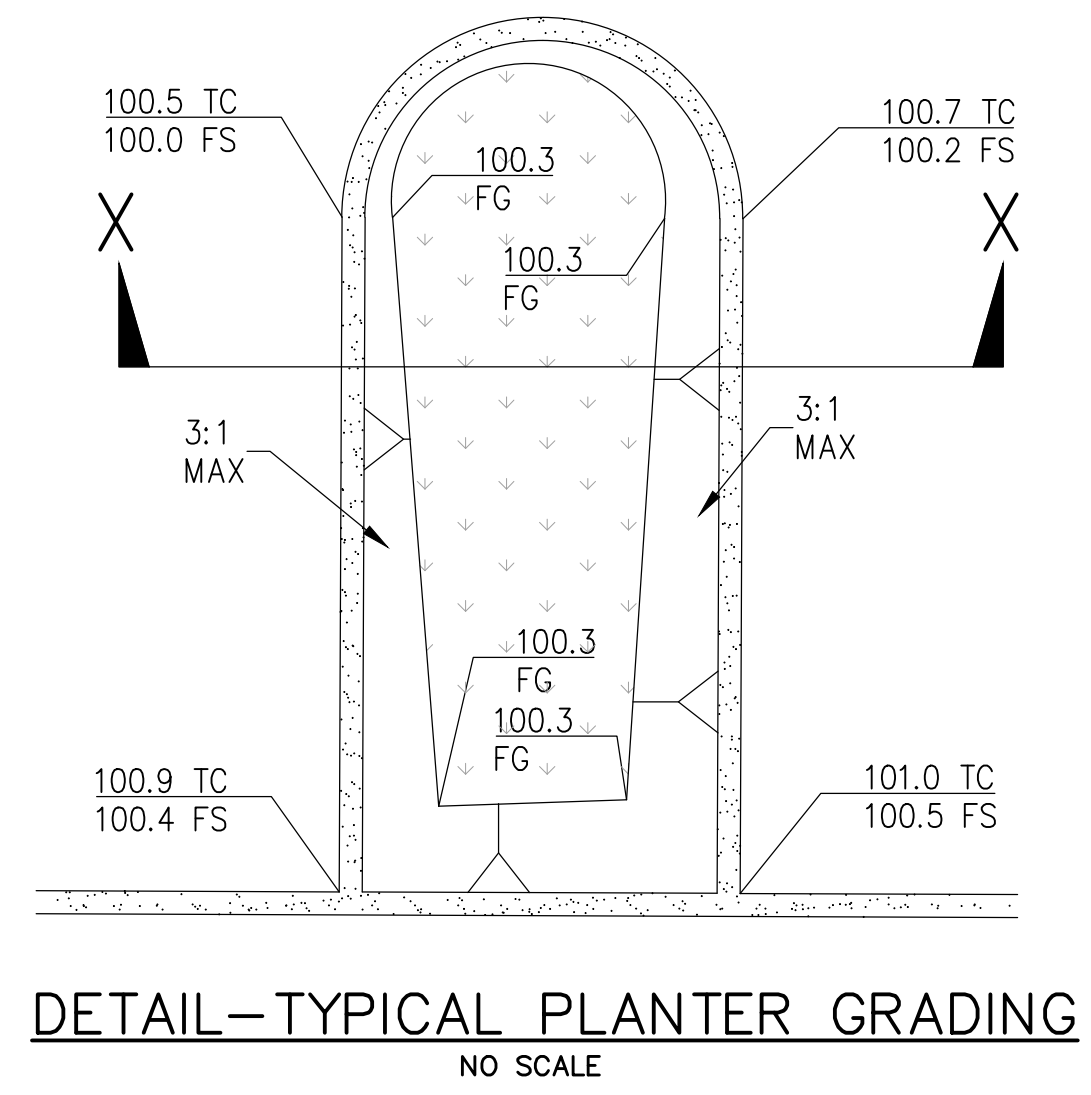
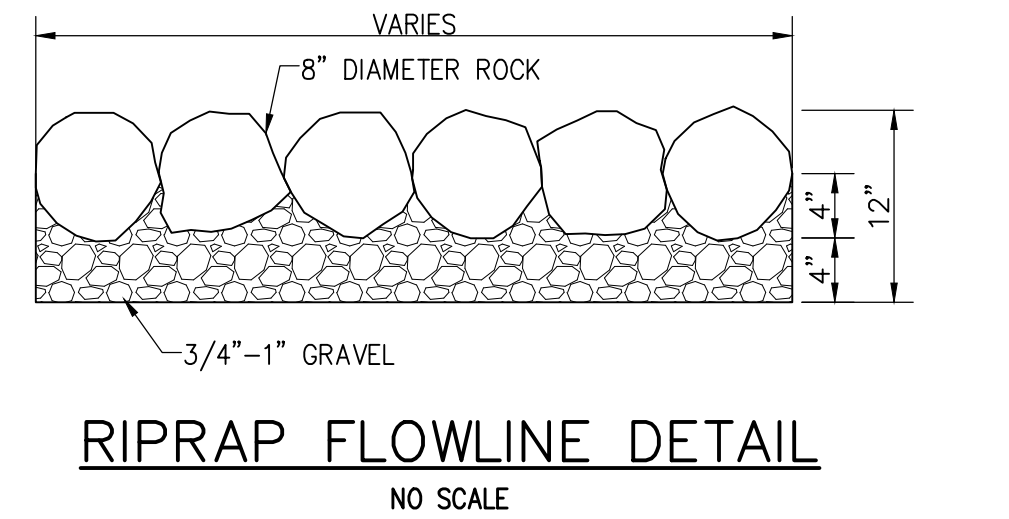
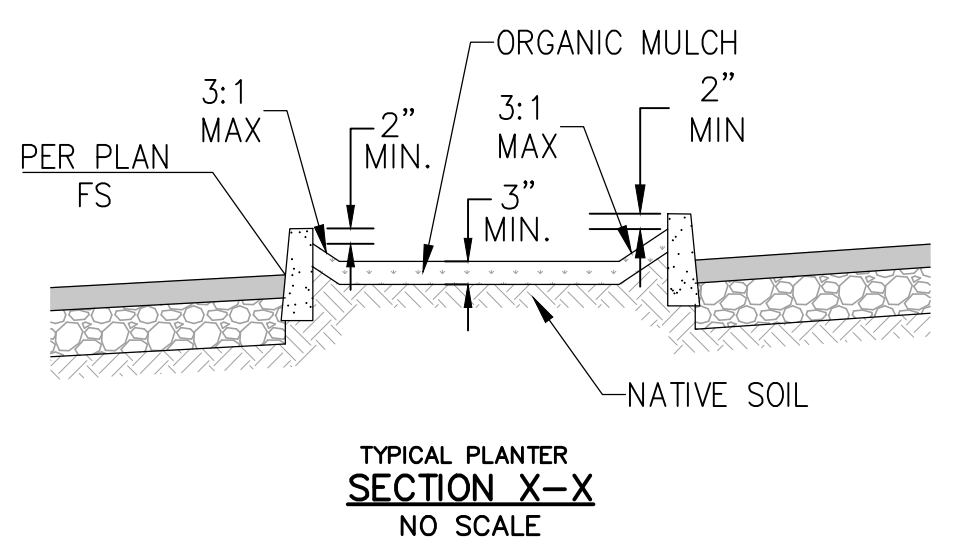
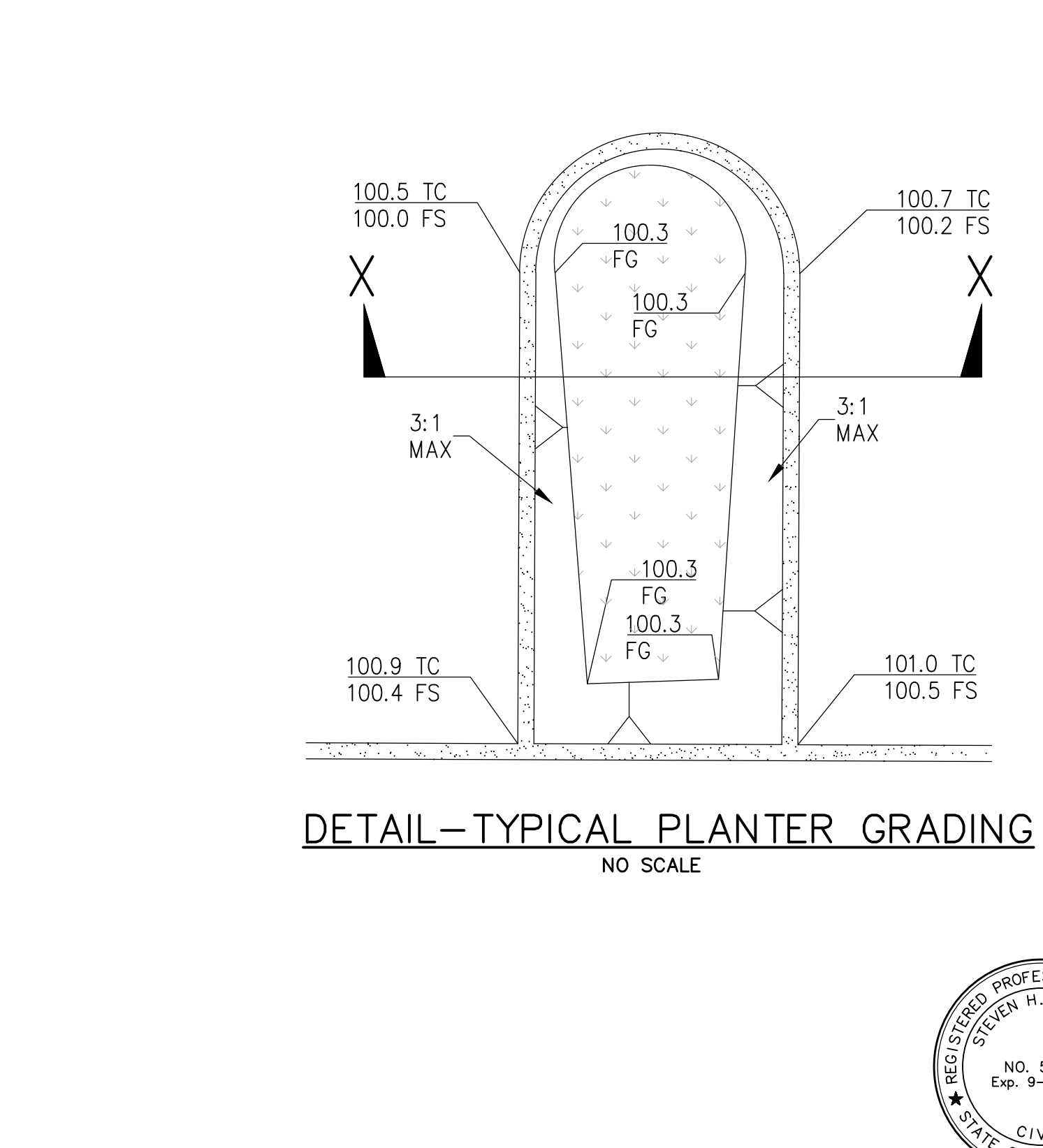
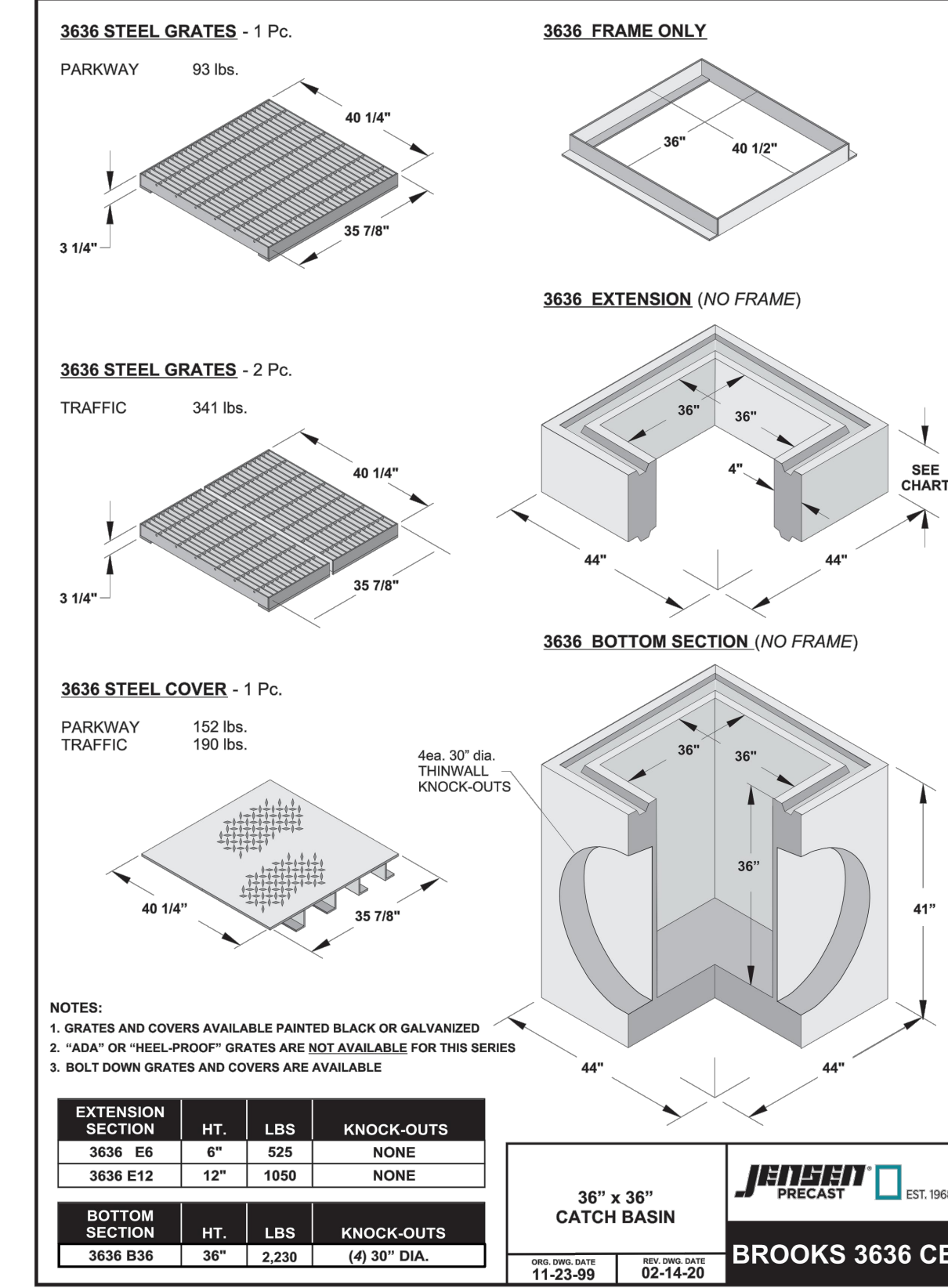
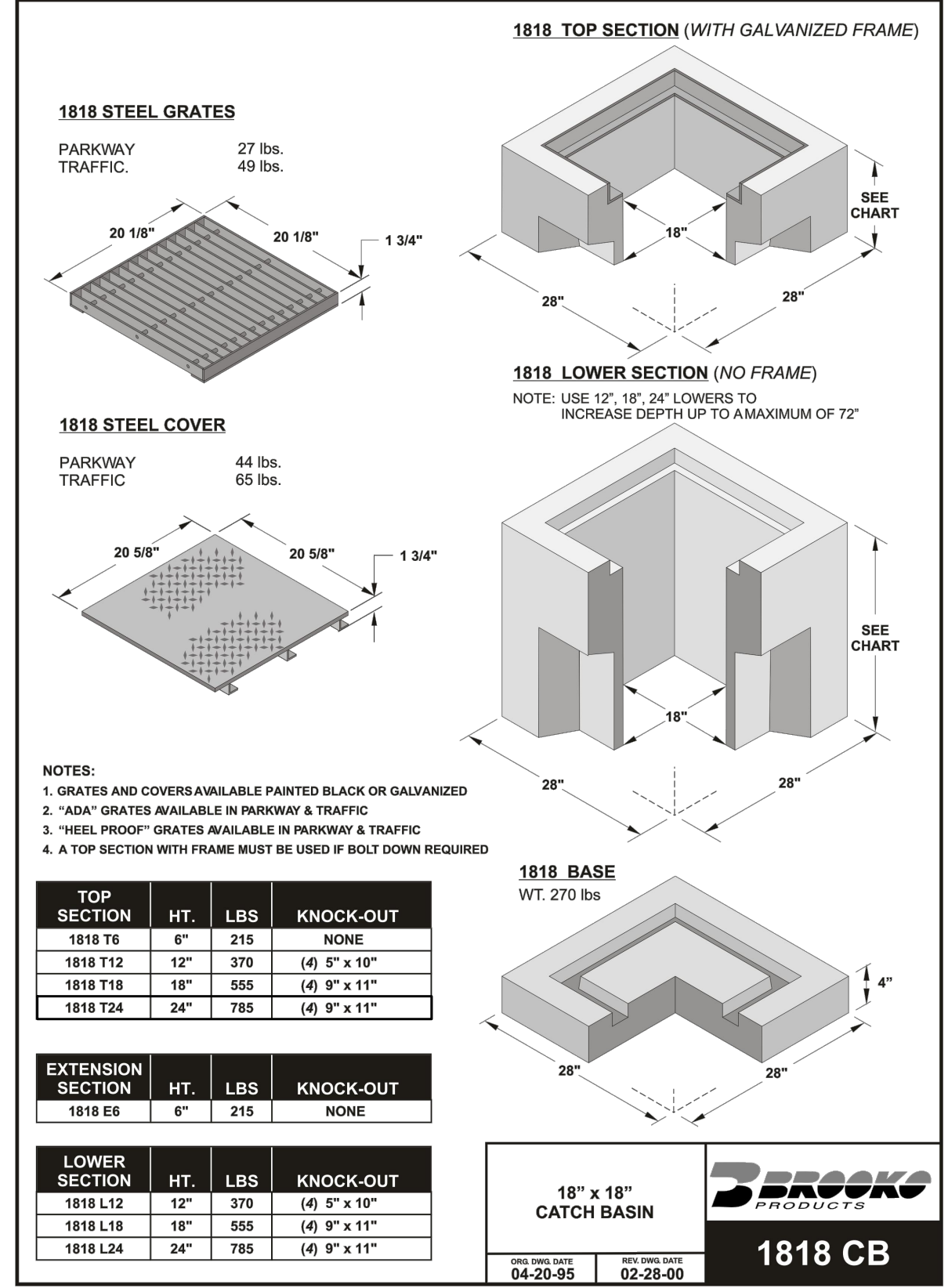
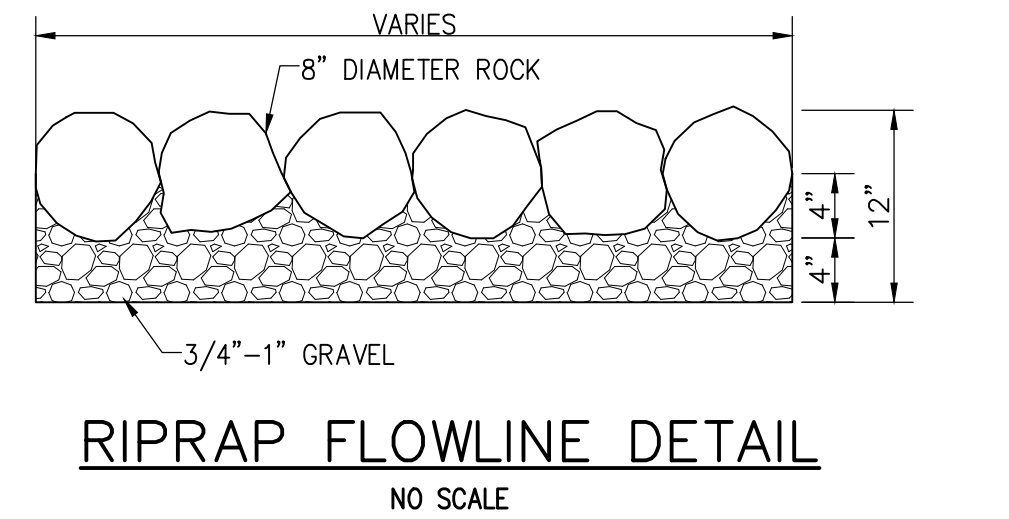
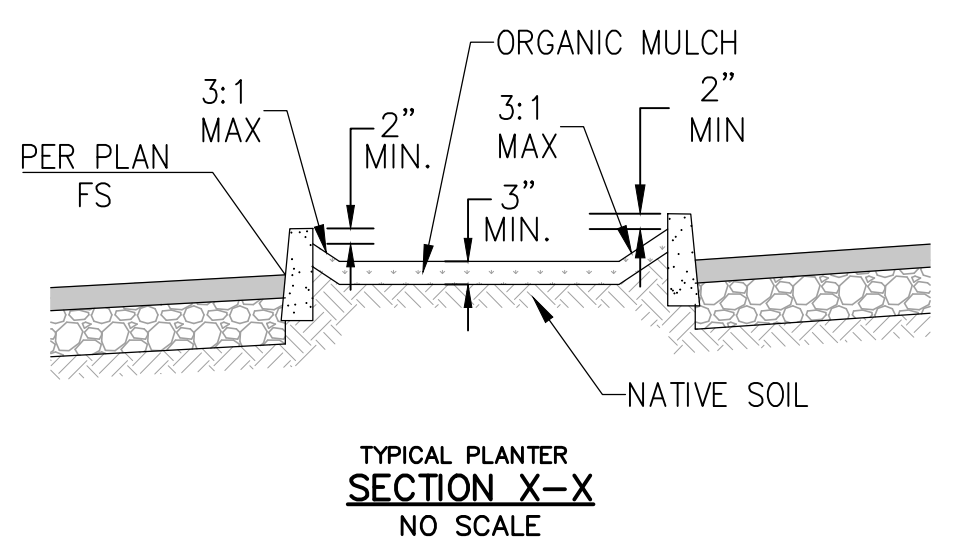
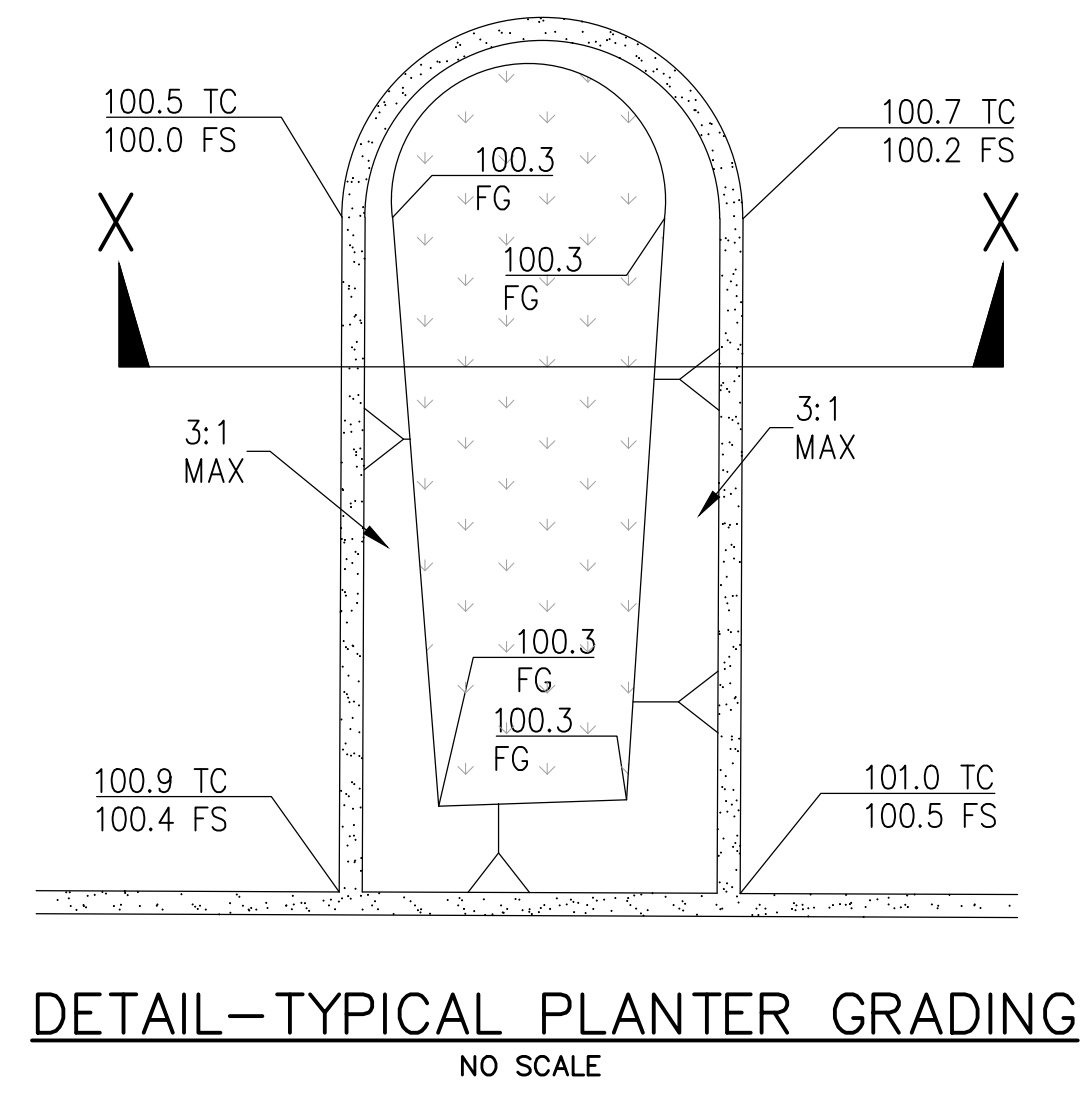
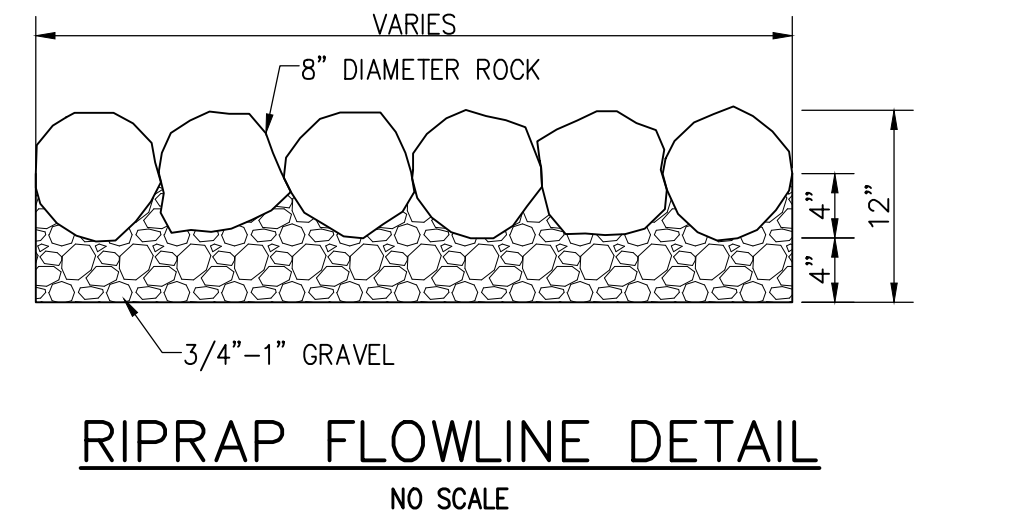
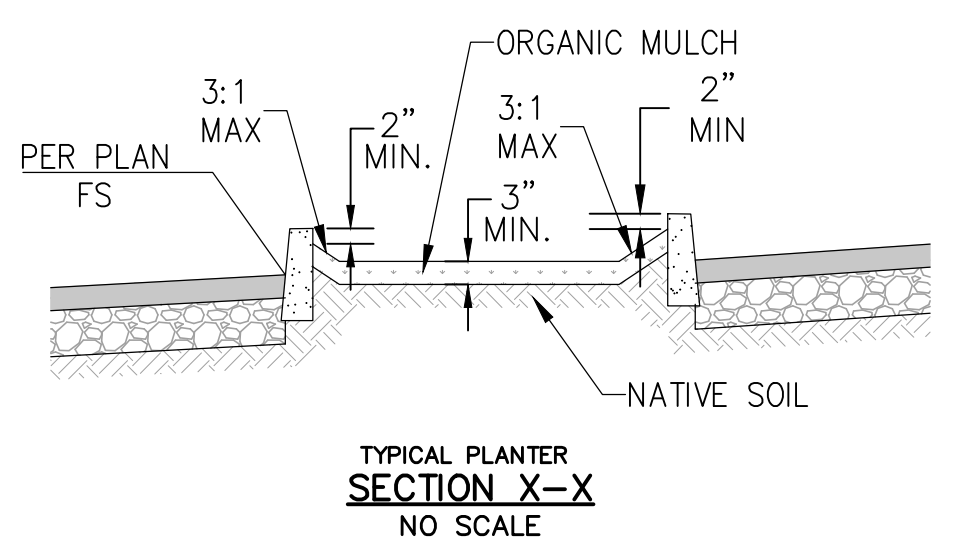
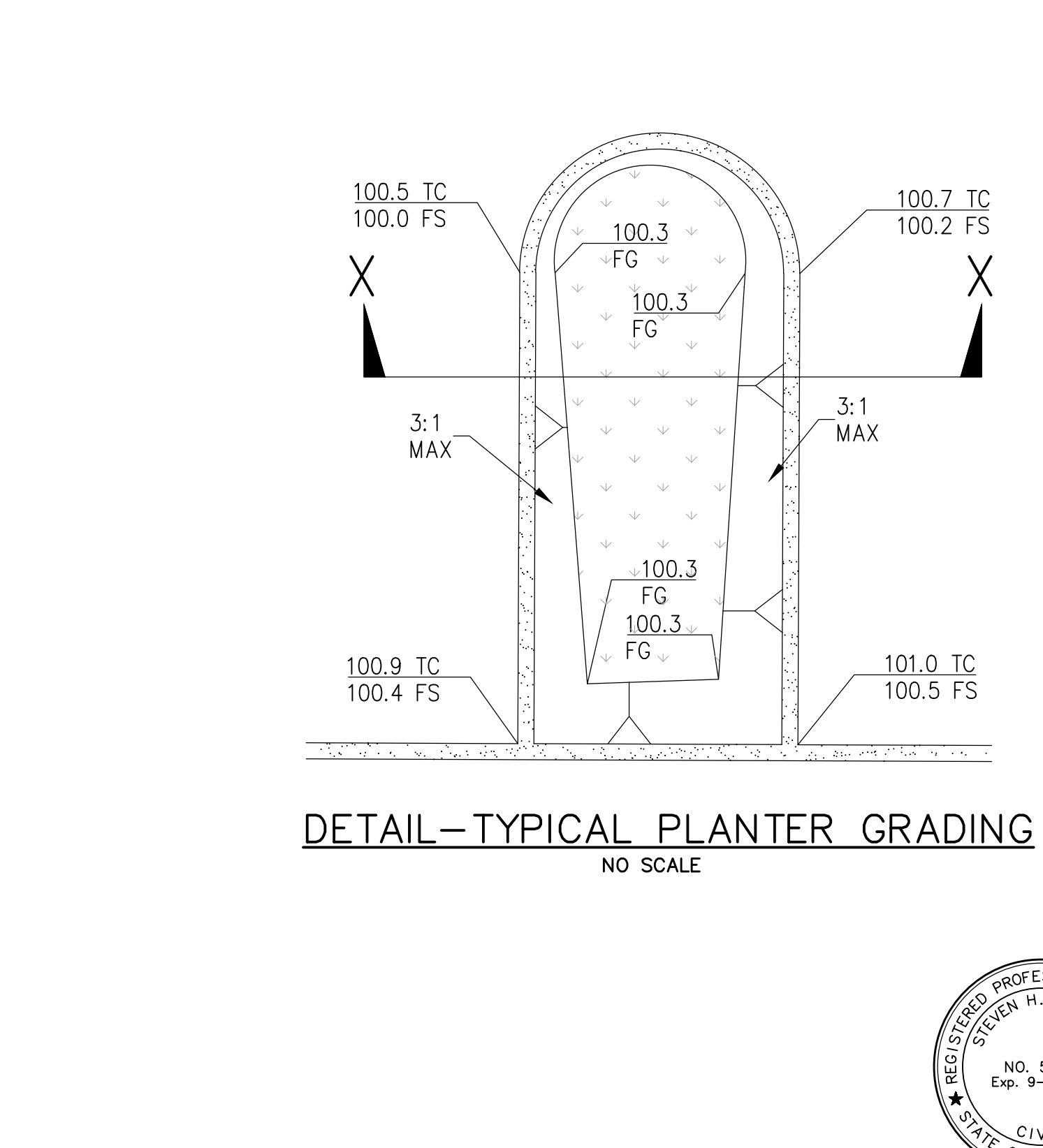
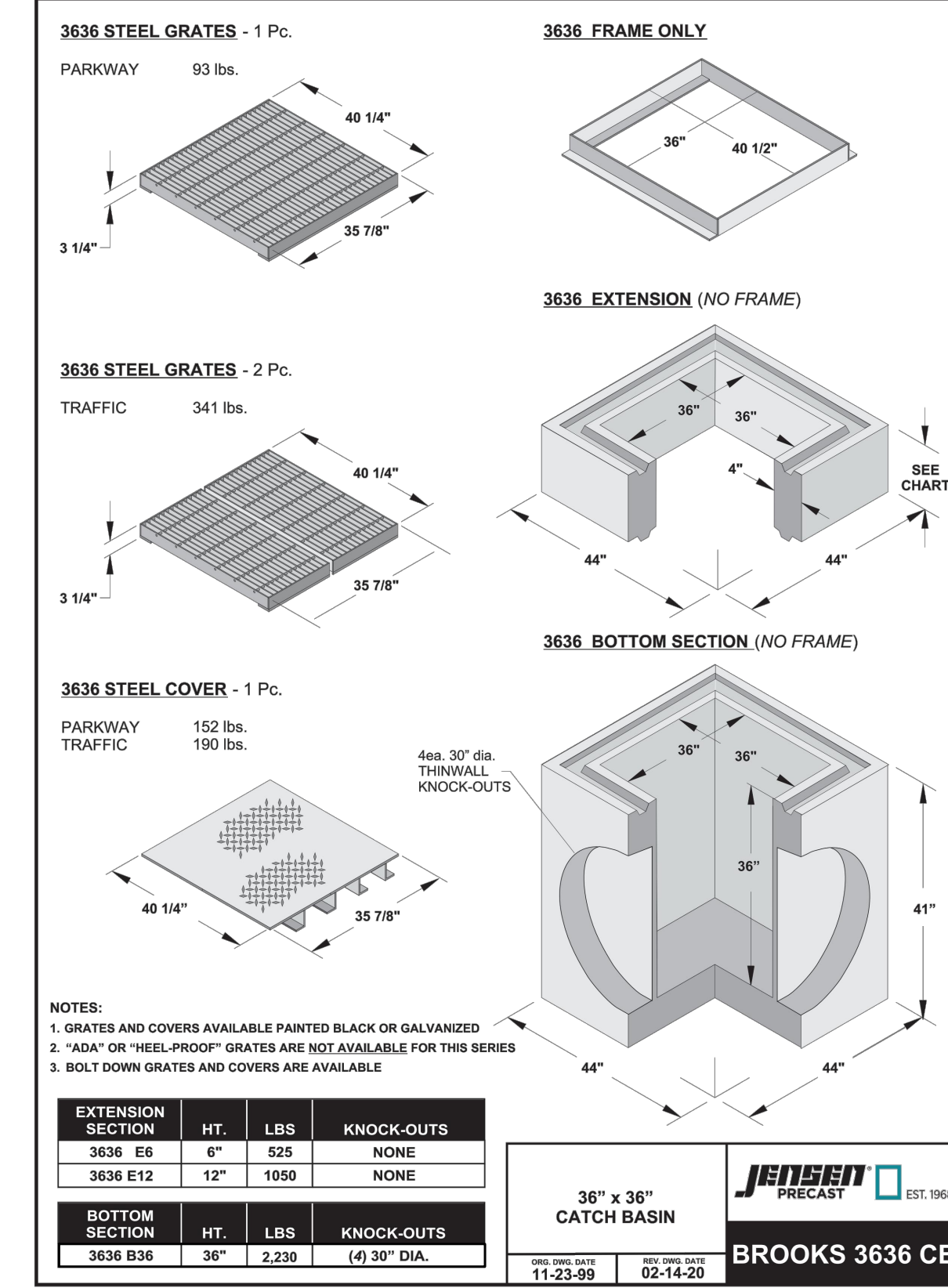
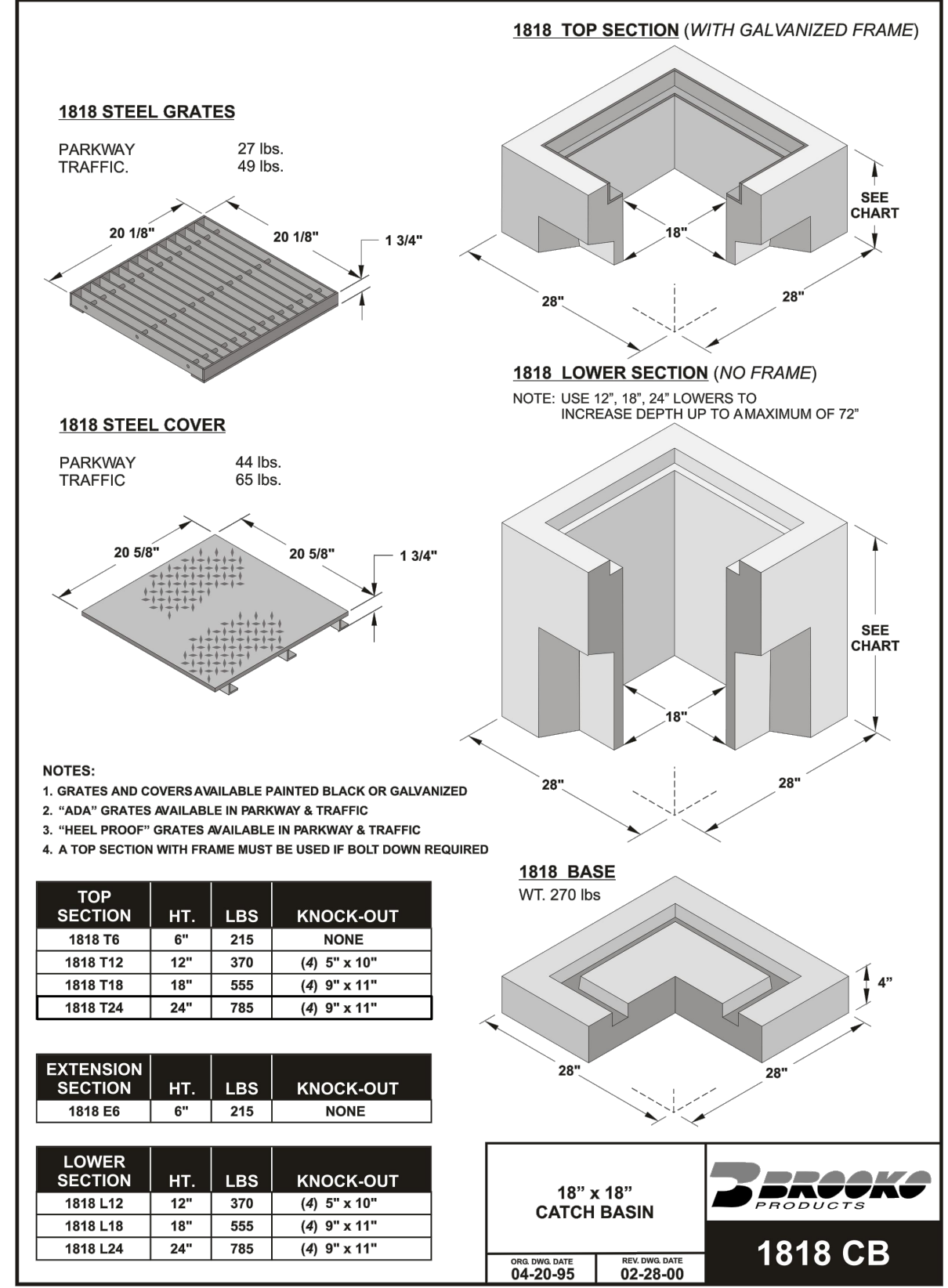
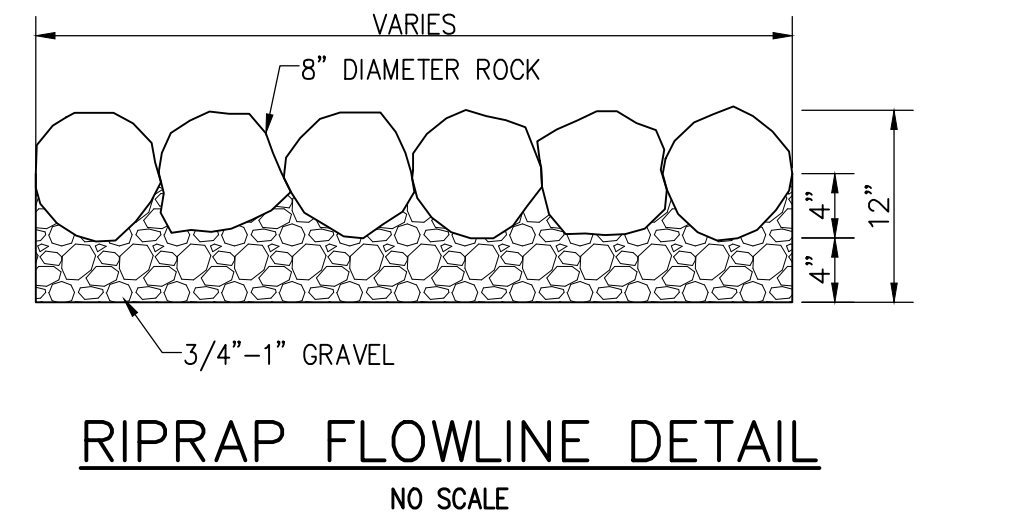
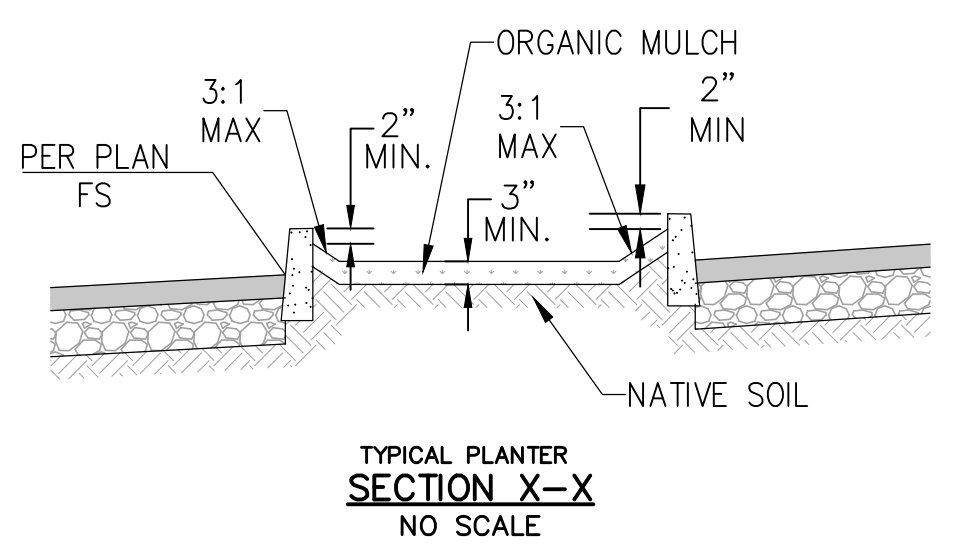
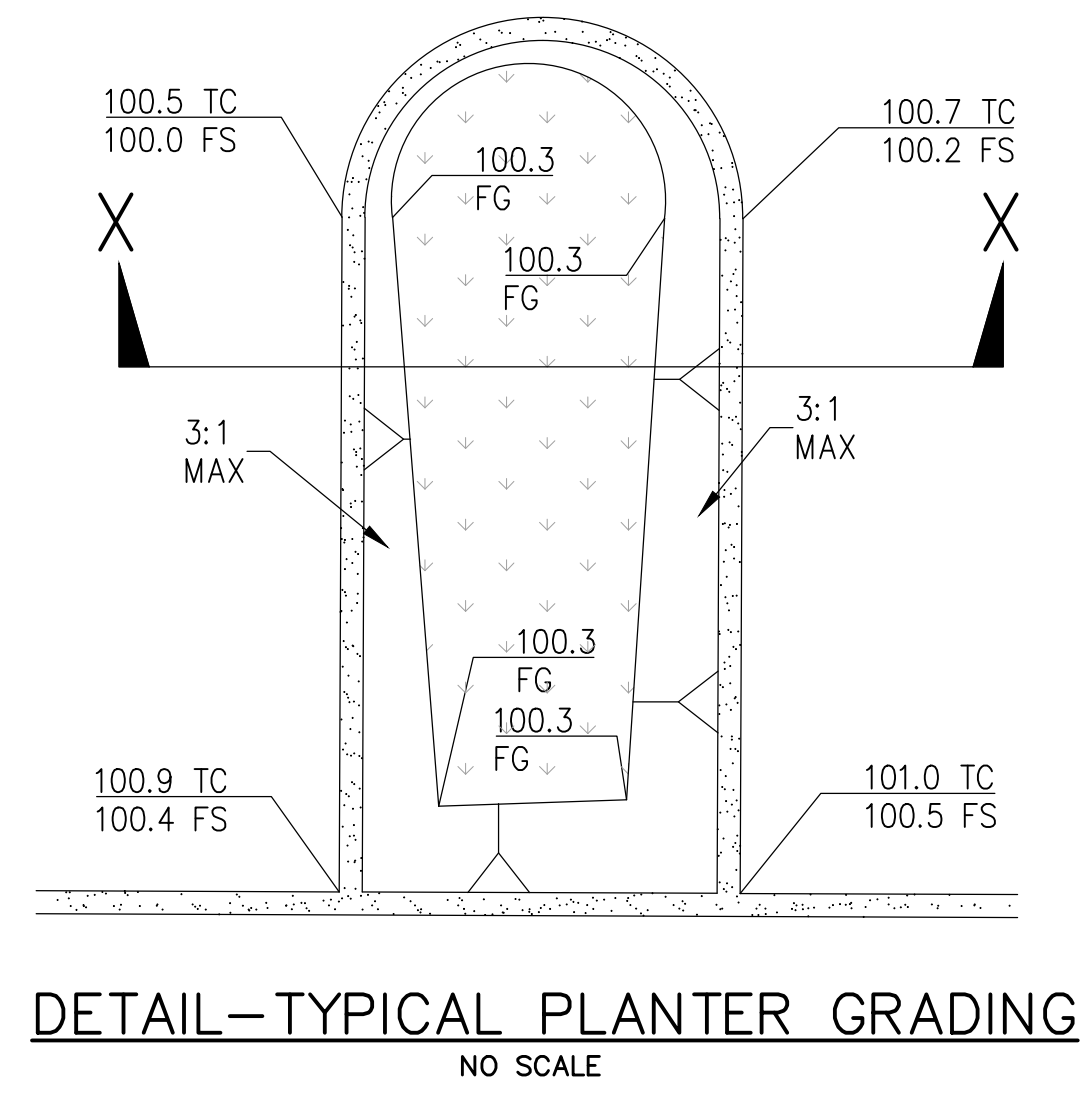
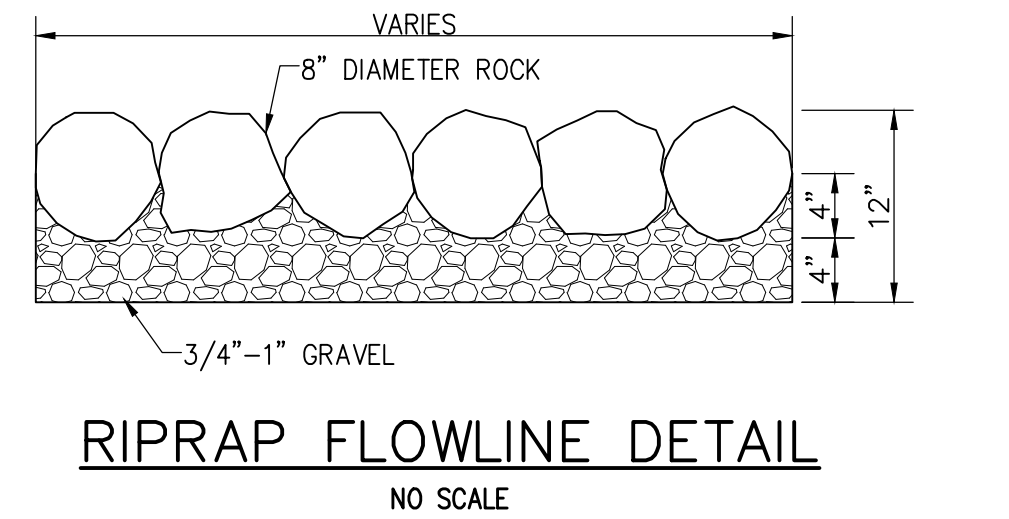
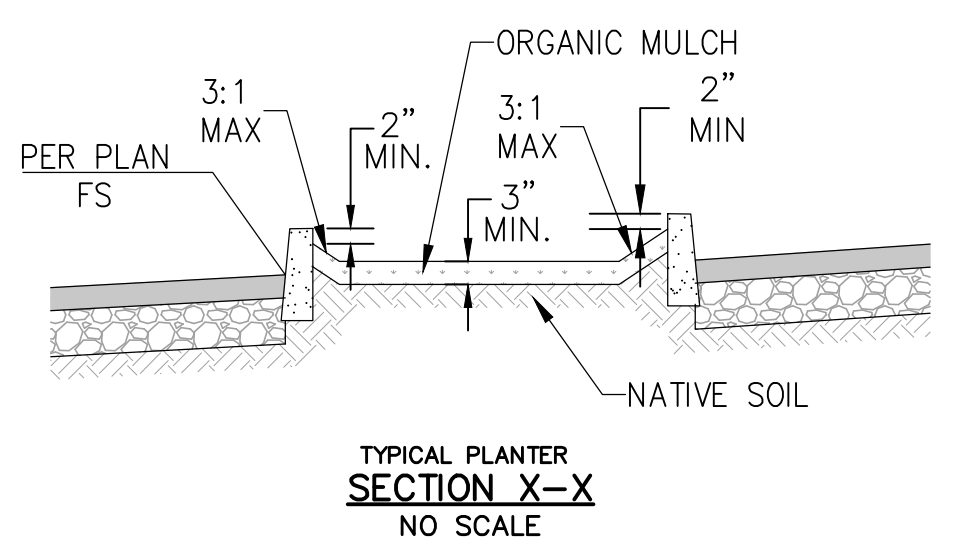
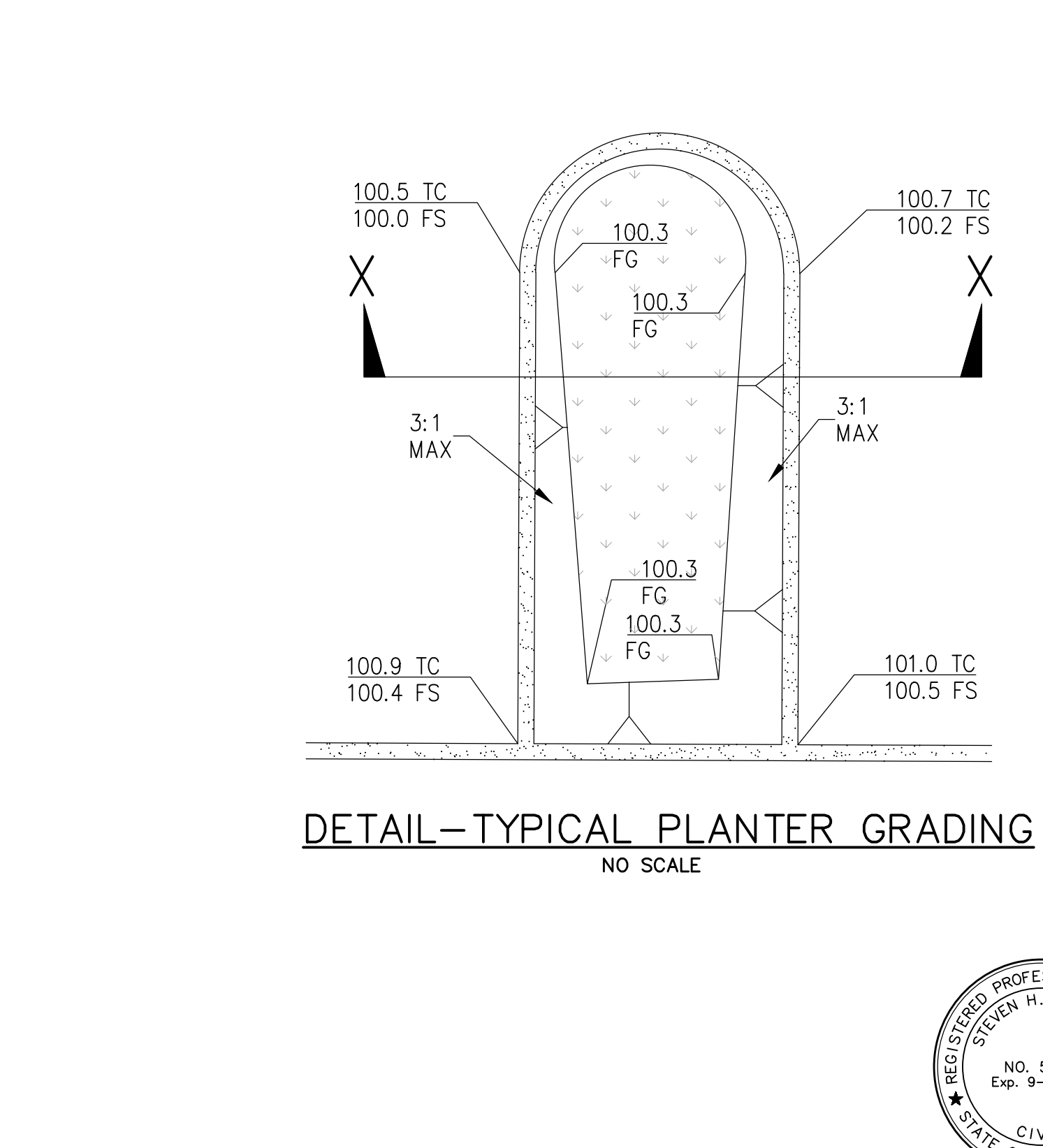
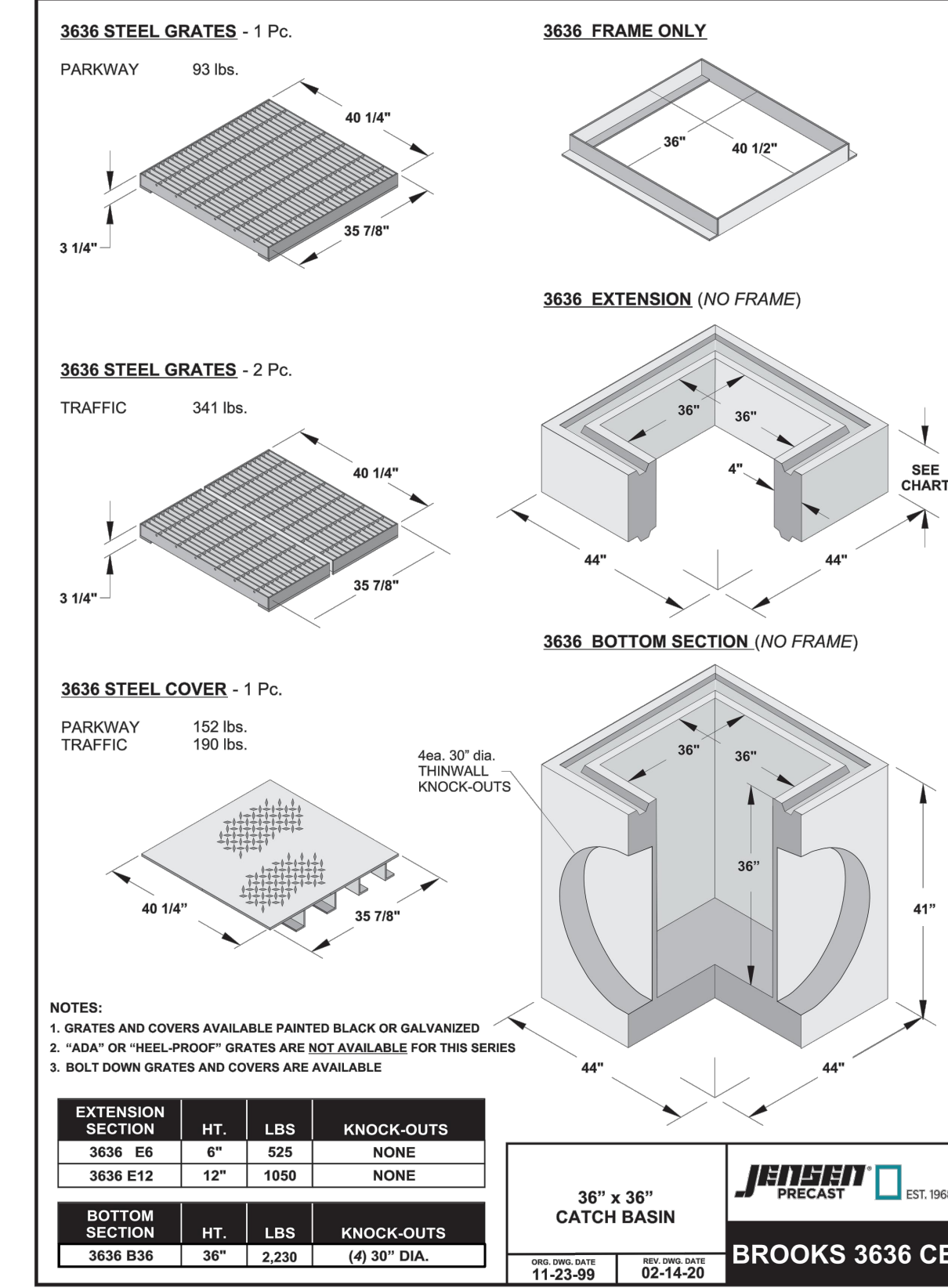
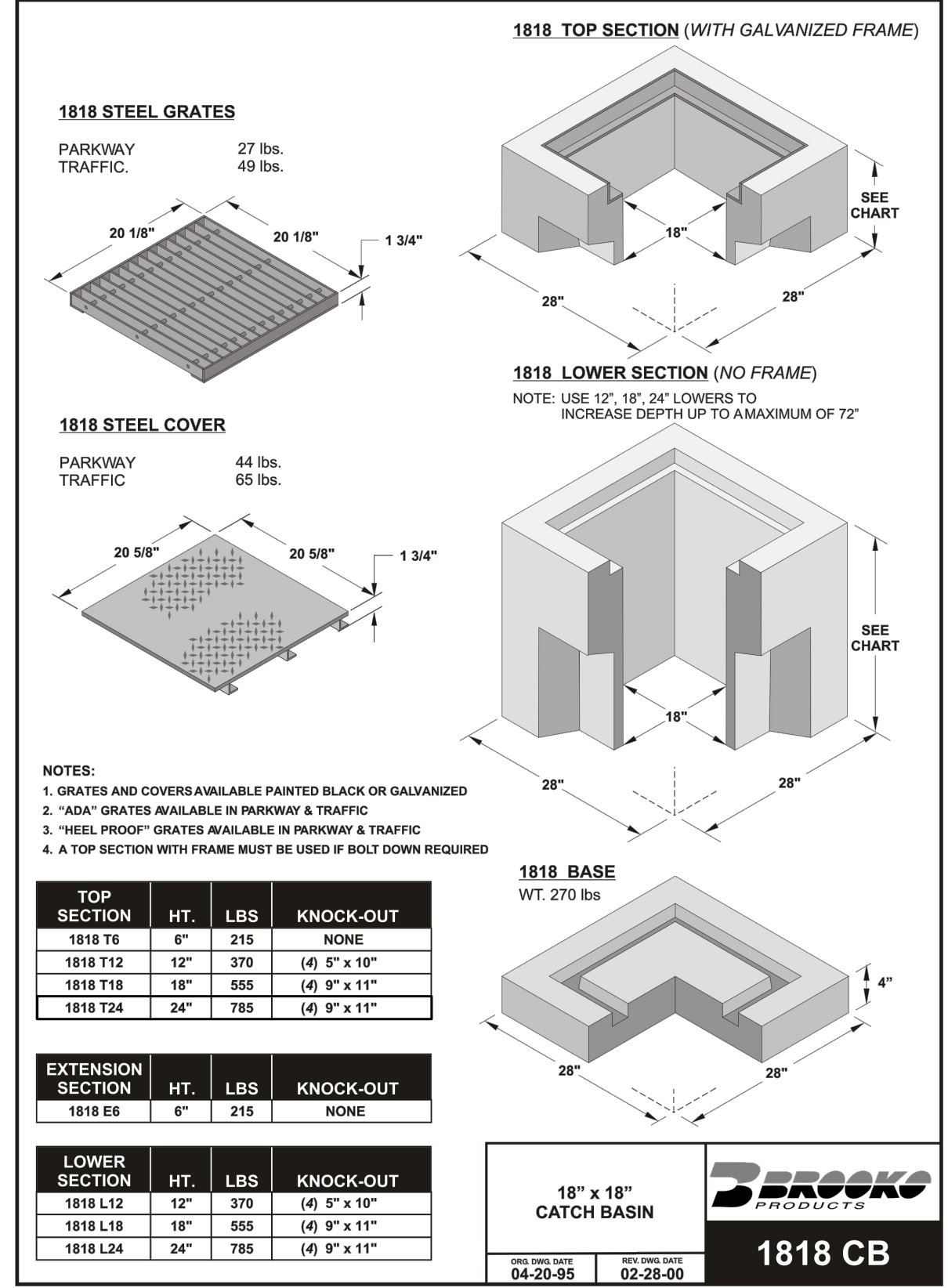
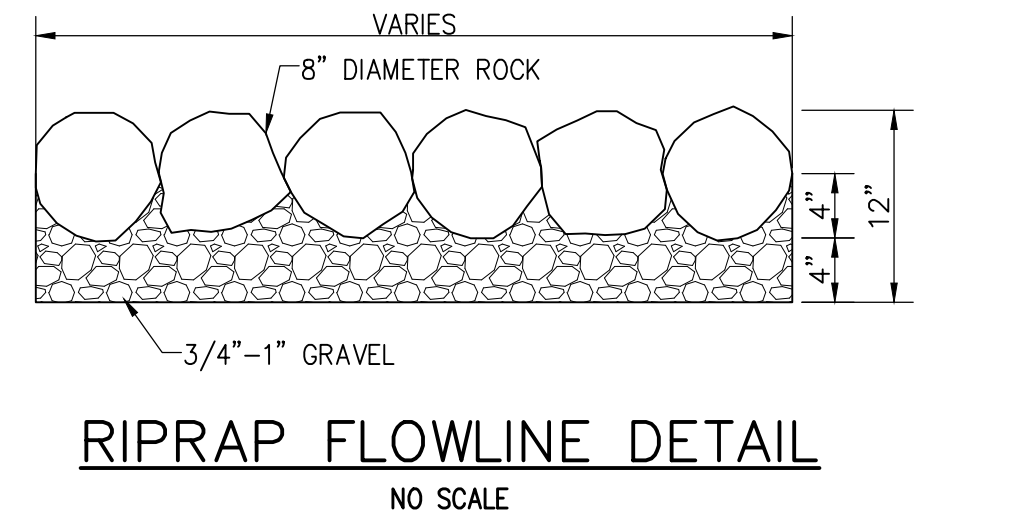
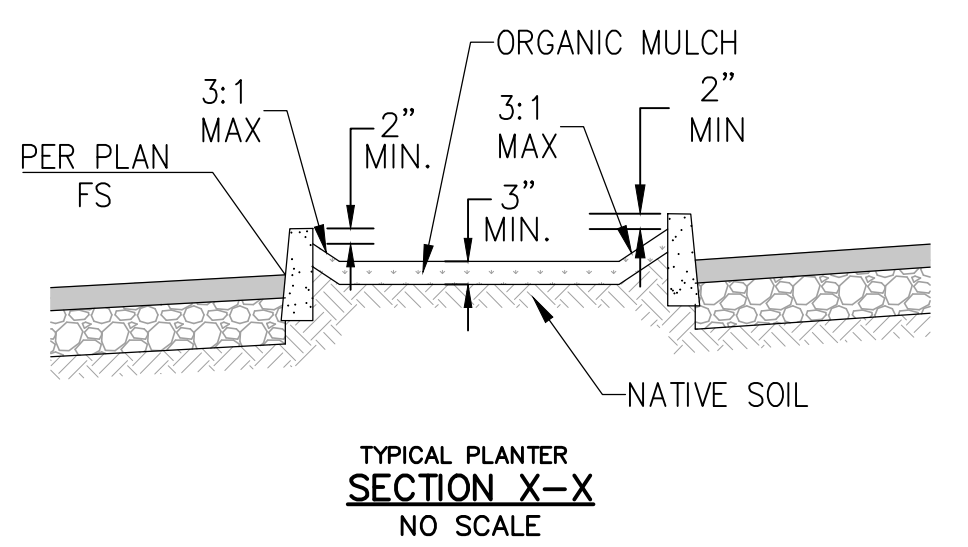
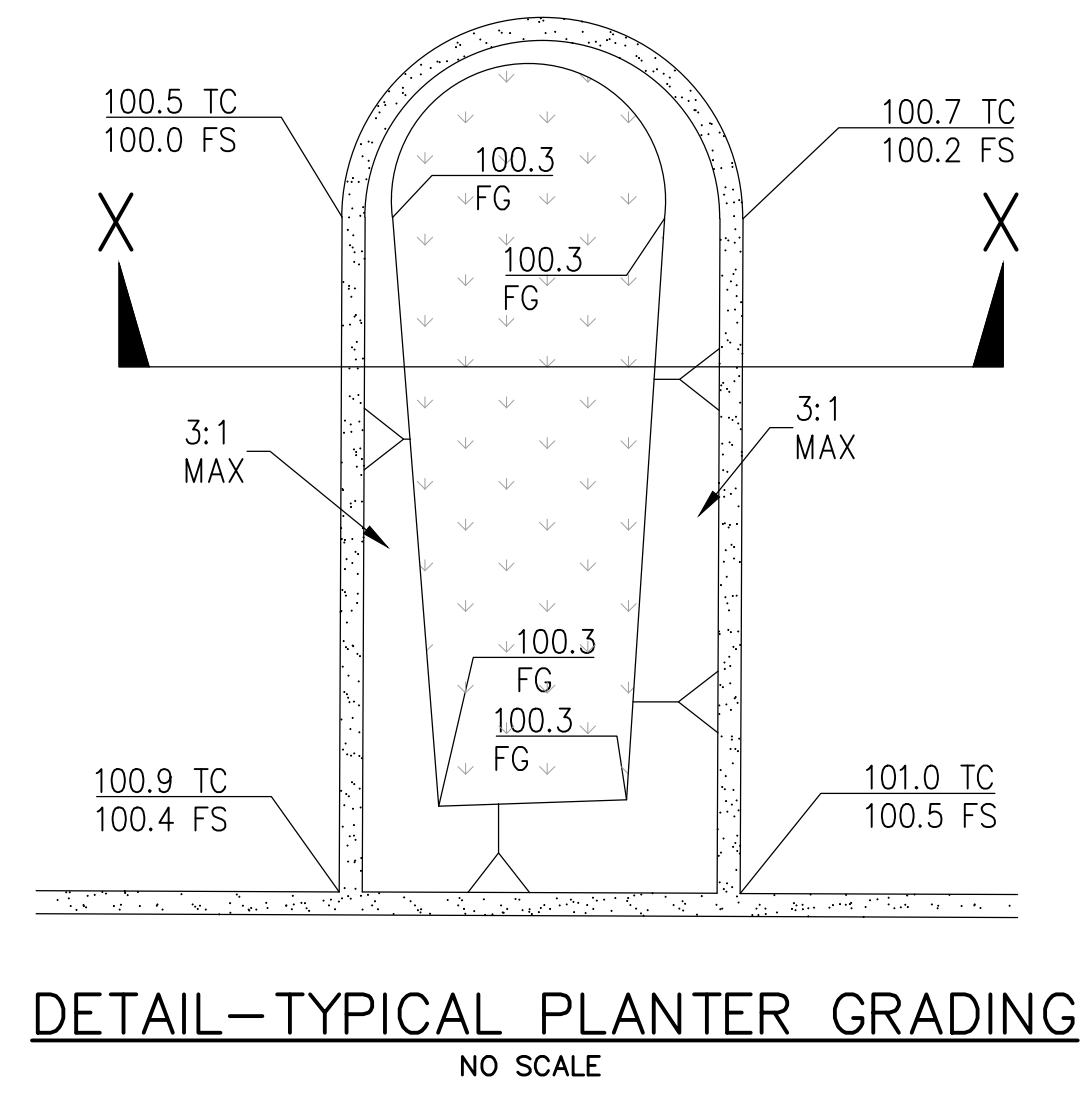
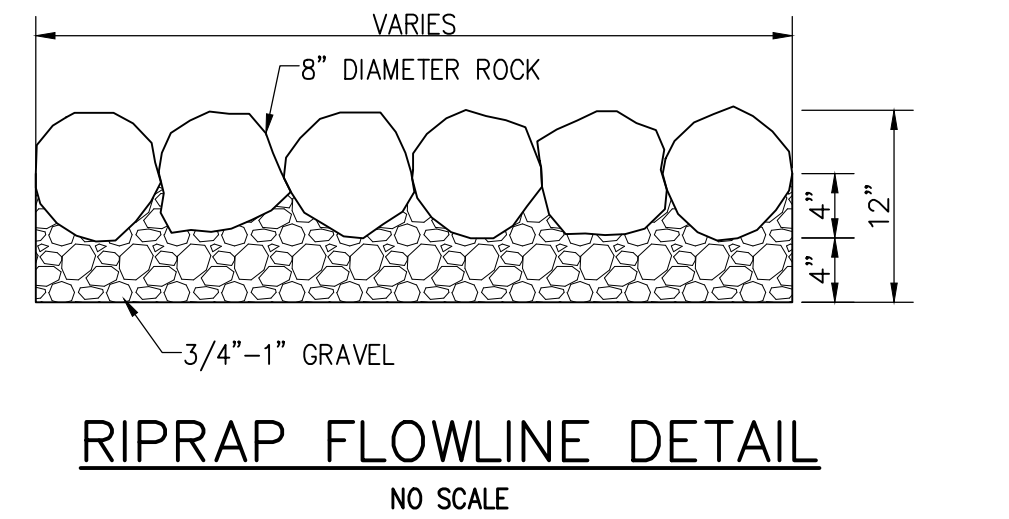
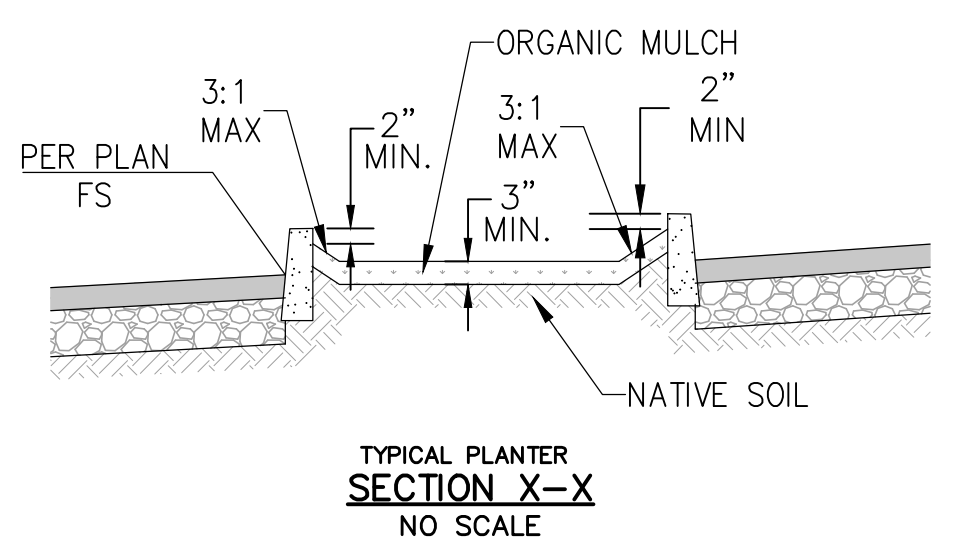
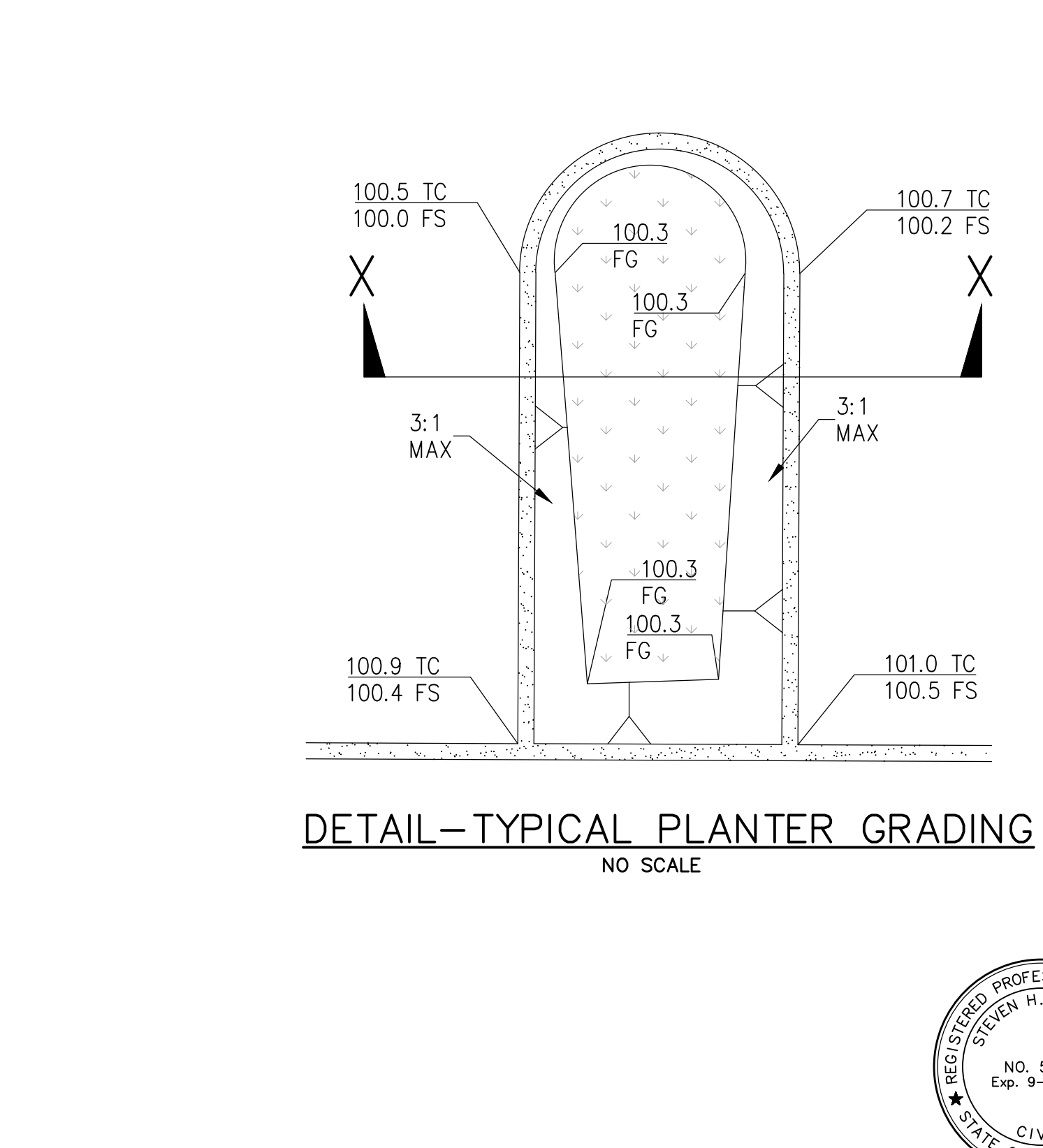
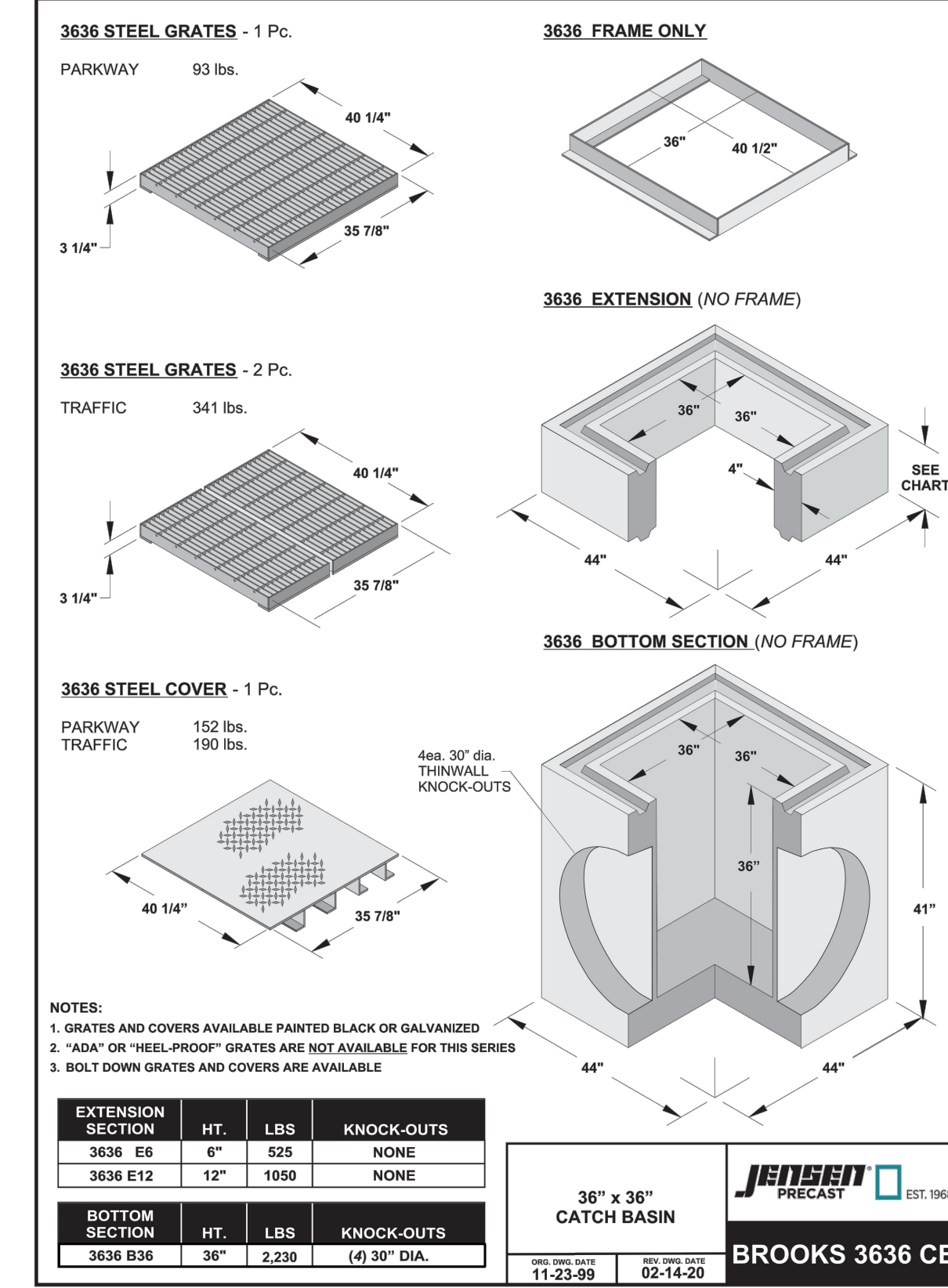
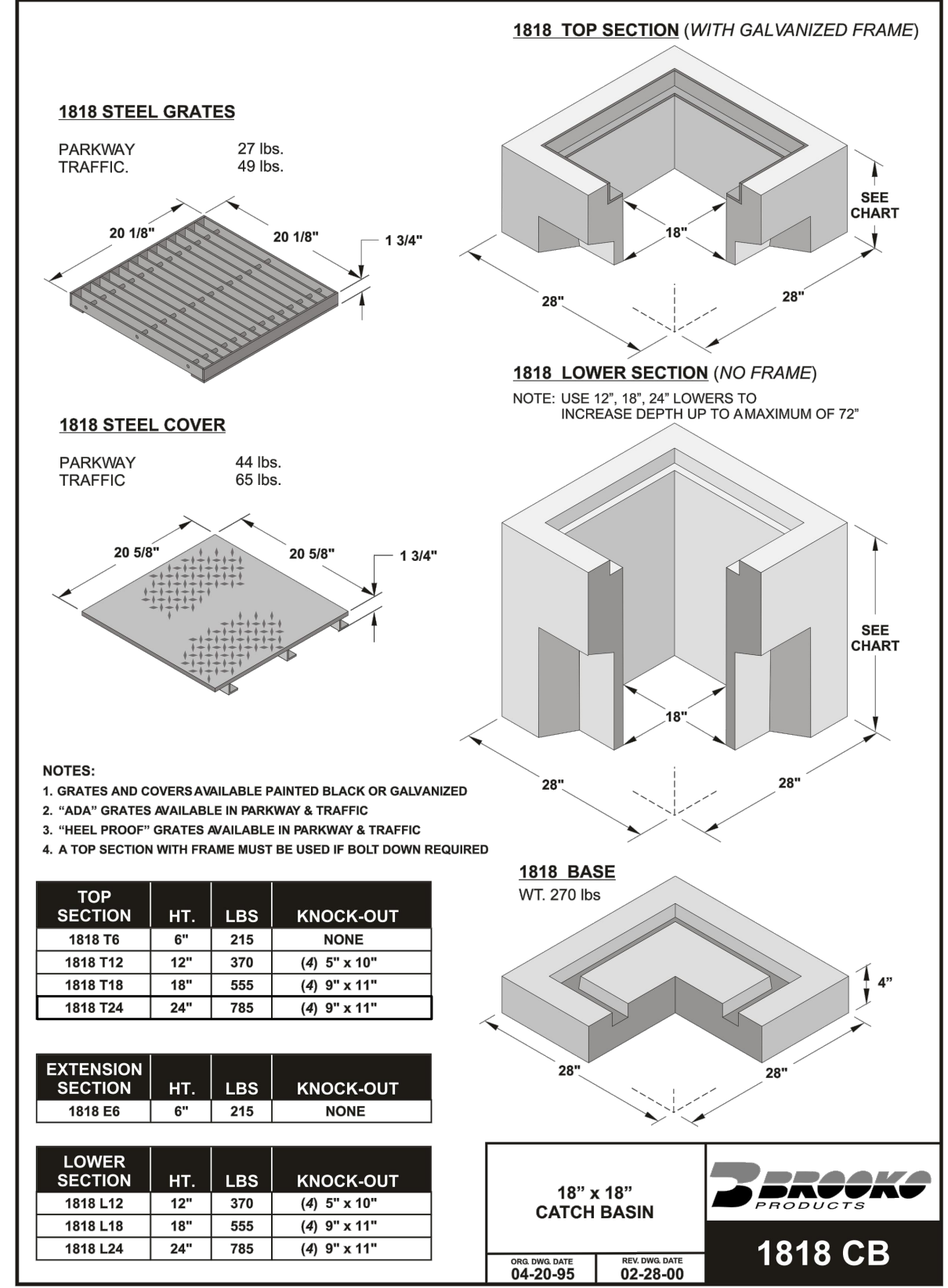
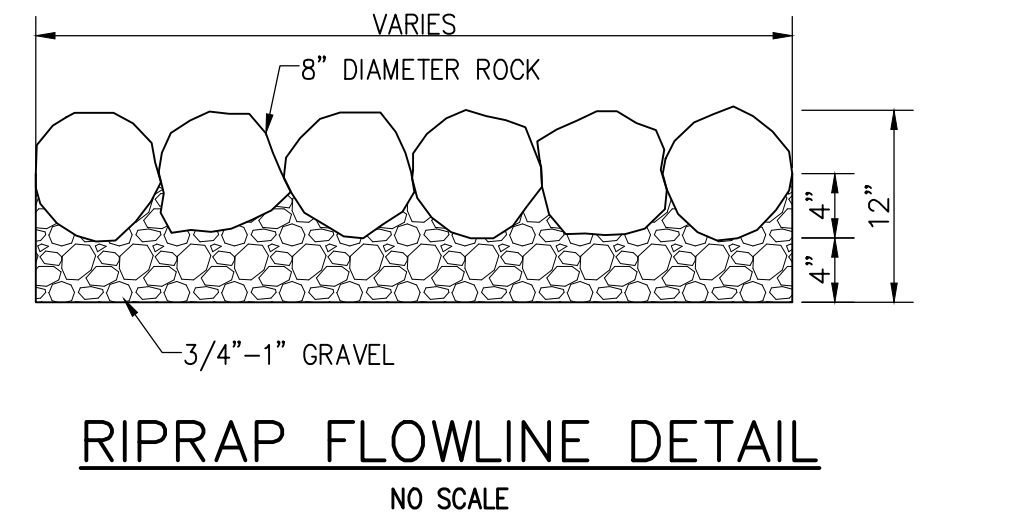
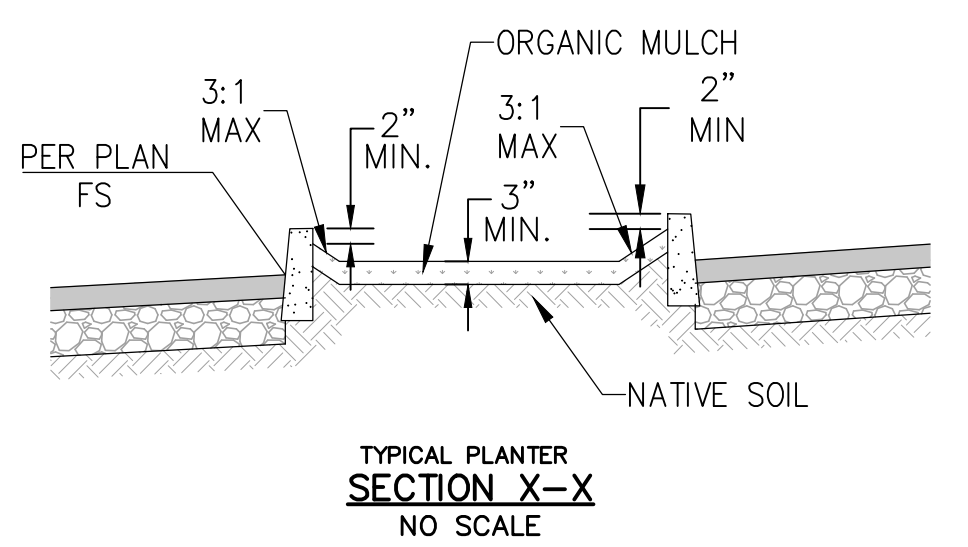
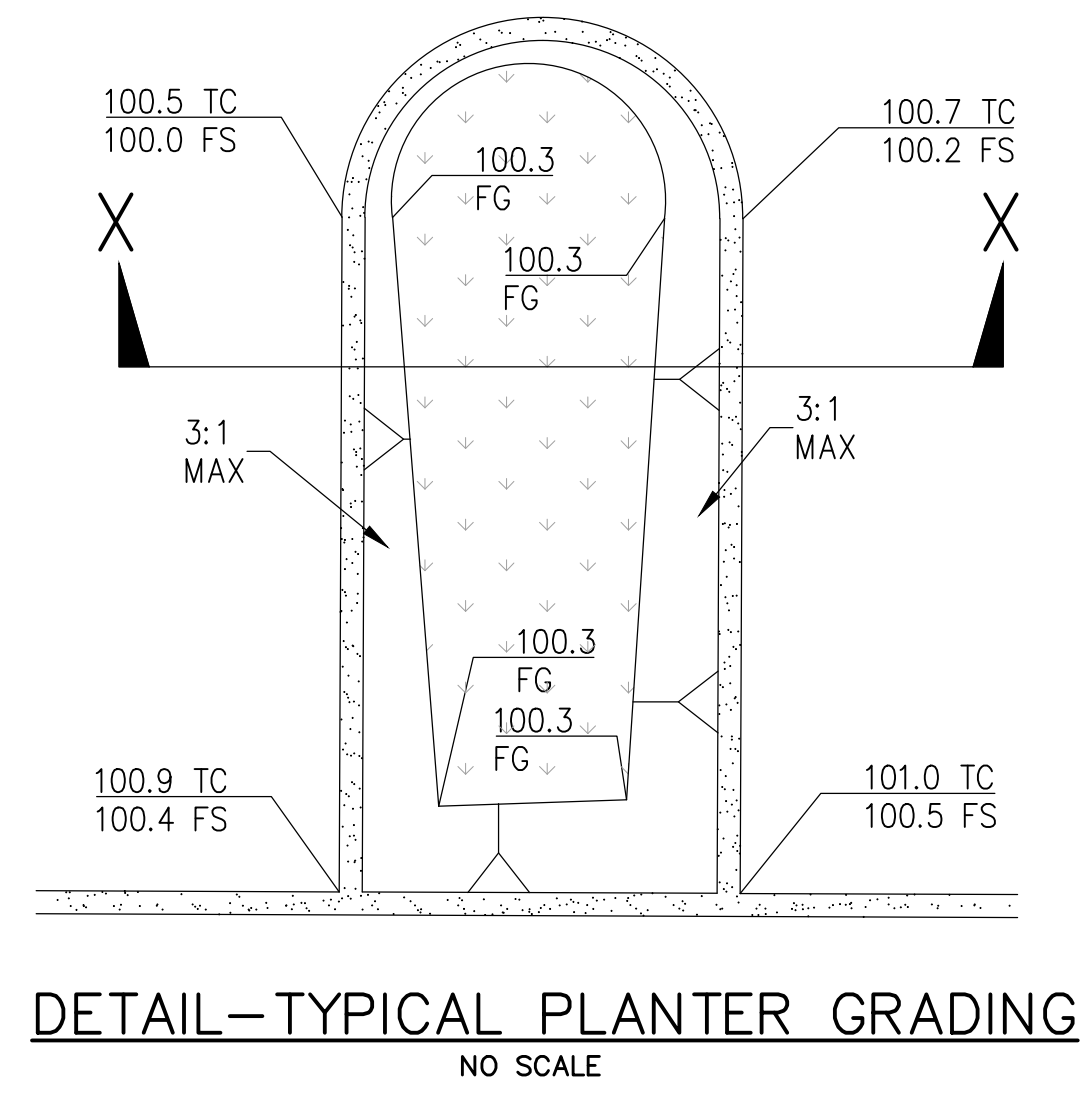
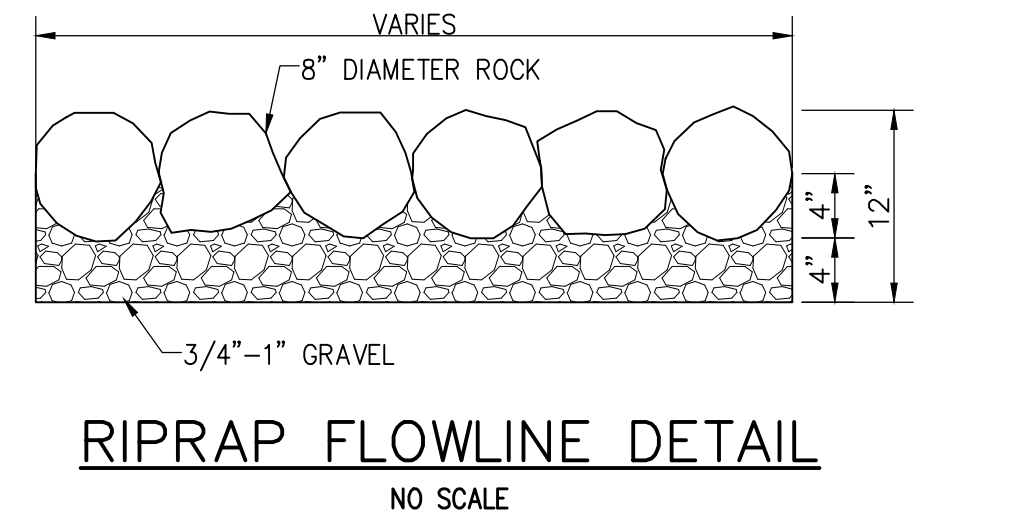
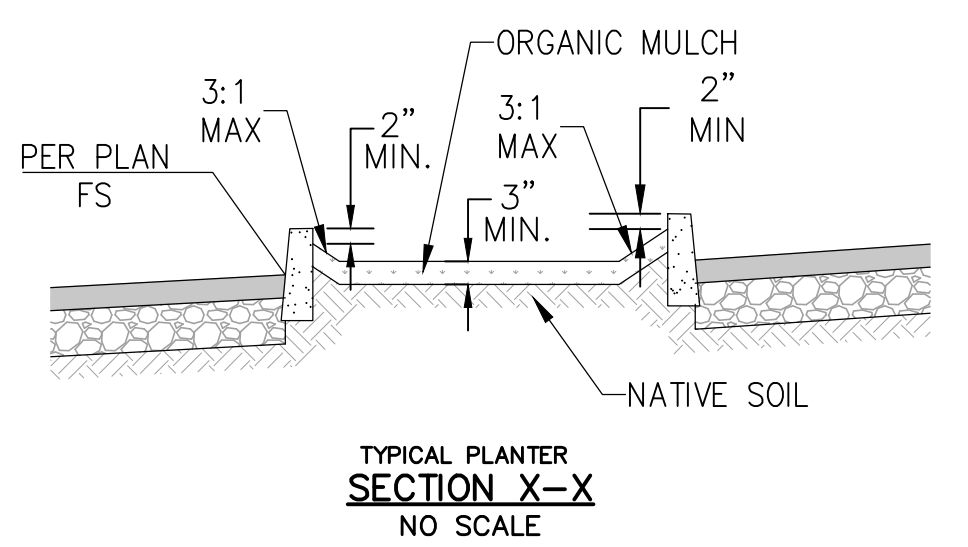
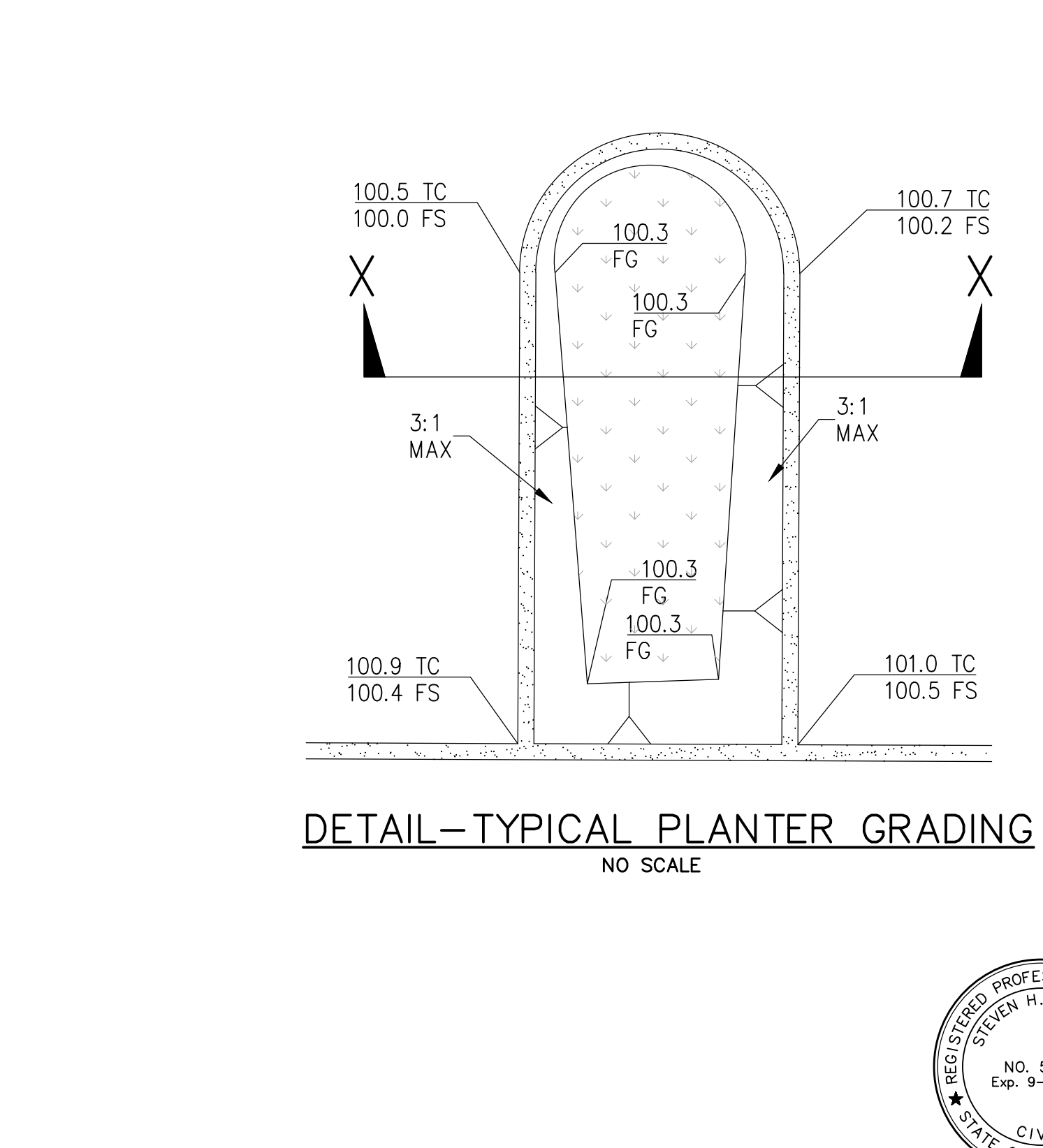
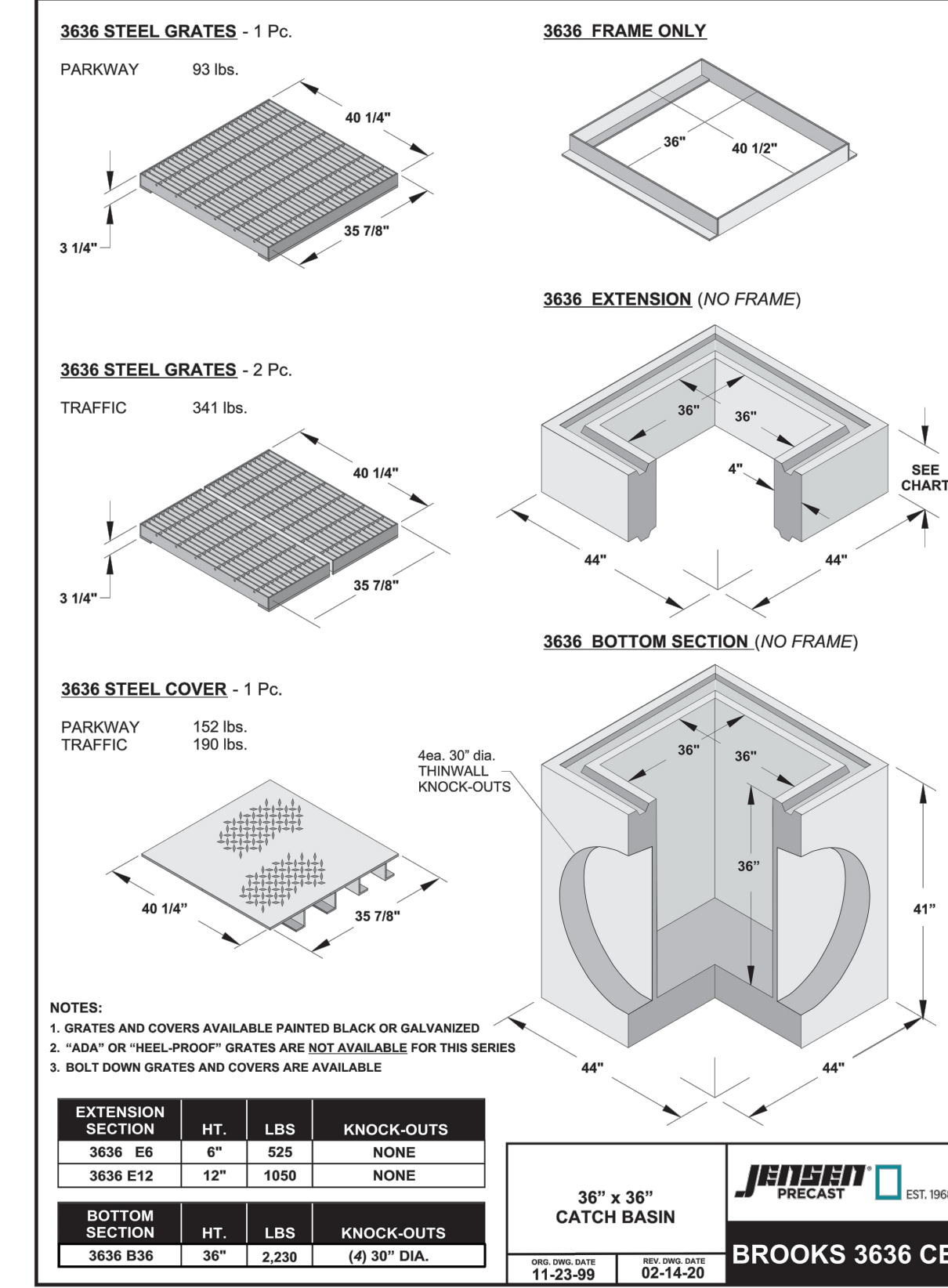
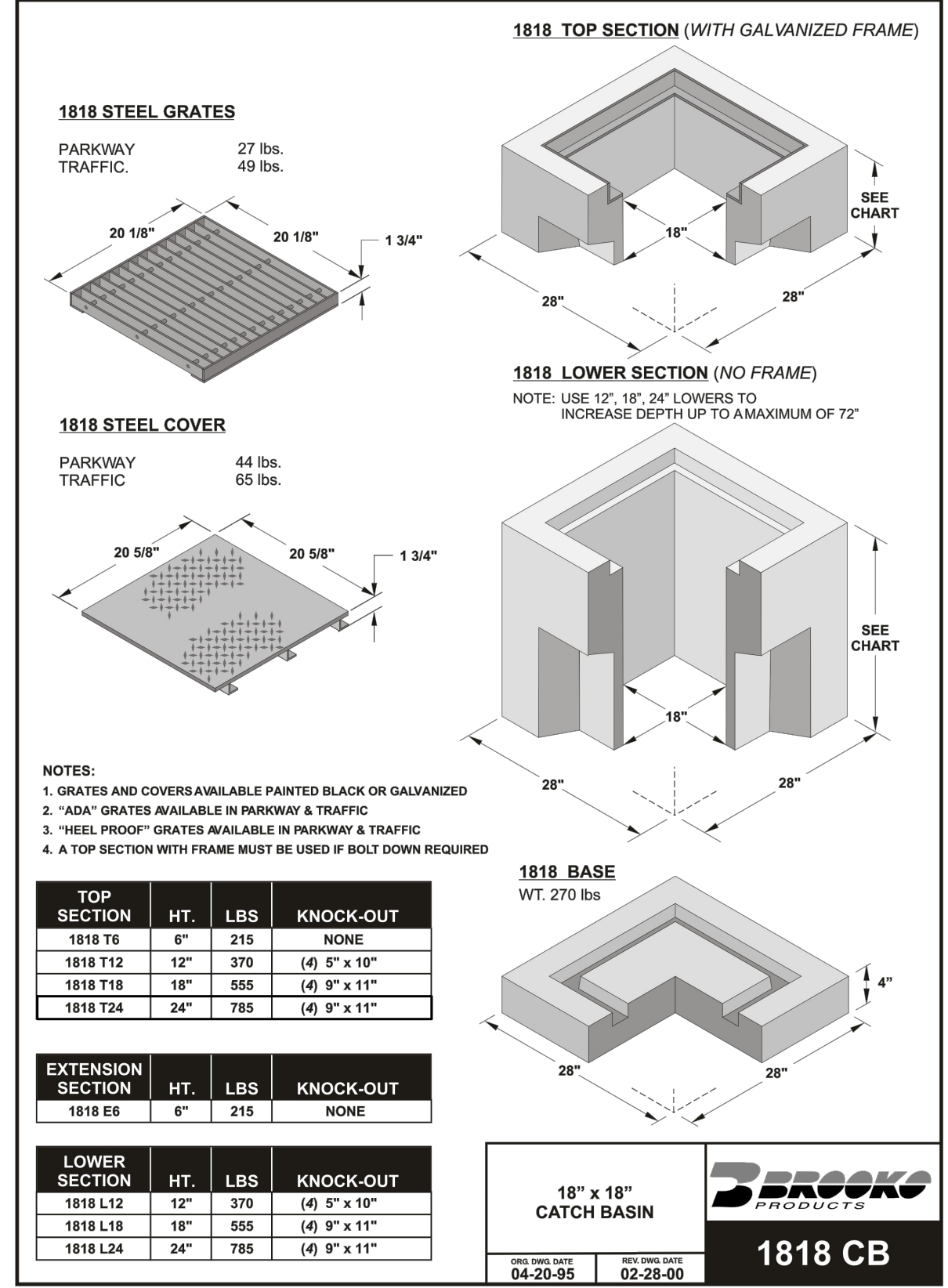
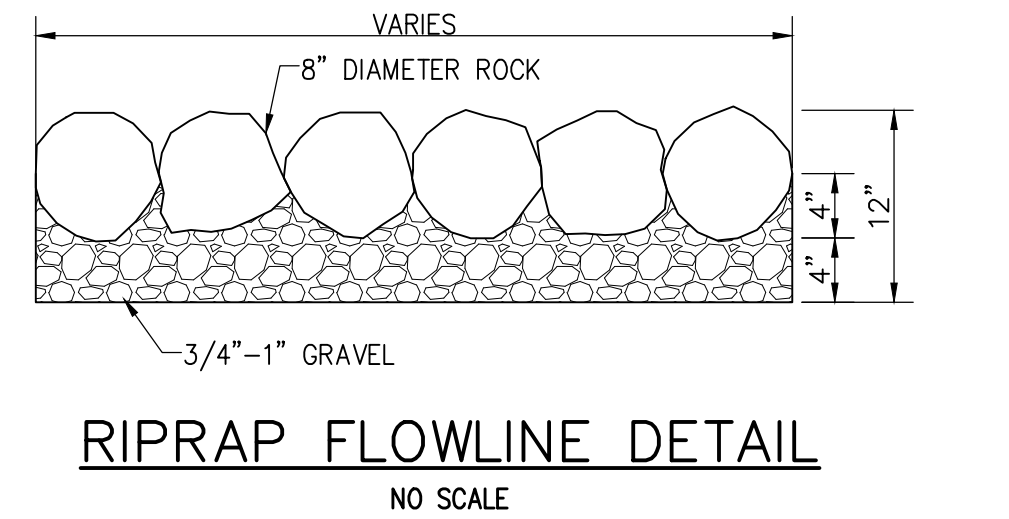
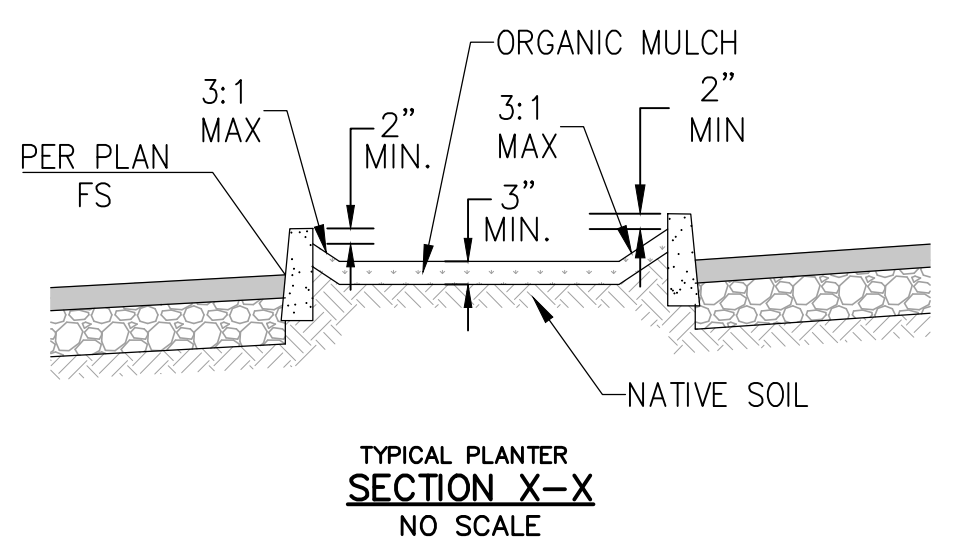
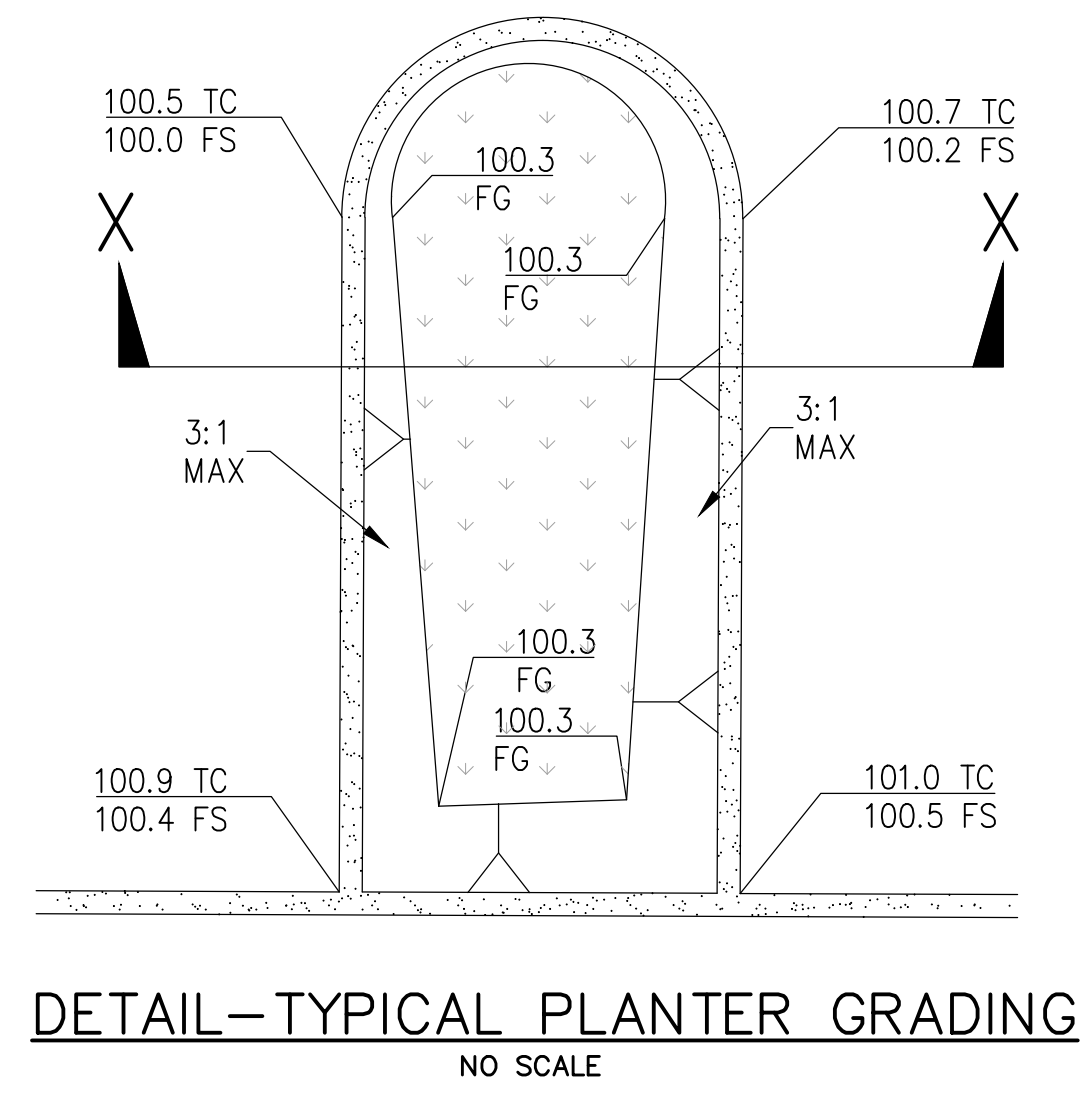
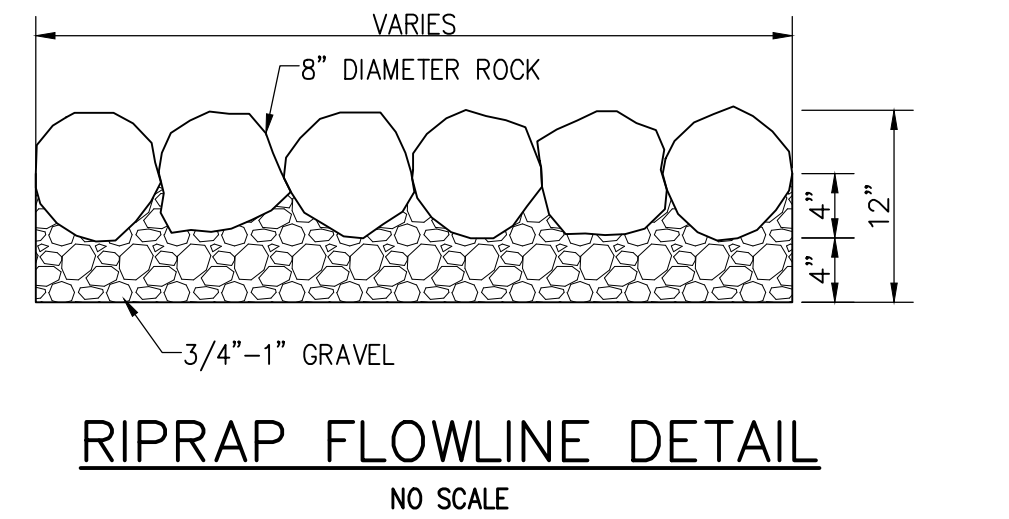
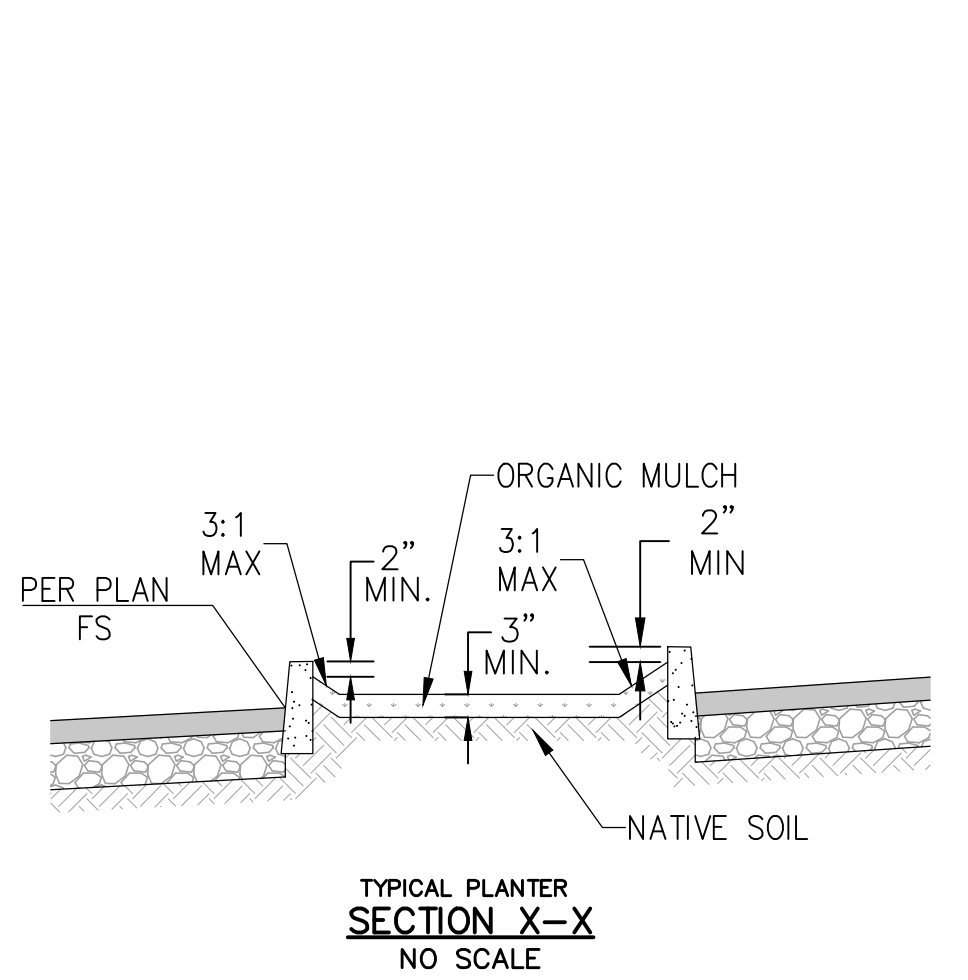
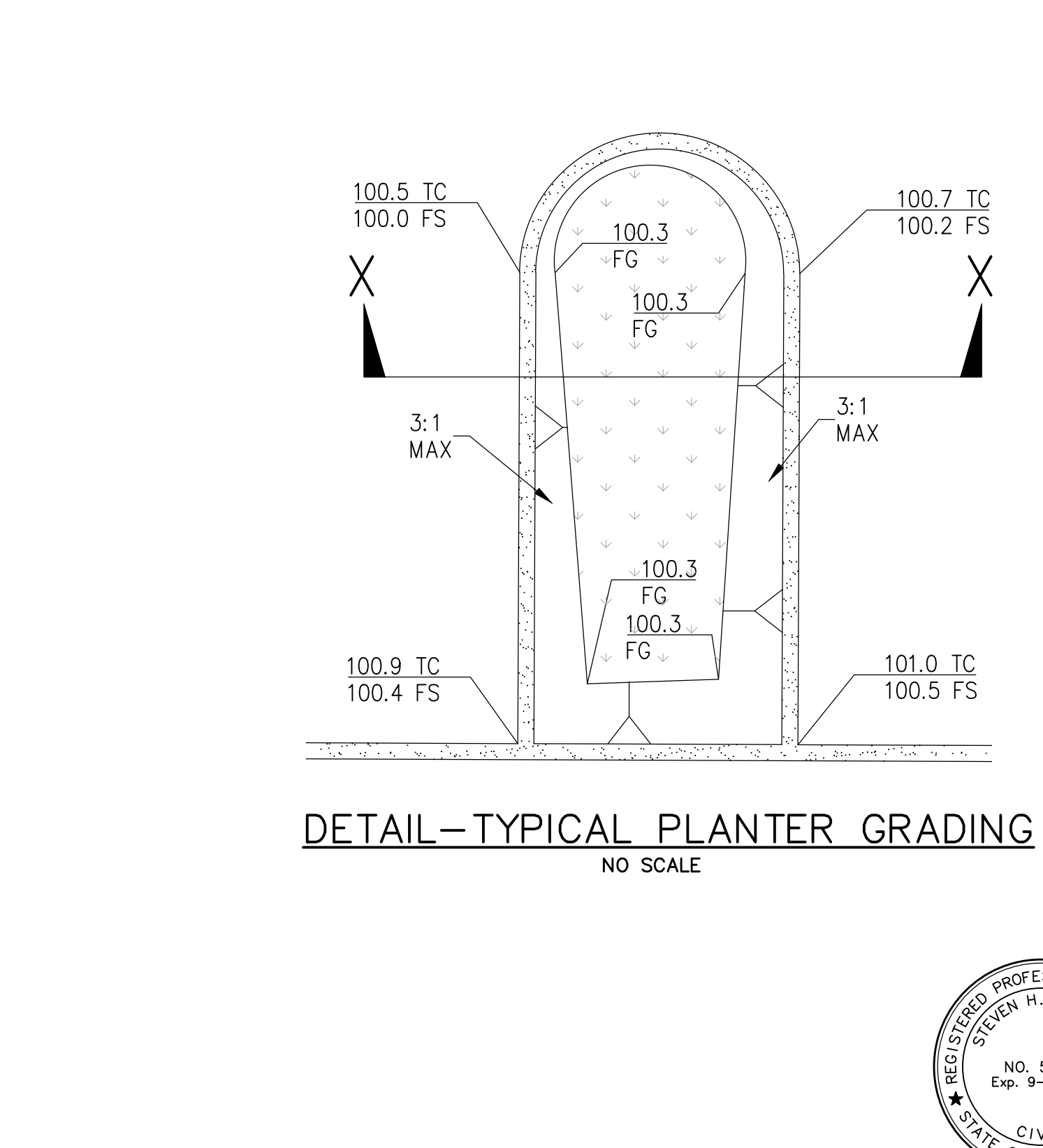
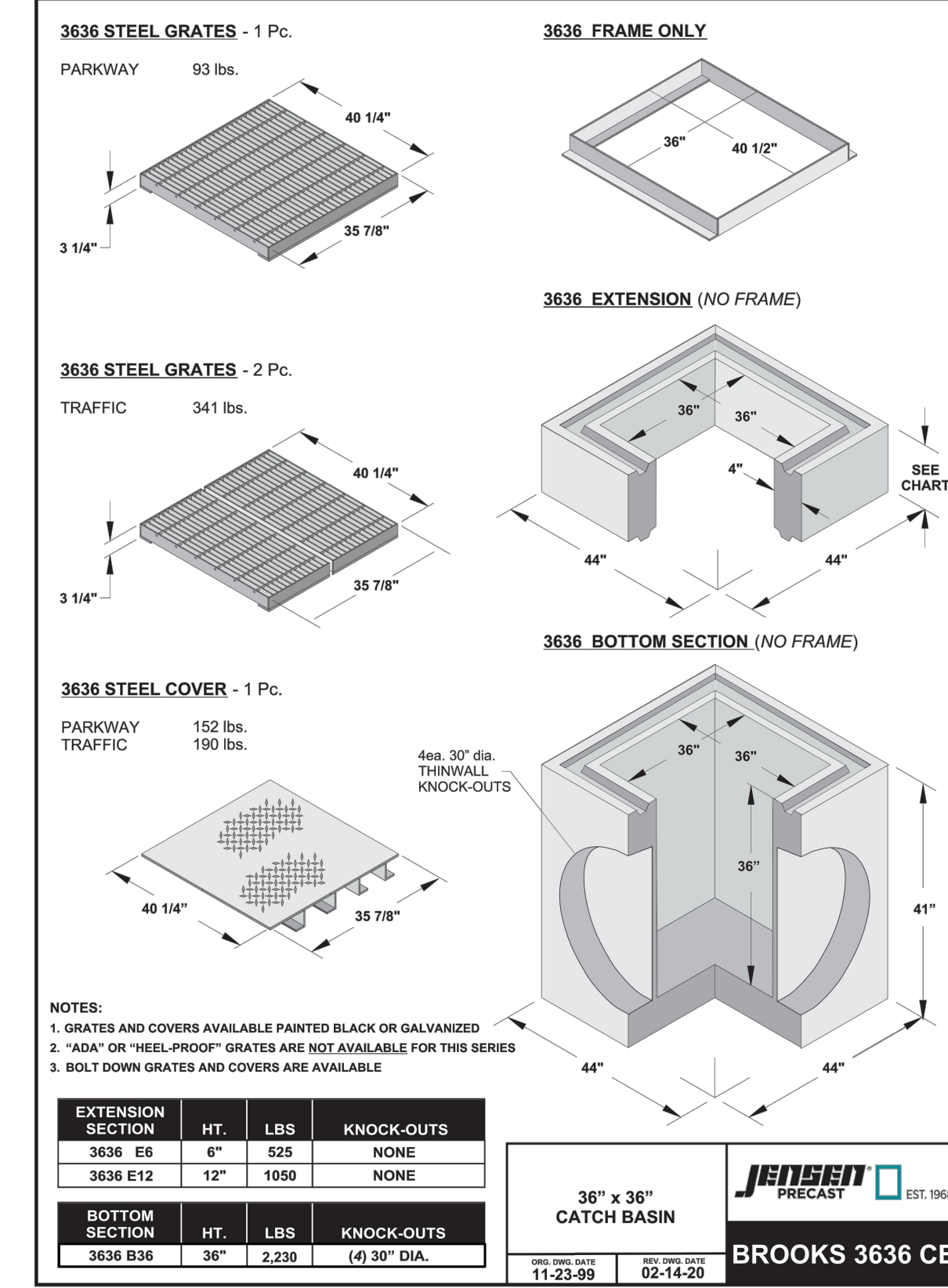
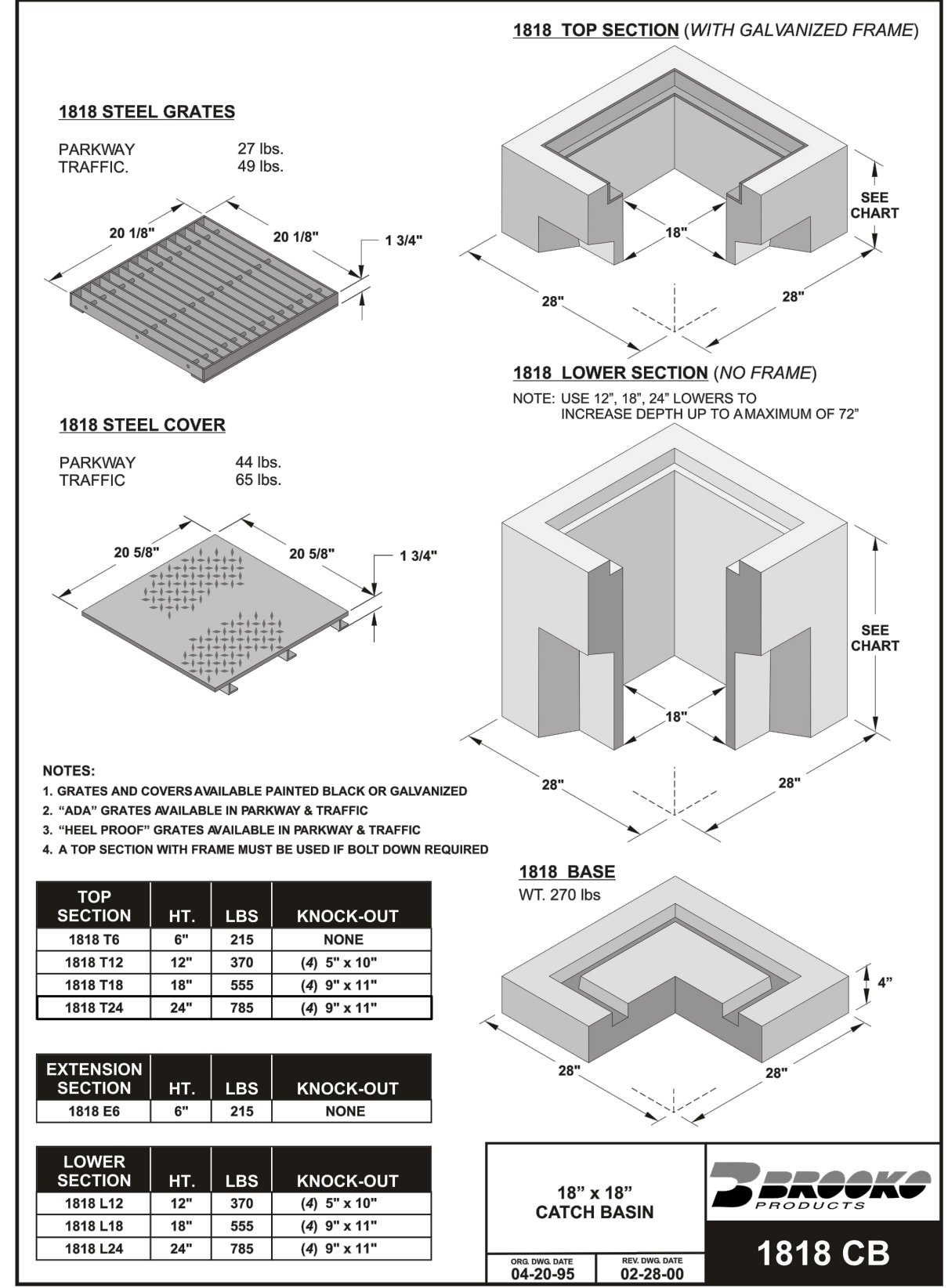
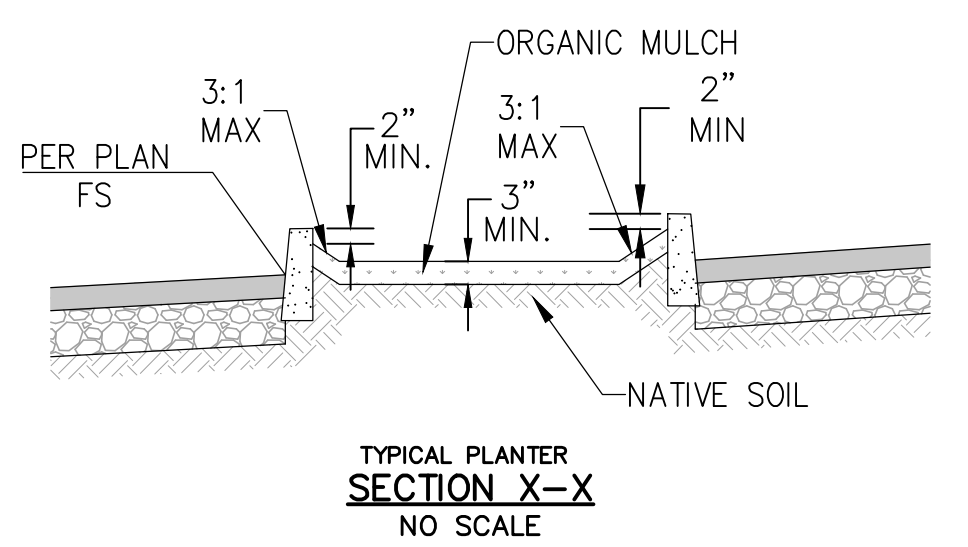
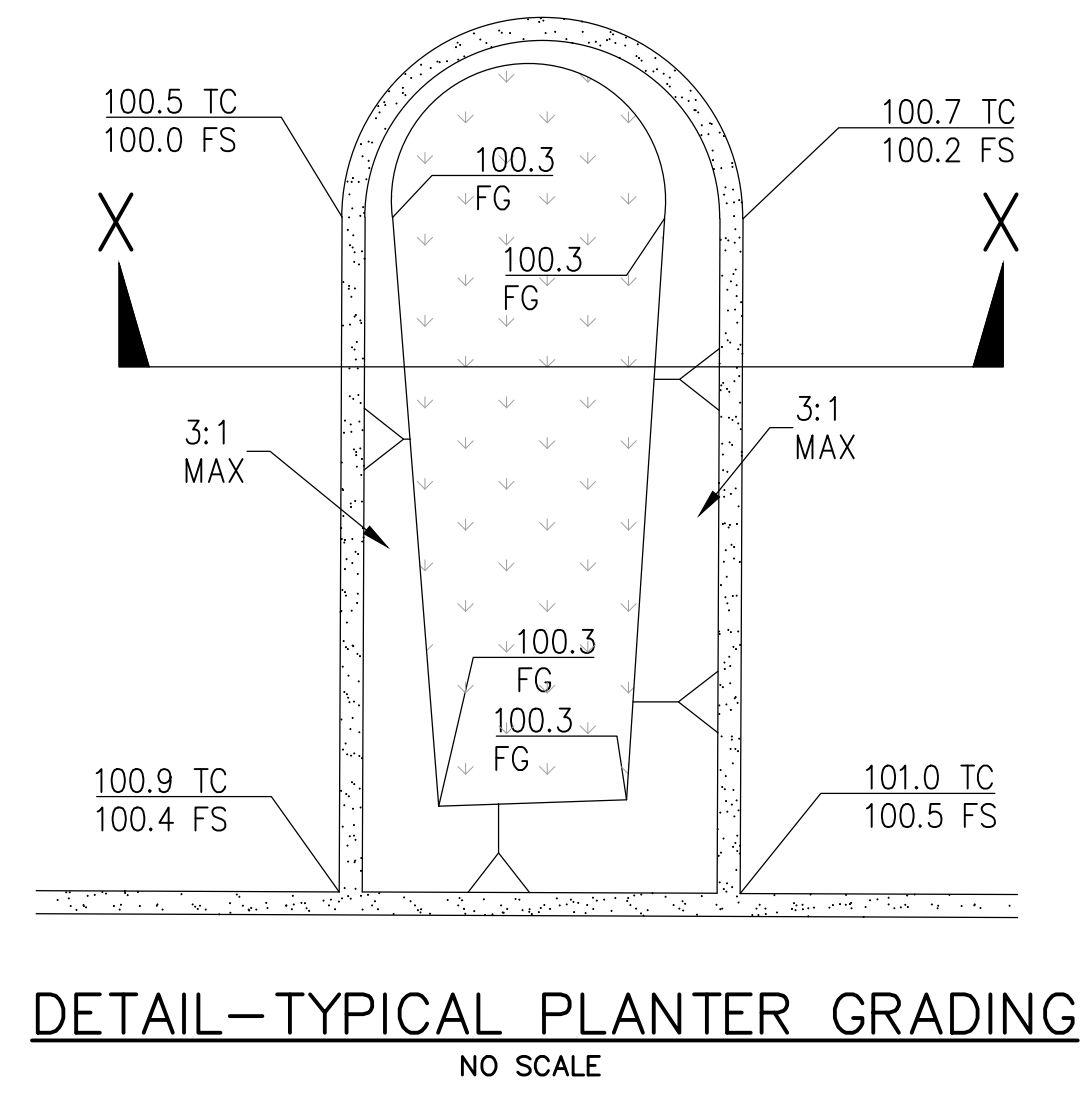
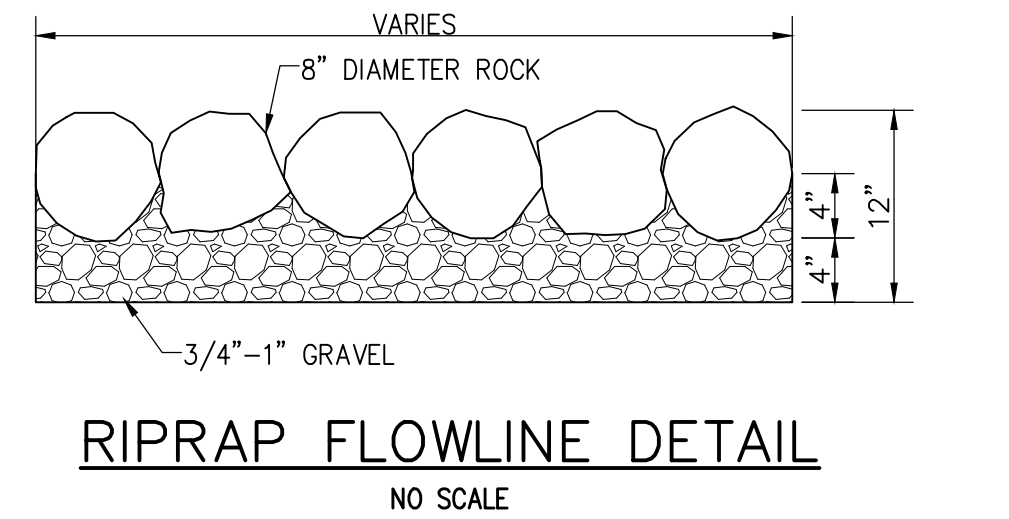
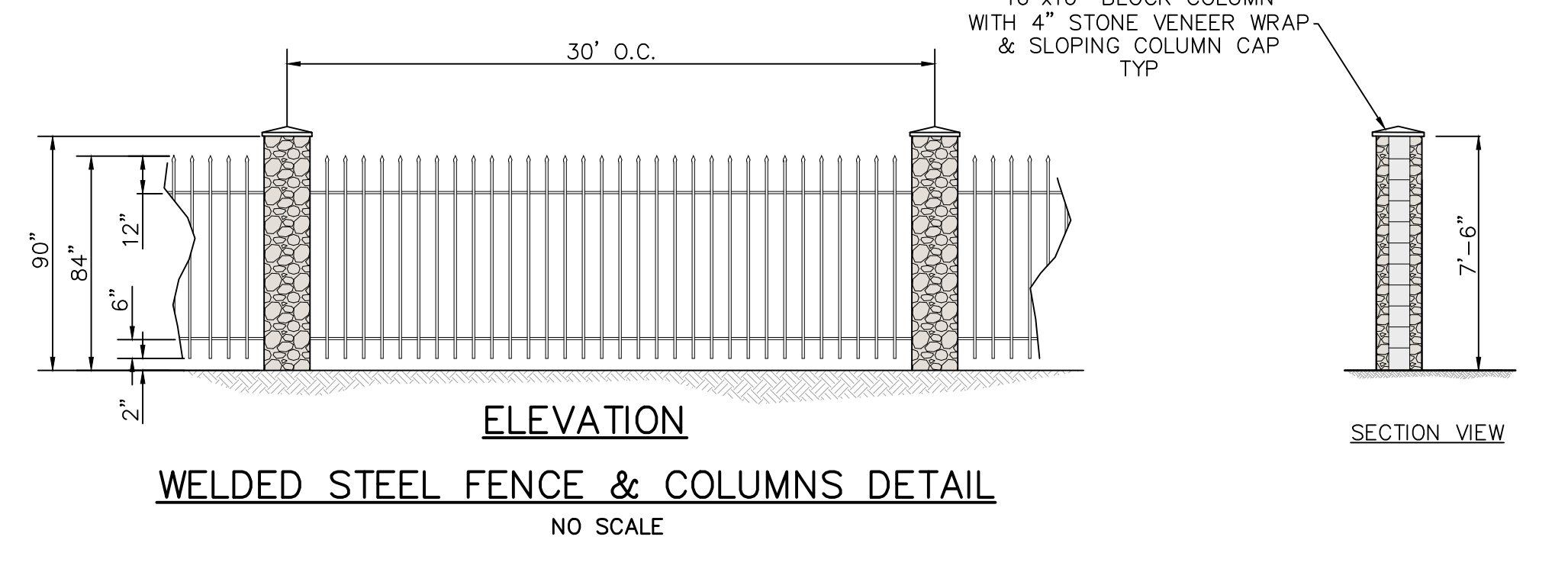
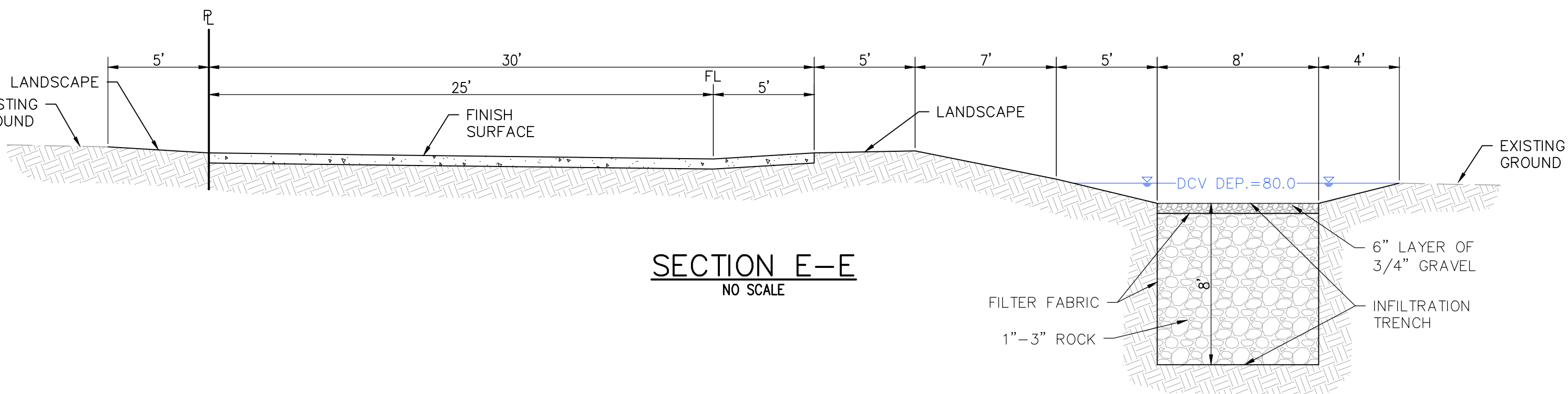
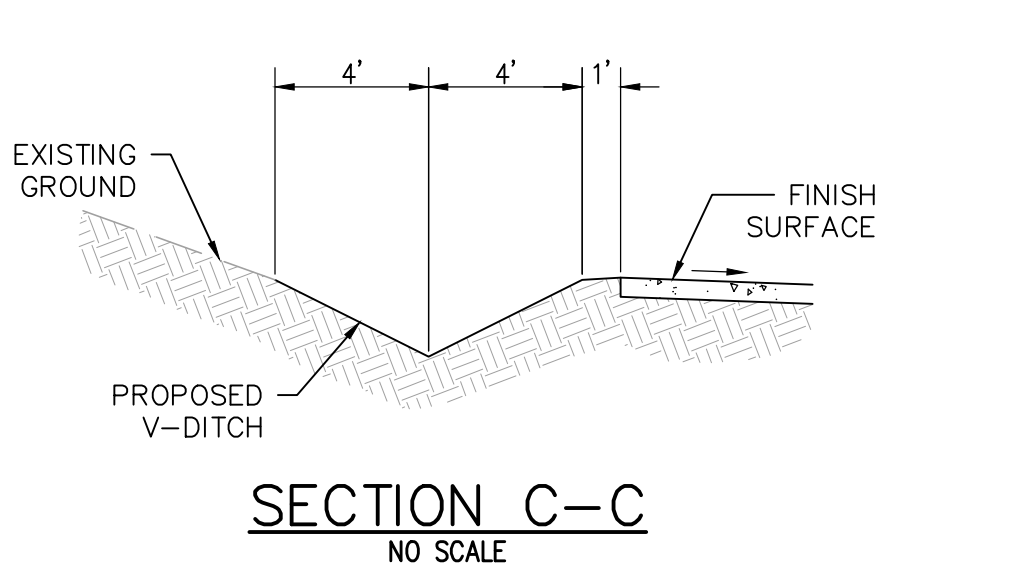
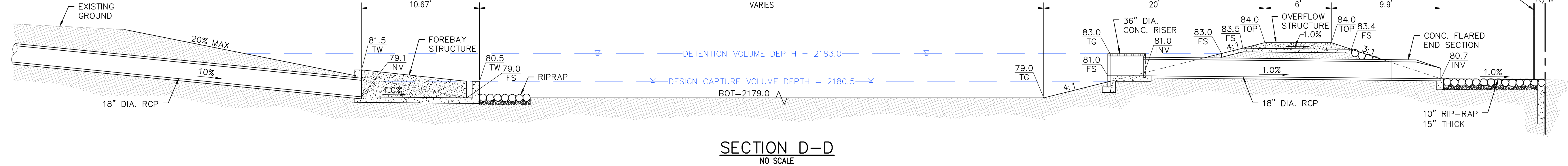
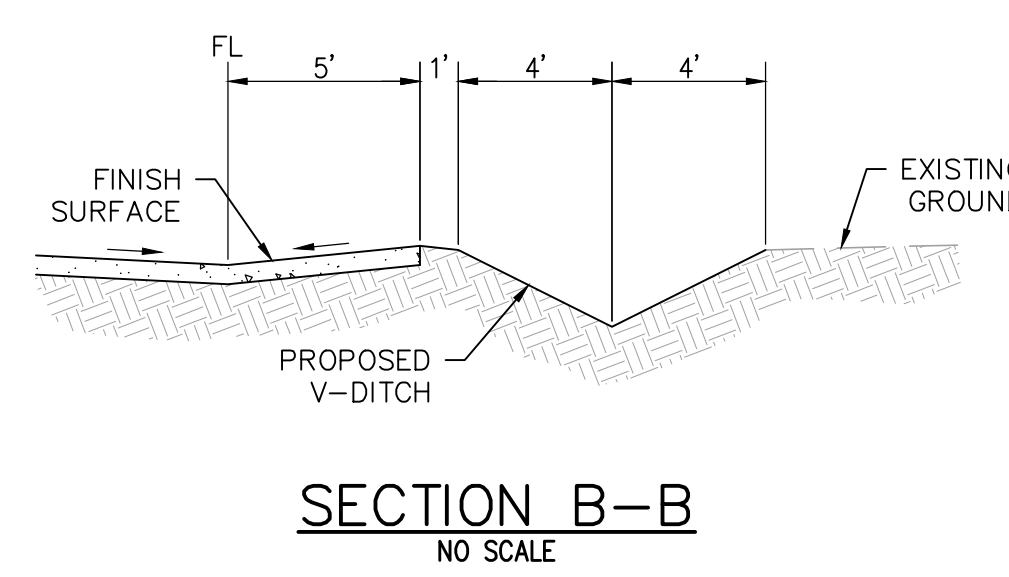
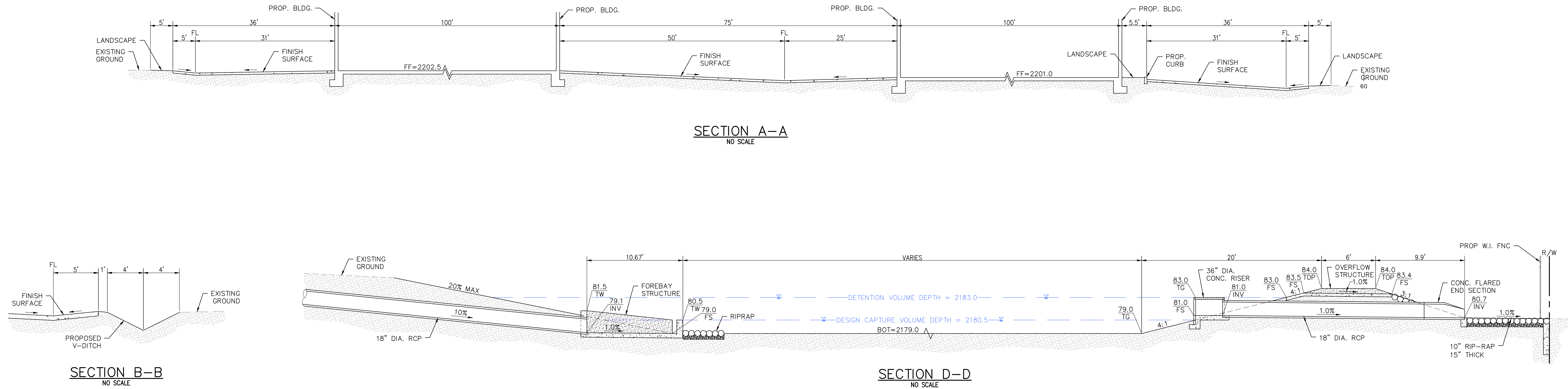


EXHIBIT B

Initial Study/Mitigated Negative Declaration

[www.sbcounty.gov/uploads/LUS/Valley/MtnAve
BeesInc/PROJ_2022_00024_Initial%20Study_s
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EXHIBIT C

Conditions of Approval

CONDITIONS OF APPROVAL

PROJ-2022-00024
Mountain Bees Incorporated
Conditional Use Permit

PROJECT DESCRIPTION

Project Approval Description. A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF AN APICULTURE FACILITY COMPRISED OF TWO 15,000 SQ. FT. SINGLE STORY, STEEL-FRAMED METAL BUILDINGS FOR THE PROCESSING, STORAGE AND DISTRIBUTION OF RAW HONEY, LOCATED ON THREE PARCELS TOTALING 18.36-ACRES WITHIN THE RURAL LIVING DESIGNATION AND LAND USE ZONING DISTRICT.

NOTICES

1. Project Location. The Project site is located at 3112 Lytle Creek Road: APN: 0239-311-01, -02, & -03.
2. 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.
3. Project Account. The Project account number is PROJ-2022-00024, this is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.
4. Revisions/Plot Plan: 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 facility, including changes to the height, location, bulk or size of structure or equipment shall require an additional land use review and application subject to approval 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. Condition Compliance: In order to obtain construction permits for grading, building, final inspection and/or tenant occupancy for each approved building, the developer shall comply with all of the conditions for each of the respective stages of development. The developer shall obtain written clearance (email is ok) that all of the conditions have been satisfied prior to issuance of any permits.
6. Project Account: The Project account number is PROJ-2022-00024, this is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works and County Counsel). Upon notice, the developer shall deposit additional funds to maintain or return the account to a positive balance. The developer is responsible for all expenses charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 shall be in the project account at the time of project approval and the initiation of the Condition

Compliance Review. Sufficient funds shall remain in the account to cover all estimated charges that may be made during each compliance review. All fees required for processing shall be paid in full prior to recordation.

7. Development Impact Fees: Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
8. 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.

9. Expiration. This project permit approval shall expire and become void if it is not "exercised" within three (3) years of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either:
 - a. The permittee has commenced actual construction or alteration under a validly issued building permit.
 - b. The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060).
 - c. Occupancy of approved land use occupancy of completed structure (equipment lease area compound) and operation of the approved and 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:
 - Construction permits for all or part of the project are not issued or the construction permits expire before the project scope is completed and the final inspection is approved.
 - The land use is determined by the County to be abandoned or non-conforming.
 - The land use is determined by the County to be 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 this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

10. Additional Permits. The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but not limited to:
 - a. FEDERAL: U.S. Fish & Wildlife
 - b. STATE: Santa Ana RWQCB, South Coast AQMD, and California Department of Fish and Wildlife
 - c. COUNTY: Land Use Services – Building and Safety/Code Enforcement/Land Development, County Fire – Community Safety Division; Fire HazMat Division, Public Health – Environmental Health Services, Public Works –Traffic/ County Surveyor/Solid Waste Management, and Special Districts.
 - d. LOCAL: N/A.
11. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
 - a. Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
 - b. Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
 - c. Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
 - d. Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
 - e. Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
 - f. External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
 - g. Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
 - h. Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
 - i. 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.

- j. 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.
 - k. Waste Disposal: The Developer shall comply with regulations stipulated on the Development Code Section 84.24 regarding Solid Waste Disposal.
12. SCAQMD Rule 403. The developer shall comply with the following to reduce fugitive dust during grading and construction activities:
- A. Minimization of Disturbance. Construction contractors shall minimize the area disturbed by clearing, grading, earth moving, or excavation operations to prevent excessive amounts of dust.
 - B. Soil Treatment. Construction contractors shall treat all graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved on-site roadways to minimize fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll compaction as appropriate. Watering shall be done as often as necessary, and at least three times daily, preferably in the late morning and after work is done for the day.
 - C. Soil Stabilization. Construction contractors shall monitor all graded and/or excavated inactive areas of the construction site at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be applied to portions of the construction site that are inactive for over four days. If no further grading or excavation operations are planned for the area, the area shall be seeded and watered until landscape growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
 - D. No Grading During High Winds. Construction contractors shall stop all clearing, grading, earth moving, and excavation operations during periods of high winds (20 miles per hour or greater, as measured continuously over a one-hour period).
 - E. Street Sweeping. Construction contractors shall sweep all on-site driveways and adjacent streets and roads at least once per day, preferably at the end of the day, if visible soil material is carried over to adjacent streets and roads.
13. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code 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.
14. Lighting. Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). 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, an alternating message no more than once every five seconds.
15. CEQA Mitigation. The Project shall comply with all Mitigation Measures identified in the Project-assigned Mitigation Monitoring and Reporting Plan (MMRP).
16. Underground Utilities. No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.

17. Construction Hours. Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
18. Construction Noise. The following measures shall be adhered to during the construction phase of the project:
 - All construction equipment shall be muffled in accordance with manufacturer's specifications.
 - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits.
 - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.

GENERAL REQUIREMENTS

Ongoing, Informational and Operational Conditions

ENVIRONMENTAL HEALTH SERVICES – (800) 442-2283

19. Refuse Storage and Disposal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq.
20. Noise Levels. Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080.
21. OWTS Maintenance. The onsite wastewater treatment system shall be maintained so as not to create a public nuisance and shall be serviced by an EHS permitted pumper.

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

22. Franchise Hauler Service Area. This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec Waste Industries).
23. 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.
24. Mandatory Commercial Recycling. As of July 1, 2012, AB 341 (Enacted October 5, 2011) requires businesses defined to include a commercial or public entity that generate 4 or more cubic yards of solid waste per week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
25. Mandatory Trash Service. This property falls within a Uniform Handling Service area. All owners of a dwelling or a commercial or industrial unit within the uniform handling area shall, upon notice thereof, be

required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.

26. Mandatory Commercial Organics Recycling. As of September 15, 2020, AB 1826 (Enacted September 28, 2014) requires businesses that generate two (2) cubic yards or more of solid waste per week to recycle their organic waste. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County or contract waste hauler on efforts to recycle organics materials once operational.
27. Recycling and Organic Waste Collection Container Information. As of July 1, 2020, AB 827 (Enacted October 2, 2019) requires those MCR and MORE-covered businesses that sell products meant for immediate consumption and currently provide trash collection containers for their customers to provide recycling and/or organics collection containers adjacent to trash containers at front-of-house, except in restrooms. Full-service restaurants are exempt from these requirements as long as they provide containers for employees to separate post-consumer recyclables and organic waste purchased on the premise for customers.
28. Demolition Debris. San Bernardino County owned and operated sanitary landfills and transfer stations are not permitted to accept asbestos contaminated wastes, therefore any debris generated by the demolition of structures are subject to asbestos clearance prior to disposal at any San Bernardino County disposal sites. Applicants are required to have a Certified Asbestos Consultant perform testing of all materials to be disposed. Upon receipt of the Consultant's report, indicating that the debris is not contaminated, Solid Waste Management Operations Section will provide applicant with disposal authorization. For more information on Certified Asbestos Consultants please visit <http://www.dir.ca.gov/databases/doshacru/acruList.asp>, or for information on County requirements please contact Solid Waste Operations at 909-386-8701 or solid.wastemail@dpw.sbcounty.gov.

DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186

29. Project vehicles shall not back up into the project site nor shall they back out into the public roadway.
30. Access. The access point to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

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

31. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site and on-site 100-year drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.
32. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
33. 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.

34. Erosion Control Installation. Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
35. 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 final Water Quality Management Plan (WQMP) for the project. Refer to approved WQMP maintenance section.
36. 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 the County Department of Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or "developer", including administrative costs, attorney's fees, and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

37. F01 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 applicant 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.
38. F04 Fire Permit Expiration. Construction permits shall automatically expire and become invalid unless the work authorized 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 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 permit may be made in writing PRIOR TO the expiration date justifying the reason that the permit should be extended.
39. F08 Fire Safety Overlay. The County General Plan designates this property as being within the Fire Safety Review Area. All construction shall adhere to all applicable standards and requirements of the Fire Safety Review Area as adopted in the San Bernardino County Development Code.
40. F12 Fuel Modification Zone. A Fuel Modification Zone (FMZ) plan designed specifically for the subject project is required and shall be designed by a consultant approved by the Fire Department. The FMZ plan shall be submitted to the Fire Department for review and approval in compliance with County standards.
41. F15 Access – 30% slope. Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.
42. F17 Access Road Grade. Fire access roadways shall not exceed a maximum of twelve (12%) percent grade at any point. Fire access roadways or driveways may be increased to fourteen (14%) percent grade for a distance not to exceed five hundred (500) feet. Fire access roadways providing access to no more than two (2) one or two-family dwellings may be increased to a maximum of sixteen (16%) percent grade not to exceed five hundred (500) feet. Grades across the width of a fire access roadways shall not exceed

five (5%) percent. In order to accommodate proper angles of approach and departure, gradient shall not exceed five (5%) percent change along any ten (10) foot section.

43. F20 Access – 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. Roadways shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
44. F36 Sprinkler Installation Letter. The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.
45. F70 Additional Requirements. In addition to the Fire requirements stated herein, other onsite and off-site improvements may be required which cannot be determined at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
46. F71 Proposal Changes. Any changes to this proposal shall require new Fire Department condition letter.
47. Additional Requirements. In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
 - a. 2 points of access required per Standard A-1, second point of access can be an EVA-Emergency Vehicle Access.
 - b. Indicate public hydrants on plans.
 - c. An on site hydrant will be required to support the Sprinklers and FDC's. This will be a deferred submittal.
 - d. Fire Flow for the project will be 2000GPM @ 20psi for 2 hrs.
 - e. A current Fire Flow report will be required for this project.

**PRIOR TO GRADING PERMIT ISSUANCE
OR LAND DISTURBING ACTIVITIES**

The Following Shall Be Completed

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

48. ***Nesting Migratory Birds (BIO-1). Pursuant to the Migratory Bird Treaty Act (MBTA) and Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. The nesting season extends from February 1 through August 31 but can vary slightly from year to year based upon seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a pre-construction clearance survey for nesting birds, shall be conducted within three (3) days of the start of any ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report provided to the County of San Bernardino indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities can commence thereafter provided activities are able to maintain a 300-foot buffer around the active nest. For raptors and special-status species, this buffer will be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once a qualified biologist has determined the young have fledged and left the***

nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can then resume.

49. ***Discovery of Cultural Resources (CR-1).*** *In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.*
50. ***Discovery of Pre-Contact Historical Resources (CR-2).*** *If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.*
51. ***Discovery of Human Remains (CR-3).*** *If human remains are encountered during excavation activities, all work shall halt within 100-feet of the find and the County Coroner shall be notified (California Health and Safety Code, §7050.5). The Coroner will determine whether the remains are of forensic interest. If the Coroner determines that the remains are prehistoric, the coroner will then contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC is responsible for immediately designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials. If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance.*
52. ***Discovery of Paleontological Resources (GEO-1).*** *If paleontological resources (fossils) are discovered, earth disturbance activities shall stop, and the fossil location shall be protected and cordoned off at a distance of 50 feet in all directions. A qualified paleontologist shall be notified immediately to determine the significance of the discovery. After examination of the fossil(s), and if the paleontologist determines the fossil(s) to be significant, monitoring for paleontological resources is warranted. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by the paleontological monitor. Monitoring will be conducted in areas of grading or excavation in undisturbed sediments. The duration of monitoring shall be determined by the qualified project paleontologist. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor will be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.*
53. ***Discovery of Pre-Contact Historical Resources (TCR-1).*** *The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-2, of any precontact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as*

amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.

54. ***Archaeological/Cultural Documents (TCR-2). Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.***

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

55. **Drainage Improvements.** A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safe manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
56. **Drainage Easements.** Adequate San Bernardino County Drainage Easements (minimum fifteen [15] feet wide) shall be provided over the natural drainage courses, drainage facilities, and/or concentration of runoff from the site. The hydrologic/hydraulic calculations supporting the size of the easement(s) shall be submitted for review/approval by the Land Development Division prior to recording the easement. Proof of recordation shall be provided to the Land Development Division.
57. **On-site Drainage Easement.** On-site flows shall be directed within a drainage easement.
58. **FEMA Flood Zone.** The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C7905H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
59. **Grading Plans.** Grading and erosion control plans shall be prepared in accordance with the County's guidance documents (which can be found here: <https://lus.sbcounty.gov/landdevelopment-home/grading-and-erosion-control/>) and submitted for review with approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved final drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
60. **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
61. **Regional Board Permit.** Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
62. **On-site Flows.** On-site flows need to be directed to the nearest County maintained road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
63. **WQMP.** A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained prior to construction. 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. Review processed on an actual cost basis. Copies of the WQMP guidance and template can be found at: (<https://dpw.sbcounty.gov/wqmptemplates-and-forms/>).

64. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

ENVIRONMENTAL HEALTH SERVICES – (800) 442-2283

65. Vector Control Requirement. The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.
66. Demolition Inspection Required. All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any premises. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

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

67. 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.
68. 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 issuance of grading permits or land disturbance.
69. Geotechnical Report. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
70. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.

PRIOR TO BUILDING PERMIT ISSUANCE

The Following Shall Be Completed

Land Use Services Department – Land Development Division – Road Section (909) 387-8311

71. Road Improvements. The developer shall submit for review and obtain approval from the Land Use Services Department the following plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California:

Lytle Creek Road (Secondary Highway – 88 feet)

- Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.
72. Encroachment Permits. Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from the County Department of Public Works, Permits/Operations Support Division, Transportation Permits Section (909) 387-1863 as well as other agencies prior to work within their jurisdiction.
73. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing sections shall be required as necessary.

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

74. Temporary Use Permit. A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.
75. Construction Plans. Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.

ENVIRONMENTAL HEALTH SERVICES – (800) 442-2283

76. Existing OWTS. Existing onsite wastewater treatment system can be used if applicant provides an EHS approved certification that indicates the system functions properly, meets code, has the capacity required for the proposed project, and meets LAMP requirements.
77. New OWTS. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions:
- a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283.
 - b. An Alternative Treatment System, if applicable, shall be required.

78. Sewage Disposal. Method of sewage disposal shall be sewer service provided by City of Rialto or an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
79. Existing 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 EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.
80. Preliminary Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the EHS for review and approval. For information and acoustical checklist, contact EHS at (800) 442-2283.
81. Water Purveyor. Water purveyor shall be West Valley Water District (WVWD) or EHS approved. The Project shall comply with all listed Conditions of Approval as provided for by West Valley Water District in their letter dated May 18, 2022.
82. Water Service Verification Letter. Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice.
83. Food Establishment Plan Check Required. Plans for wholesale processor establishments shall be reviewed and approved by EHS. For information, call EHS Plan Check at: (800) 442-2283.

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

84. Construction Waste Management Plan (CWMP) Part 1. The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights of solid waste materials expected to be generated from construction. The CWMP shall include options to divert waste materials from landfill disposal, materials for reuse or recycling by a minimum of 65% of total weight or volume. More information can be found on the San Bernardino County Solid Waste Management Division (SWMD) website at <https://dpw.sbcounty.gov/solid-waste-management/construction-waste-management/>. An approved CDWMP Part 1 is required before a permit can be issued. There is a one-time fee of \$150.00 for residential projects/\$530.00 for commercial/non-residential projects.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

85. F02 Fire Fee. The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.
86. F16 Access. The development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. 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. b. 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.

87. F09 Building Plans. Building Plans shall be submitted to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
88. F10 Combustible Protection. Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
89. F19 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.
90. F21 Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District cul-de-sac length shall not exceed three hundred fifty (350) feet.
91. F22 Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
92. F23 Secondary Access Paved. Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
93. F26 Fire Flow Test. Please provide a fire flow test report from your water purveyor that has been completed in the last six months demonstrating that the fire flow demand is satisfied.
94. F27 Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be: 1500 GPM for a 2 hour duration at 20 psi residual operating pressure. Fire Flow is based on a 15000 sq. ft. structure.
95. F28 Water System 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. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.
96. F33 Water System Certification. The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the job site.

PRIOR TO FINAL INSPECTION OR OCCUPANCY

The Following Shall Be Completed For Each Phase

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

97. Mitigation Measures: Please see Mitigation Monitoring and Reporting Program (MMRP attached) for mitigation measures to be completed prior to occupancy permit issuance.
98. Fees Paid. Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2022-00024.

99. Shield Lights. Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC.
100. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.
101. Landscaping/Irrigation. All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
102. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
103. 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.

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

104. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
105. WQMP Improvements. All required WQMP improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works. An electronic file of the approved final WQMP shall be submitted to Land Development Division, Drainage Section.

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

106. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
107. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant and inspected/approved by the County Department of Public Works.
108. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by the County Department of Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

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

109. Construction Waste Management Plan (CDWMP) Part 2. The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste. The developer MUST provide ALL receipts and/or backup documentation for actual disposal/diversion of project waste. More information can be found on the San Bernardino County Solid Waste Management Division (SWMD) website at <https://dpw.sbcounty.gov/solid-waste-management/construction-waste-management/>

DEPARTMENT OF PUBLIC WORKS – Traffic Division – (909) 387-8186

110. The applicant shall construct, at 100% cost to the applicant, all roadway improvements as shown on their approved street improvement plans.

ENVIRONMENTAL HEALTH SERVICES – (800) 442-2283

111. New Retail Food Facility Permit. A Retail Food Facility annual permit for wholesale processor food facility shall be required. For information, contact EHS at: (800) 442-2283.

COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190

112. F35 Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs, or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.
113. F37 Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and Fire Department standards is required. The applicant shall hire a licensed fire sprinkler contractor. The fire sprinkler contractor shall submit plans with hydraulic calculations, manufacturers specification sheets and a letter from a licensed structural (or truss) engineer with a stamp verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design to the Fire Department for approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
114. F40 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.
115. F41 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 licensed fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
116. F45 Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
117. F06 Inspection by Fire Department. Permission to occupy or use the building (Certification of Occupancy or Shell Release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
118. F48 Material Identification Placards. The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.
119. F51 Commercial Addressing. Commercial and industrial developments of 100,000 sq. ft or less shall have the street address installed on the building with numbers that are a minimum eight (8) inches in height and with a one (1) 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 address identification shall be displayed on a monument, sign or other approved means with numbers that are a minimum of six (6) inches in height and three-quarter ($\frac{3}{4}$) inch stroke.

120. F55 Key Box. An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Lock (Knox[®]).
121. F11 Combustible Vegetation. Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less. County Ordinance #3586.

END OF CONDITIONS

EXHIBIT D

Mitigation Monitoring and Reporting Program

MOUNTAIN AVENUE BEES PROJECT

MITIGATION MONITORING AND REPORTING PROGRAM

Prepared for:

**County of San Bernardino
Land Use Services Department
385 North Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182**

Prepared by:



February 2023

MITIGATION MONITORING AND REPORTING PROGRAM

The California Environmental Quality Act (CEQA) requires that a public agency adopting an Mitigated Negative Declaration (MND) take affirmative steps to determine that approved mitigation measures are implemented after project approval. The lead or responsible agency must adopt a reporting and monitoring program for the mitigation measures incorporated into a project or included as conditions of approval. The program must be designed to ensure compliance with the MND during project implementation (California Public Resources Code, Section 21081.6(a)(1)). This Mitigation Monitoring and Reporting Program (MMRP) will be used by the County of San Bernardino (County) to ensure compliance with the mitigation measures identified in the Mountain Avenue Bees Project Final IS/MND dated February 2023. Implementation of the mitigation measures would reduce impacts to biological resources, cultural resources, paleontological resources and tribal cultural resources to less than significant.

The remainder of this MMRP consists of a table that identifies the mitigation monitoring and reporting requirements, list of mitigation measures, the party responsible for implementing mitigation measures, timing for implementation of mitigation measures, the agency responsible for monitoring of implementation and the date of completion. With the Final IS/MND and related documents, this MMRP will be kept on file at the following location:

Land Use Services Department
365 North Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

| Mitigation Measures | | Implementation Timing | Agency Responsible for Monitoring | Date of Completion |
|-----------------------------|---|---|-----------------------------------|--------------------|
| Biological Resources | | | | |
| BIO-1 | Pursuant to the Migratory Bird Treaty Act (MBTA) and Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. The nesting season extends from February 1 through August 31 but can vary slightly from year to year based upon seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a pre-construction clearance survey for nesting birds, shall be conducted within three (3) days of the start of any ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report provided to the County of San Bernardino indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities can commence thereafter provided activities are able to maintain a 300-foot buffer around the active nest. For raptors and special-status species, this buffer will be expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once a qualified biologist has determined the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can then resume. | Three (3) days of the start of any ground disturbing activities | County of San Bernardino | |
| Cultural Resources | | | | |
| CR-1 | In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the | During ground disturbing | County of San | |

Mountain Avenue Bees Project
Mitigation Monitoring and Reporting Program

| Mitigation Measures | | Implementation Timing | Agency Responsible for Monitoring | Date of Completion |
|---------------------|---|--------------------------------------|-----------------------------------|--------------------|
| | find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. | activities. | Bernardino | |
| CR-2 | If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. | During ground disturbing activities. | County of San Bernardino | |
| CR-3 | If human remains are encountered during excavation activities, all work shall halt within 100-feet of the find and the County Coroner shall be notified (California Health and Safety Code, §7050.5). The Coroner will determine whether the remains are of forensic interest. If the Coroner determines that the remains are prehistoric, the coroner will then contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC is responsible for immediately designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the California Public Resources | During ground disturbing activities. | County of San Bernardino | |

Mountain Avenue Bees Project
Mitigation Monitoring and Reporting Program

| Mitigation Measures | | Implementation Timing | Agency Responsible for Monitoring | Date of Completion |
|----------------------|--|---------------------------------------|-----------------------------------|--------------------|
| | Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials. If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance. | | | |
| Geology/Soils | | | | |
| GEO-1 | If paleontological resources (fossils) are discovered, earth disturbance activities should stop, and the fossil location shall be protected and cordoned off at a distance of 50 feet in all directions. A qualified paleontologist should be notified immediately to determine the significance of the discovery. After examination of the fossil(s), and if the paleontologist determines the fossil(s) to be significant, monitoring for paleontological resources is warranted. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by the paleontological monitor. Monitoring will be conducted in areas of grading or excavation in undisturbed sediments. The duration of monitoring shall be determined by the qualified project paleontologist. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor will be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological | Prior to beginning grading activities | County of San Bernardino | |

Mountain Avenue Bees Project
Mitigation Monitoring and Reporting Program

| Mitigation Measures | | Implementation Timing | Agency Responsible for Monitoring | Date of Completion |
|----------------------------------|--|--------------------------------------|-----------------------------------|--------------------|
| | personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery. | | | |
| Tribal Cultural Resources | | | | |
| TCR-1 | The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site. | During ground disturbing activities. | County of San Bernardino | |
| TCR-2 | Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project | During ground disturbing activities. | County of San Bernardino | |

EXHIBIT E

Findings

FINDINGS: CONDITIONAL USE PERMIT. The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for the Project's Conditional Use Permit for the construction of an apiculture facility comprised of two (2) 15,000 square foot, single-story, steel-framed metal buildings for the processing, storage and distribution of raw honey (Project).

- 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 18.36-acre site will accommodate the proposed steel-framed metal buildings associated with the Project. The proposed site plan ensures that the Project complies with Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

- 2. The site for the proposed use has adequate legal and physical access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.**

The Project will provide two (2) driveways with a 30-foot wide driveway entrance and a secondary 20-foot wide driveway entrance connecting to Lytle Creek Road. The Project will also provide the required driveway width and turning radius for truck and emergency vehicle maneuvering in between and around both proposed buildings.

- 3. The proposed use will not have a substantial adverse effect on abutting property or the allowed use of the abutting property, which means the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance.**

The proposed use (apiculture facility) will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance. The Project is required to comply with all requirements of the Development Code with respect to noise, vibration, lighting, and glare. Although the Project's buildings will be used for storage, maintenance and production of food supplements for bees that are fed to hives as part of the honey production process, there will be no hives on the site to create disturbance to abutting property. 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 Countywide Plan/Policy Plan and any applicable Community or Specific Plan.**

The proposed use and manner of development of the Project specifically implements the following goals and policies of the Countywide Plan/Policy Plan:

Goal LU-1: Growth and development that builds thriving communities, contributes to our Complete County, and is fiscally sustainable.

Policy LU-1.1 Growth. *We support growth and development that is fiscally sustainable for the County. We accommodate growth in the unincorporated county when it benefits existing communities, provides a regional housing option for rural lifestyles, or supports the regional economy.*

- Goal/Policy Implementation: The project's agricultural support services component (i.e., bee pollination) would provide regional economic benefit and sustainability to the County's agriculture production.

Goal LU-2 Land Use Mix and Compatibility: *An arrangement of land uses that balances the lifestyle of existing residents, the needs of future generations, opportunities for commercial and industrial development, and the value of the natural environment.*

Policy LU-2.1 Compatibility with Existing Uses: *We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.*

- Goal/Policy Implementation: The Project would be located on the same site as an existing agricultural support services business. The site is located in a rural area of the Village Area along Lytle Creek Road. The Project would be designed consistent with Development Code standards and located in an area that would buffer the project from existing uses.

Policy LU-2.3 Compatibility with Natural Environment: *We require that new development is located, scaled, buffered, and designed for compatibility with the surrounding natural environment and biodiversity.*

- Goal/Policy Implementation: The Project with implementation of Mitigation Measures BIO-1, CR-1, CR2, TCR-1 and TCR-2 would have no adverse impact on biological or cultural resources as otherwise, adversely affect the natural environment as described herein.

Policy LU-2.4 Land Use Map consistency: *We consider proposed development that is consistent with the Land Use Map (i.e., it does not require a change in Land Use Category), to be generally compatible and consistent with surrounding land uses and a community's identity. Additional site, building, and landscape design treatment, per other policies in the Policy Plan and development standards in the Development Code, may be required to maximize compatibility with surrounding land uses and community identity.*

- Goal/Policy Implementation: The Project is consistent with the Land Use Map and does not propose land use amendment. The Project site plan indicates compliance with Development Code standards in terms of setbacks, parking, landscaping, walls, and fences.

Policy LU-2.5 Hillside preservation: *We require that new development in sloping hillside areas preserve the natural character of the surrounding environment and does not further exacerbate natural hazards or erosion.*

- Goal/Policy Implementation: The proposed project area of construction will not interfere or require grading the adjacent hillside to the west for the placement of the proposed buildings and therefore will maintain the natural contour of the adjacent hillside terrain.

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 both driveway approaches pursuant to County Standard 129B and per County Standard 130. The Project proposes septic services that have been reviewed and deemed as acceptable to County Environmental Health standards subject to conditions of approval. Water service is be provided by the West Valley Water District.

6. The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety, and general welfare.

The conditions of approval include measures that require the developer to comply with the performance measures outlined in the County Development Code.

7. The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

The proposed facility will not utilize solar energy for power. However, the project design will allow for the placement of solar energy systems, if needed in the future.

ENVIRONMENTAL FINDINGS:

The environmental findings, in accordance with Section 85.03.040 of the San Bernardino County Development Code, are as follows:

Pursuant to provisions of the California Environmental Quality Act (CEQA) and the San Bernardino County Environmental Review guidelines, the above referenced Project has been determined through the preparation of an initial study that it will not have a significant adverse impact on the environment with the implementation of the required mitigation measures. A Mitigated Negative Declaration (MND) will be adopted and a Notice of Determination (NOD) will be filed with the San Bernardino County Clerk's office. The MND represents the independent judgment and analysis of the County acting as lead agency for the Project.

EXHIBIT F

Notice of Determination

Notice of Determination**Appendix D****To:**

☐ Office of Planning and Research
U.S. Mail: *Street Address:*
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: _____
 Address: _____

From:

Public Agency: _____
 Address: _____

Contact: _____

Phone: _____

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): _____

Project Title: _____

Project Applicant: _____

Project Location (include county): _____

Project Description:

This is to advise that the _____ has approved the above
 (☐ Lead Agency or ☐ Responsible Agency)

described project on _____ and has made the following determinations regarding the above
 (date)
 described project.

1. The project [☐ will ☐ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☐ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☐ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☐ was not] adopted for this project.
6. Findings [☐ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Signature (Public Agency): Jon Braginton Title: _____

Date: _____ Date Received for filing at OPR: _____