



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

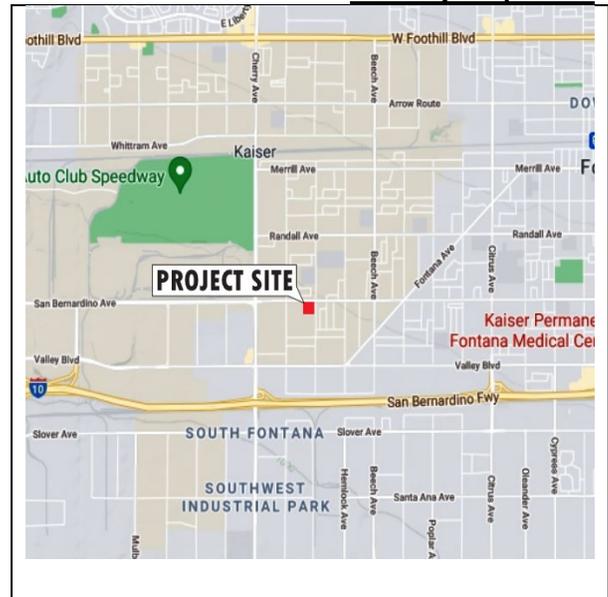
HEARING DATE: February 3, 2022

AGENDA ITEM #2

Project Description

Vicinity Map -

APN: 0234-121-14, et al.
Applicant: Edward J. Bonadiman
Community: Fontana/ 2nd Supervisorial District
Location: 14835 San Bernardino Avenue
Project No: P201800662 (PROJ-2020-00066)/CUP
Staff: Steven Valdez
Rep: The Oft Family Corporation
Proposal: A Policy Plan Amendment to change the designation from Low Density Residential (LDR) and Medium Density Residential (MDR) to Commercial (C) and a Zone Change from Single Residential (RS) and Multiple Residential (RM) to Service Commercial (CS) on 19 parcels totaling 17.83 acres, in conjunction with a Conditional Use Permit to permit a construction equipment and automobile storage yard on five parcels totaling 8.1 acres.



8 Hearing Notices Sent on : January 21, 2021

Report Prepared By: Steven Valdez, Senior Planner

SITE INFORMATION:

Parcel Size: 8.1 acres
 Terrain: Relatively flat and developed site
 Vegetation: Non-native grasses

TABLE 1 – SITE AND SURROUNDING LAND USES AND ZONING:

AREA	EXISTING LAND USE	LAND USE ZONING DISTRICT	LAND USE CATEGORY
SITE	Contractor Storage Yard: Single Family Residential	Single Residential (RS) and Multiple Residential (RM)	Low Density Residential (LDR) and Medium Density Residential (MDR)
NORTH	Single Family Residential	Single Residential (RS)	Low Density Residential (LDR)
SOUTH	Single Family Residential	Single Residential (RS)	Low Density Residential (LDR)
EAST	Single Family Residential	General Commercial (CG) AND Single Residential (RS)	Commercial (C) and Low Density Residential (LDR)
WEST	Truck Terminus Plus (Industrial Use)	General Commercial (CG)	Commercial (C)

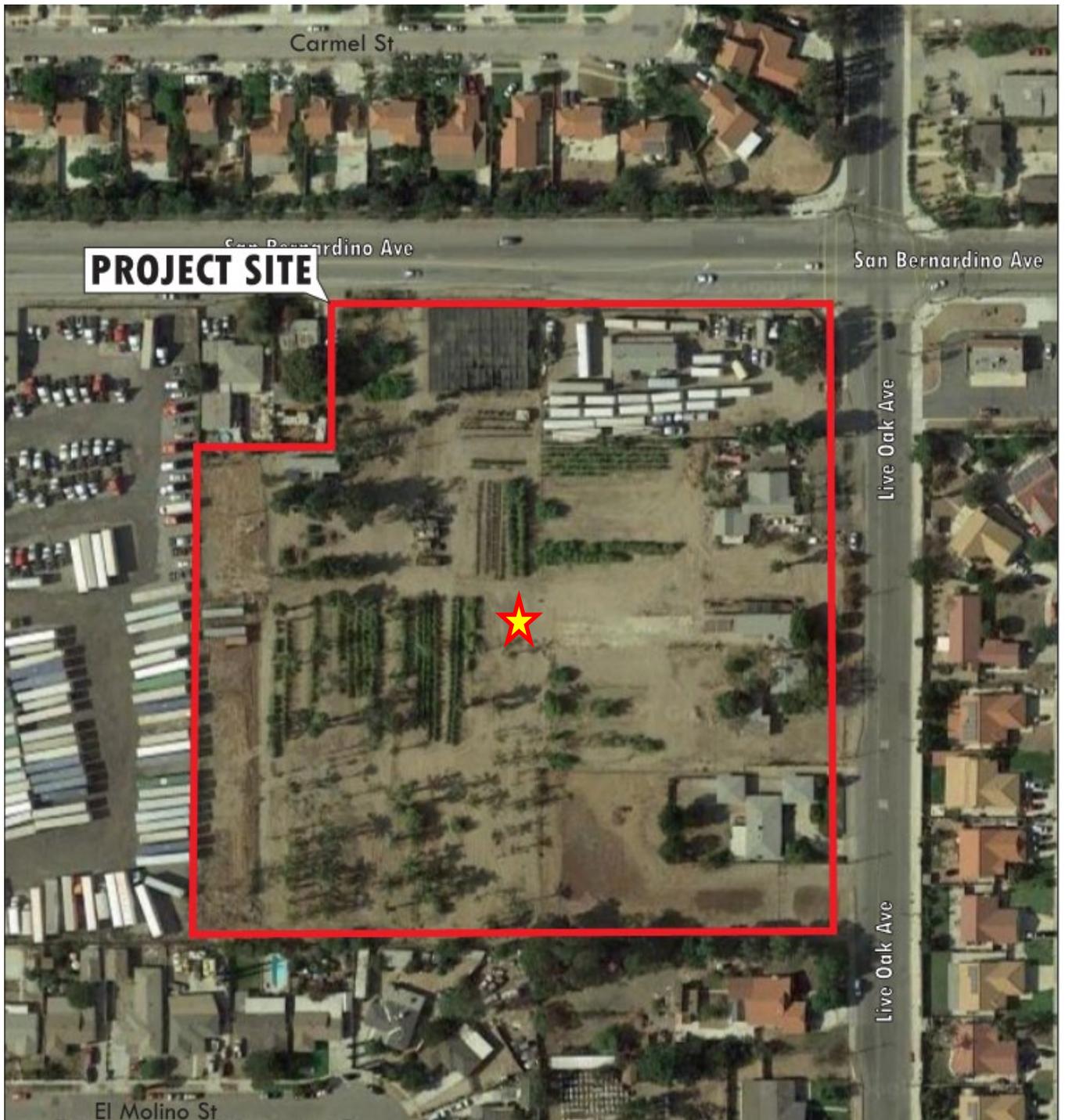
	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	City of Fontana	Supports Project
Water Service:	Fontana Water Company (FWC)	Currently Served by FWC
Sewer Service:	City of Fontana	Currently Served by City Sewer

STAFF RECOMMENDATION: That the Planning Commission recommend that the Board of Supervisors **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, **ADOPT** the Findings as contained in the Staff Report,

¹ In accordance with Section 86.12.040 of the Development Code, the Planning Commission action is a recommendation to the Board of Supervisors and may only be appealed by the applicant in the event of disapproval.

ADOPT the Policy Plan Amendment and Zone Change based on the recommended Findings, **APPROVE** the Conditional Use Permit subject to the Conditions of Approval, and **DIRECT** the Clerk of the Board to file a Notice of Determination.¹

VICINITY MAP:
Aerial view of the Conditional Use Project Site



EXISTING LAND USE DISTRICT MAP:

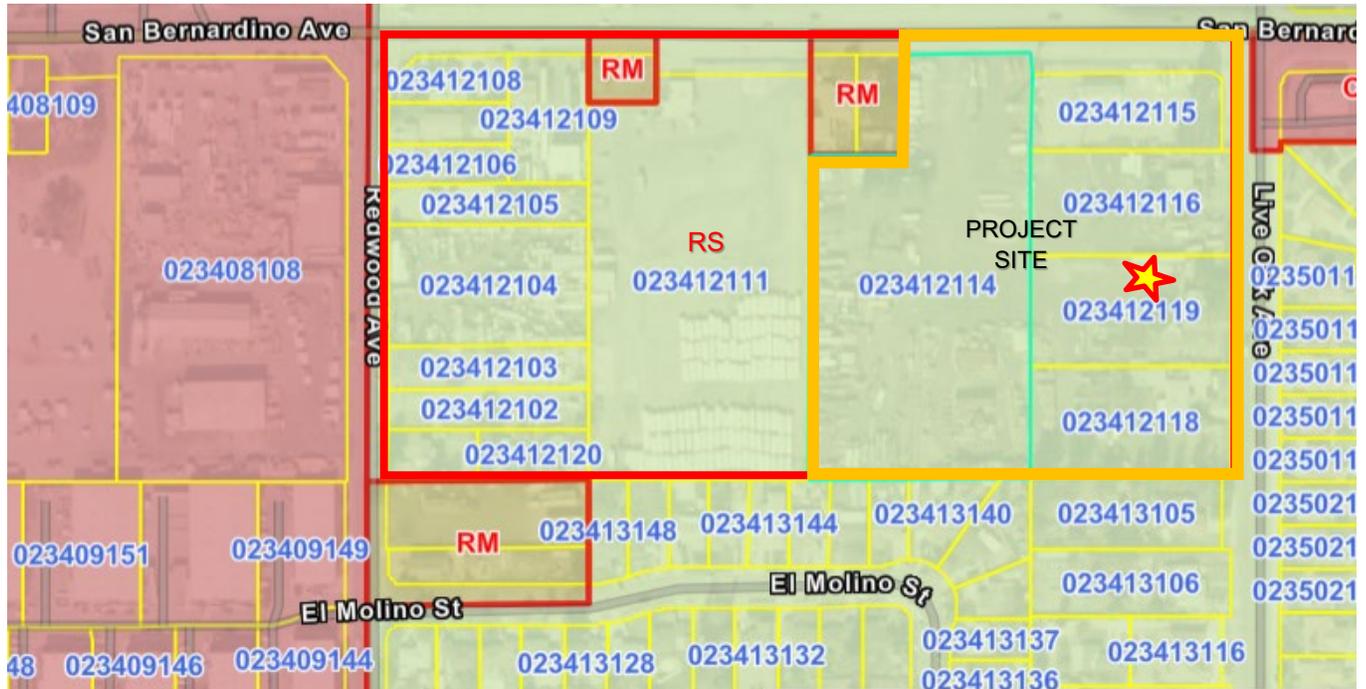


Figure 1

PROPOSED LAND USE DISTRICT MAP:

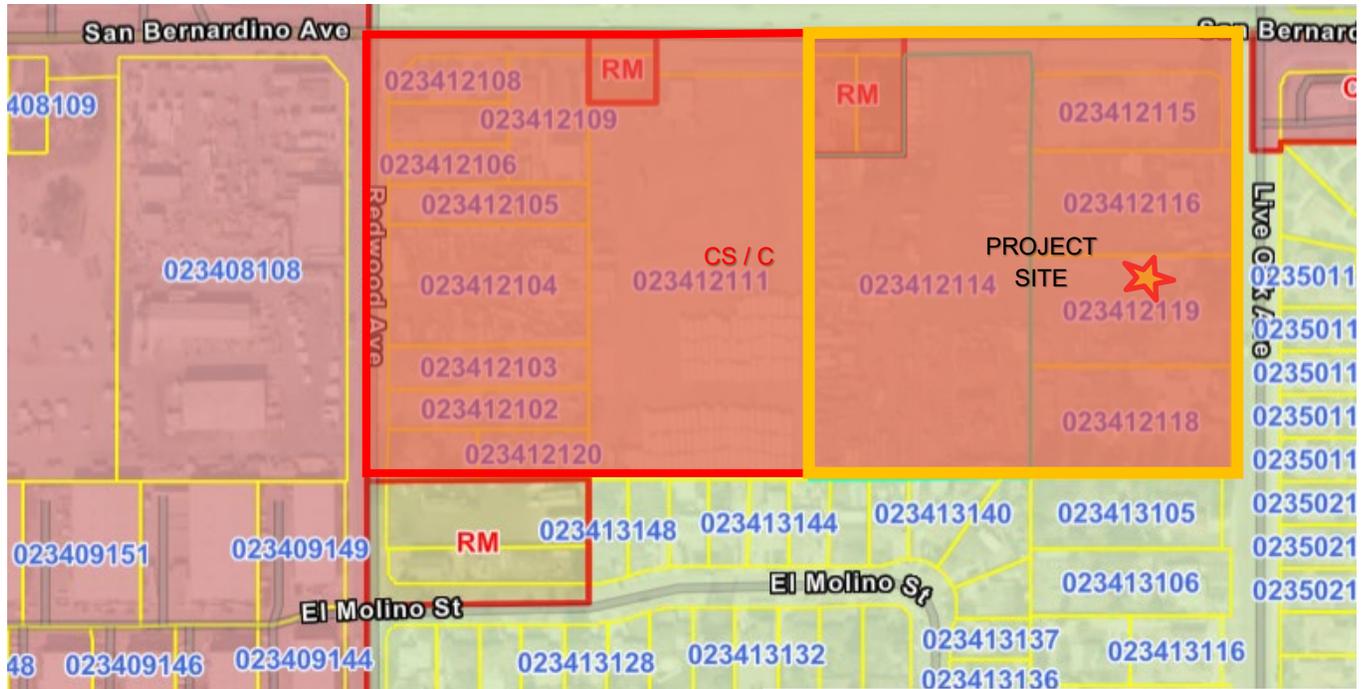


Figure 2

AERIAL MAP:

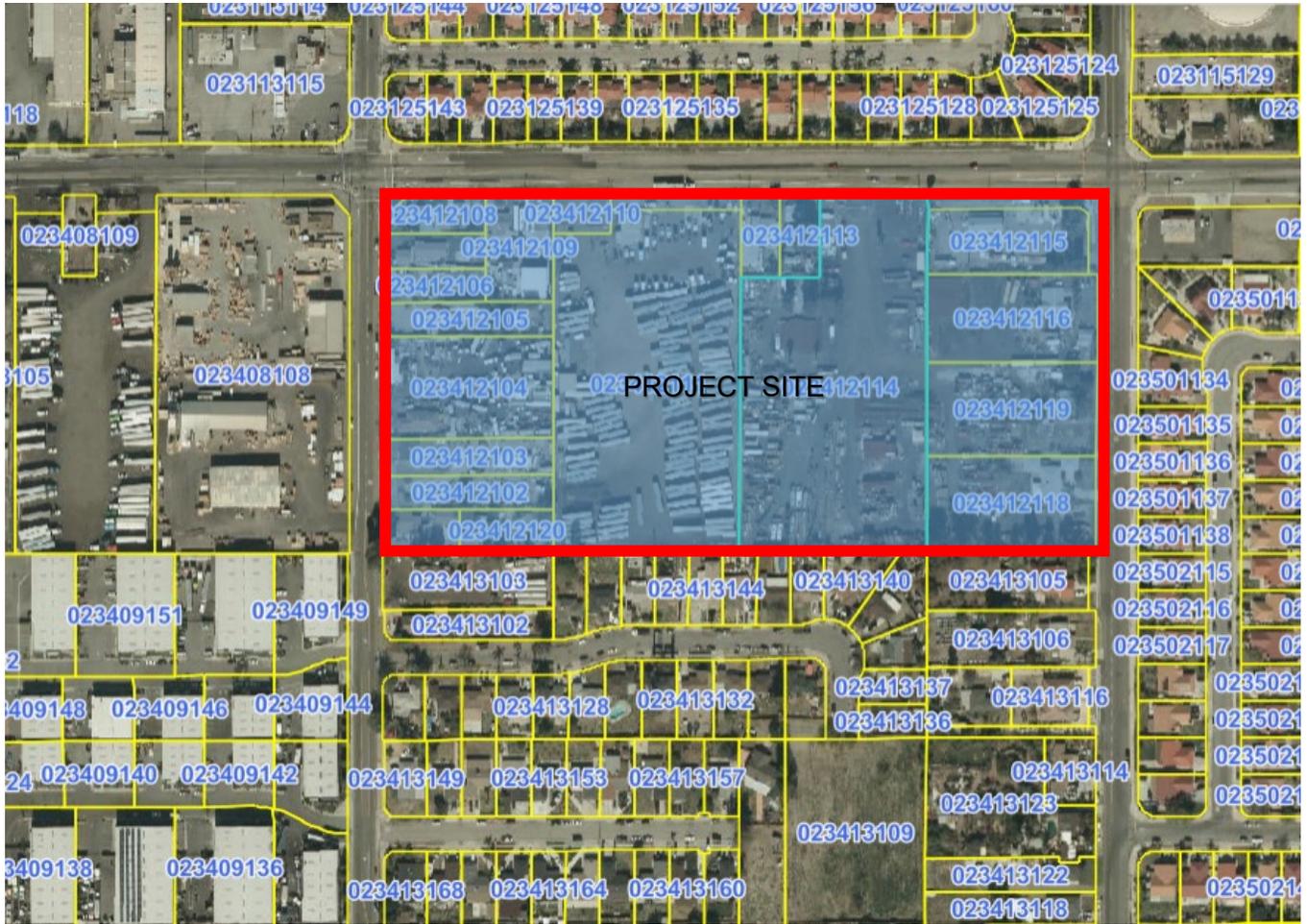
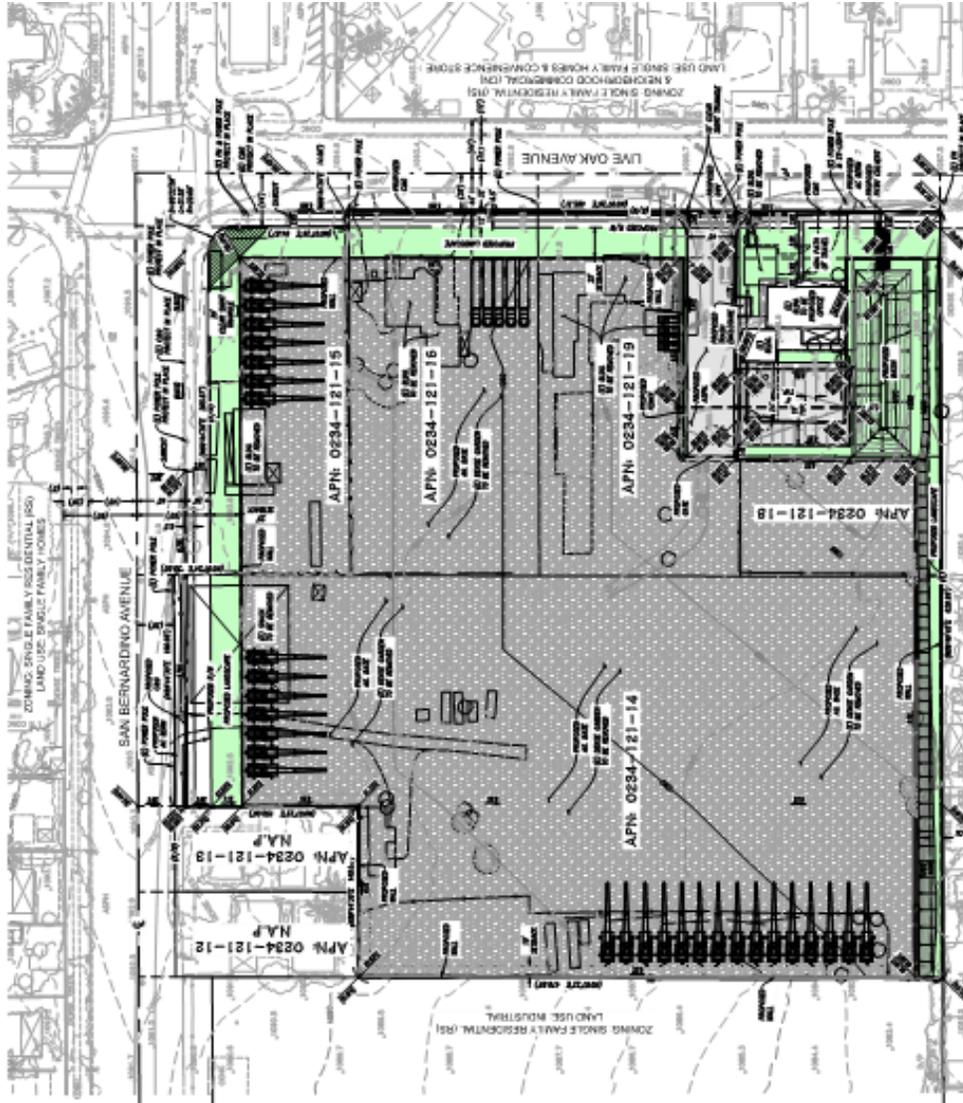


Figure 3

SITE PLAN:



SITE PHOTOS

East view from San Bernardino Avenue



North view from Live Oak Avenue



West view from San Bernardino Avenue



South view from Live Oak Avenue



PROJECT DESCRIPTION:

The Oft Family Corporation (“Applicant”) submitted an application consisting of the following actions: (1) adoption of a mitigated negative declaration; (2) Policy Plan Amendment (PPA) from Low Density Residential (LDR) and Medium Density Residential (MDR) to Commercial (C) for nineteen parcels totaling approximately 17.83 acres; (3) Land Use Zoning District Amendment (ZA) from Single Residential (RS) and Multiple Residential (RM) to Service Commercial (CS) for nineteen parcels totaling approximately 17.83 acres; and (4) Conditional Use Permit (CUP) for a contractor’s equipment and storage yard including conversion of and demolition of on-site structures located on five parcels totaling approximately 8.1 acres. Parcels associated with the PPA and ZA are referred to as the “PPA and ZA Project Site.” Parcels associated with the CUP are referred to as the “CUP Project Site.” The PPA, ZA and CUP are collectively referred to as the “Project” for purposes of the California Environmental Quality Act analysis.

The PPA and ZA Project Site includes the five parcels proposed for the CUP, as well as an additional 14 parcels located between the CUP Project Site and Redwood Avenue to the west (APNs 0234-121-02 through -16, and 0234-121-18 through -21; see Figures 1 and 2). The additional 14 parcels included in the proposed PPA and ZA are currently occupied by legal non-conforming commercial uses and single-family residences. No changes beyond the proposed PPA and ZA are proposed. No demolition or construction is proposed for the existing land uses that currently occupy the 14 parcels subject to the PPA and ZA. The existing land uses on these 14 parcels are not a part of the CUP application.

The CUP Project Site is located at 14835 San Bernardino Avenue and is on the southwest corner of Live Oak and San Bernardino Avenue (APNs 0234-121-14, -15, -16, -18 and -19; see Figures 1 and 2). A portion of the property has been used by a prior business for equipment storage and temporary office trailers are on-site. A total of nine structures exists on the 8.1-acre site. They include two structures (a single-family residence and garage) that will be converted to office space and the remaining seven structures (including three garages, three single-family residences and a large shed) will be demolished to allow for the proposed development. The proposed Project will include landscaping improvements along the northern, southern, and eastern property boundary and a new concrete block wall around the perimeter of the 8.1-acre site. Access to the site would be provided by a new 40-foot driveway along Live Oak Avenue.

PROJECT ANALYSIS:

Site Planning: The CUP Project proposed is a contractors storage yard with ancillary outdoor storage. The Project includes the conversion of a single-family residence with landscaping and water quality management improvement, including office improvements. The CUP Project site plan provides adequate area to accommodate all parking, loading areas, and access and circulation requirements needed to comply with County requirements (See Table 2 below).

Code Compliance Summary: As noted above, the Project satisfies all applicable standards of the San Bernardino County Development Code for development in the Service Commercial (CS) Land Use Zoning District, as shown below:

Table 2: PROJECT CODE COMPLIANCE

Project Component	Development Code Standard		Project Plans
Contractor Storage Yard / PPA / ZC	CUP with PPA/ZC		CUP
Parking	20		20
Landscaping	Minimum Landscaping	20%	20%

Project Component	Development Code Standard		Project Plans
Building Setbacks	Front	25'	25' to equipment
	Street Side	25'	48'6"
	Rear	10'	80'
			58' to equipment
Building Height	25 feet maximum		25 feet
Lot Coverage	80%		9.7%
Drive Aisles	26'		40'

Landscaping: A conceptual landscape plan will be submitted prior to issuance of a building permit. The landscaping plan will provide 20% site coverage in drought-tolerant landscaping, with a variety of trees, groundcover, and shrubs, in compliance with Development Code Section 83.10.060, Landscape Area Requirements.

Hours of Operation: The operator(s)/tenant(s) of the CUP Project have not been identified, so the precise nature of the facility operation cannot be specified at this time. The Project is conditioned to comply with all standards related to noise and other impacts associated with the use.

Comments: The City of Fontana provided a letter in support of the Project. That letter is attached to the staff report as Exhibit A. No other comments were received during the Project Notice phase of review.

California Environmental Quality Act Compliance

An Initial Study (IS) has been completed in compliance with the California Environmental Quality Act (CEQA). The IS 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, which have been incorporated in the Conditions of Approval (Exhibit B). A Notice of Availability/Notice of Intent (NOA/NOI) to adopt a Mitigated Negative Declaration (MND) was advertised and distributed to initiate a 30-day public comment period, which concluded on September 23, 2021. No comments were received.

The IS was sent out with a project description that reflected a Zoning Designation Of Special Development-Commercial Focus (SD-COM) that will no longer be used with the update to the County Development Code that will occur later this year. To correct the description, an update to the IS was provided and is attached to the staff report as the Final MND (Exhibit C). The change in the Project description did not warrant a recirculation of the IS/MND because it did not lead to any changes in the analysis.

Following are summaries of topics addressed in the IS/MND:

Biological: A General Biological Survey dated November 12, 2020, was prepared for the Proposed Project by Natural Resources Assessment, Inc. (NRAI). NRAI conducted a data search for information on plant and wildlife species known occurrences within the vicinity of the project. NRAI used the information to focus their survey efforts for the field assessment conducted on October 7, 2020. The field surveys included searches for sensitive biological resources and observations of potential habitat for sensitive species. Sign surveyed for included nests, tracks, scat, burrows, skeletal remains, and live animals and plants. During the survey, NRAI concluded that there was suitable nesting habitat on and around the property for nesting birds. With the implementation of Mitigation Measures BIO-1 through BIO-3, the IS/MND concludes that impacts will be less than significant.

Air Quality: The Project air quality analysis shows that the Project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation, because the proposed use would not exceed thresholds of concern as established by the SCAQMD. A dust control plan will be required as a standard condition to regulate short-term construction activities that could create windblown dust. Painting activities will be restricted as needed to comply with SCAQMD standards.

Water Quality: The Proposed Project would disturb more than one acre and therefore would be subject to the NPDES permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activities that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement an SWPPP.

The NPDES also requires a Water Quality Management Plan (WQMP) to be preliminarily approved by the County. A WQMP was prepared and approved. The WQMP includes compliance of BMPs as well as compliance with NPDES Permit requirements. Approval of the WQMP by the County ensures that all potential pollutants of concern are minimized appropriately prior to being discharged from the Project Site. To ensure potential impacts are reduced a Mitigation Measure WQ-1 was incorporated requiring approval of a final WQMP by the County.

Traffic: A Trip Generation & Vehicle Miles Traveled Screening Analysis, was prepared for the Proposed Project by Ganddini Group. The trip generation however did not include data for contractor equipment and storage yard facilities. Therefore, trip rates were derived from counts of the existing contractor equipment and storage yard facility in the City of Fontana. Those inbound/outbound traffic counts from the contractor equipment and storage yard were conducted on three (3) consecutive 24-hour weekdays to determine the average trips for the AM peak hour, PM peak hour and daily trip generation for this land-use during typical weekday conditions.

The Proposed Project is forecast to generate significantly less than 50 peak hour trips. Based on a comparison of maximum allowable development between the currently approved residential land use for parcels (APNs 0234-121-14, 15, 16, 18 and 19) and the proposed amendment to allow special development land uses (contractor equipment and storage yard), the proposed Policy Plan Amendment is forecast result in a decrease of approximately 242 fewer daily trips and including 13 fewer trips during the AM peak hour and 30 fewer trips during the PM peak hour. As such, a traffic impact analysis was not required for the Proposed Project based on the County's traffic study guidelines. Therefore, the Proposed Project does lead to any impacts and no mitigation measures are required. A fee program is in place to fund improvements to the regional transportation system. The Project's obligation under this fee program, based on floor area, is estimated to be \$458,107.26.

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. A notice of availability of the Draft IS/MND was sent to surrounding property owners and responsible agencies, as part of the CEQA process. As noted, in response to the Project notices, no comment letters were received.

RECOMMENDATION:

That the Planning Commission recommend that the Board of Supervisors:

1. **ADOPT** the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Exhibit C);
2. **ADOPT** the recommended Findings for approval of the Project (Exhibit D);
3. **ADOPT** a Policy Plan Amendment from Low Density Residential (LDR) and Medium Density Residential (MDR) to Commercial (C) on nineteen parcels totaling approximately 17.83 acres;
4. **ADOPT** a Zoning Amendment from Single Residential (RS) and Multiple Residential (RM) to Service Commercial (CS) on nineteen parcels totaling approximately 17.83 acres;
5. **APPROVE** a Conditional Use Permit for a construction equipment and automobile storage yard on 8.1 acres, subject to the Conditions of Approval (Exhibit B); and
6. **DIRECT** the Clerk of the Board to file a Notice of Determination.

ATTACHMENTS:

- EXHIBIT A: City of Fontana Support Letter
- EXHIBIT B: Conditions of Approval
- EXHIBIT C: Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- EXHIBIT D: Findings
- EXHIBIT E: Site Plan

EXHIBIT A

City of Fontana Support Letter

From: [Orlando Hernandez](#)
To: [Valdez, Steven](#)
Cc: mariakennedy2017@gmail.com
Subject: RE: 14835 San Bernardino Avenue - GPA/CUP- P2018000662
Date: Thursday, February 06, 2020 8:06:46 AM
Attachments: [image001.png](#)

Steven,

I have discussed the proposal with the Director and we are not in opposition to the request. However, the rezone needs to include all of the properties to the west and the site needs to provide screening decorative walls and enhanced landscaping along both streets. Let me know if you have any questions.

Orlando Hernandez

Planning Manager • Community
Development

City of Fontana • 8353 Sierra
Ave • Fontana, CA 92335

ohernandez@fontana.org • Office:
[\(909\) 350-6602](tel:(909)350-6602)



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From: Valdez, Steven <Steven.Valdez@lus.sbcounty.gov>
Sent: Thursday, January 30, 2020 2:20 PM
To: Orlando Hernandez <ohernandez@fontana.org>
Cc: mariakennedy2017@gmail.com
Subject: RE: 14835 San Bernardino Avenue - GPA/CUP- P2018000662

CAUTION - EXTERNAL SENDER - THIS EMAIL ORIGINATED OUTSIDE OF THE CITY'S EMAIL SYSTEM
Do not click links or open attachments unless you recognize the sender and know the content is safe.

Orlando,

Thanks for meeting with my applicants and providing some direction. Maria called me this morning and said you didn't have a set of plans to review. To assist you in your review, I have attached the conceptual drawing for the proposed Construction Equipment Yard.

If you should have questions, please feel free to give me a call.

Steven Valdez
Senior Planner
Land Use Services Department
Phone: 909-387-4421
Fax: 909-387-3223
385 N. Arrowhead Ave
San Bernardino, CA, 92415-0187



Our job is to create a county in which those who reside and invest can prosper and achieve well-being.

www.SBCounty.gov

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From: Valdez, Steven

Sent: Friday, January 17, 2020 2:56 PM

To: 'Orlando Hernandez' <ohernandez@fontana.org>

Cc: 'mariakennedy2017@gmail.com' <mariakennedy2017@gmail.com>

Subject: RE: 14835 San Bernardino Avenue - GPA/CUP- P2018000662

Good Afternoon Orlando,

My applicant would like to meet with you about the project noted above and described in the email below. Her name is Maria Kennedy and her phone number is (626) 374-8910. She is also cc'd on this email, in order to formally introduce her to you. She will be reaching out to you to get additional feedback about the proposed project.

If you should have questions, please feel free to give me a call.

Regards,

Steven Valdez

Senior Planner

Land Use Services Department

Phone: 909-387-4421

Fax: 909-387-3223

385 N. Arrowhead Ave

San Bernardino, CA, 92415-0187



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From: Valdez, Steven

Sent: Monday, January 06, 2020 2:07 PM

To: Orlando Hernandez <ohernandez@fontana.org>

Subject: 14835 San Bernardino Avenue - GPA/CUP- P2018000662

Good Afternoon Orlando,

I'm providing the attached documents to you related to the project listed on the subject line, in order to get feedback from the City about the consistency of the project to Pre-Zoning. If you recall, the proposed project is a General Plan Amendment and Conditional Use Permit for a construction, equipment and automobile storage yard.

Upon initial review, the County provided the applicant a Notice of Incomplete and described the reasons why a General Plan Amendment could not be supported at the project site. The City agreed with our initial recommendation.

In response to the Notice of Incomplete, the applicant did some outreach in the neighborhood (attached) and indicated that the community was not opposed to the proposed project with recommend improvements to drainage (BMP's) on the project site. The applicant believe the change in zone of the entire block, along with incorporated improvement to the drainage in the project area is important to the area and will lead to much needed improvements to the area that may not be practical for a residential use. Furthermore, the applicant is willing to work with County and City to incorporate additional improvements, including the assistance to extend sewer lines into the area, if necessary. To highlight their research and indicate what issues/needs exist in the community, the applicant would like to reach out to the City to determine if the project could be supported by the City with the recommended improvements and support (outreach) from the community. However, before I introduce you to the applicant, I would like to make sure we (County and City) are on the same page with the application. Can you give me a call to discuss the request?

Thanks,

Steven Valdez
Senior Planner
Land Use Services Department
Phone: 909-387-4421
Fax: 909-387-3223
385 N. Arrowhead Ave
San Bernardino, CA, 92415-0187



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EXHIBIT B

Conditions of Approval



Conditions of Approval

Record: PROJ-2020-00066

Planning Commission Date: February 3, 2022

Planning Division

1. Project Description. Conditional Use Permit request to operate a construction, equipment and automobile storage yard on 5 parcels, in conjunction with a Policy Plan Amendment from Low Density Residential (LDR) and Medium Density Residential (MDR) to Special Development (SD) and a zoning change from Single Residential (RS) and Multiple Residential (RM) to Service Commercial (CS) on 14 parcels. The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project. APN : 0234-121-14; PROJ-2020-00066.
2. Project Location. The Project site is located at 14835 San Bernardino Avenue, Fontana
3. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its "indemnities" (herein collectively the County's elected officials, appointed officials [including Planning Commissioners], Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

Any Condition of Approval imposed in compliance with the County Development Code or County General Plan shall include a requirement that the County acts reasonably to promptly notify the developer of any claim, action, or proceeding and that the County cooperates fully in the defense. The developer shall reimburse the County and its indemnitees for all expenses resulting from such actions, including any court costs and attorney's fees, which the County or its indemnitees may be required by a court to pay as a result of such action.

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code §2782.

4. Development Impact Fees: Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
5. Clear Sight Triangle: Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90-degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic.
6. Continuous Effect/Revocation: All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
7. Revisions: Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.



Conditions of Approval

Record: PROJ-2020-00066

Planning Commission Date: February 3, 2022

8. 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.
9. Cultural Resources: During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.
10. Extension of Time: Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
11. 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.
12. 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.
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. **Mitigation Measure BIO-1:** Applicant shall designate an avian biologist (qualified biologist) experienced in: identifying local and migratory bird species; conducting bird surveys using appropriate survey protocol, nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, identifying nesting stages and success; establishing avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.
15. **Mitigation Measure BIO-2:** If start of construction occurs between February 1 and August 31, then a qualified biologist shall conduct a breeding bird surveys at the appropriate time of day/night during the appropriate weather conditions, no more than three days prior to the start of construction to determine if nesting is occurring. This survey can be conducted as part of the burrowing owl surveys. Preconstruction surveys shall focus on direct and indirect evidence of nesting, including nest locations, nesting stages, and nest behavior. Surveys shall evaluate all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. The duration of the survey shall be dependent upon the size of the project site, density, and complexity of the habitat; and shall be sufficient to ensure complete and accurate data is collected.



Conditions of Approval

Record: PROJ-2020-00066

Planning Commission Date: February 3, 2022

16. **Mitigation Measure BIO-3:** If active occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation, or (b) the juveniles from the occupied nests are capable of independent survival and will not be impacted by the removal of the nest. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service. The size and location of buffer zones shall be based on nesting bird species, species behavior, nesting stage, species sensitivity to disturbance, and the intensity and duration of the disturbance activity.
17. **Mitigation Measure CR-1:** The Project Applicant shall have an archaeological consultant on-call, should any evidence of prehistoric resources be uncovered. If deemed appropriate, an archaeological monitoring program overseen by a qualified archaeological monitor and Native American representative be initiated. At the discretion of the Lead Agency, spot monitoring may be initiated to assure resources are not being missed or discarded. Any monitoring program must comply with standard profession policies and guidelines and managed by a professional archaeologist meeting the Secretary of the Interior standards.
18. **Mitigation Measure CR-2:** If, at any time, evidence of human remains (or potential human remains) is uncovered, all activities in the vicinity of the find must be halted, a buffer established, and the County Coroner immediately notified and permitted to examine the find in situ. The Coroner will determine the nature of the find. If the remains are determined to be human, the Coroner will determine their origin: Native American; archaeological but non-Native American; or forensic. If determined to be of Native American origin, the Coroner will contact/notify the Native American Heritage Commission and the Most Likely Descendant (MLD) will be identified. In consultation between the MLD, Lead Agency, and property owner, the disposition of the remains will be determined. Any costs incurred would be the responsibility of the property owner. If the human remains are archaeological (non-Native American), the archaeological consultant will manage the removal, analysis, and reporting. The remains will be reinterred off-site and any costs incurred would be the responsibility of the property owner. If the remains are determined to be of forensic value, the Coroner will arrange for the removal and analysis. The County will assume responsibility of the remains and the property owner will not be responsible for any related costs.
19. **Mitigation Measure HAZ 1:** If a contaminated area is encountered during construction, construction shall cease in the vicinity of the contaminated area and the construction contractor shall notify all appropriate authorities, including the Environmental Protection Agency and the County. If necessary, the contaminated area shall be remediated to minimize the potential for exposure of the public and to allow the Project to be safely constructed.
20. **Mitigation Measure HAZ 2:** An Operations and Maintenance (O&M) Program shall be implemented in order to safely manage the suspect asbestos-containing materials and lead-based paint located at the Project Site until such time that demolition of the structures is scheduled.
21. **Mitigation Measure WQ-1:** The Project Proponent shall implement all Non-Structural Source Control Best Management Practices and Structural Source BMPs as listed in the final WQMP as approved by the County.
22. **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.



Conditions of Approval

Record: PROJ-2020-00066

Planning Commission Date: February 3, 2022

23. **Project Account:** The Project account number is PROJ-2020-00066. 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 expense 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 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
24. **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 provide required landscaping per development code requirements and MWEL, enhanced landscaping along both street frontages to the satisfaction of the County of San Bernardino and City of Fontana and 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 outdoor storage, trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
 - i) **Signage:** The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
 - j) **Lighting:** The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
 - k) **Parking and on-site circulation:** The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires 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.
 - l) **Fire Lanes:** The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.



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25. 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, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures 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 structure 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.

County Fire - Community Safety

26. 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.
- Show location of Public Hydrants on the plans.;
27. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING: This standard applies to the marking of all buildings with address numbers for identification.
28. Standard W-2 ONSITE FIRE PROTECTION WATER SYSTEMS: This standard establishes minimum requirements for installation and maintenance of all private fire hydrants and appliances related to an onsite fire protection system,
29. Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE: This standard shall apply to the design, construction and maintenance of all new fire apparatus access roads within the jurisdiction, as well as fire apparatus access roads at existing facilities when applied at the discretion of the fire code official.
30. Standard S-2 AUTO WRECKING AND STORAGE YARDS: This standard shall apply to the use and operation of automotive wrecking and storage yards.

Land Use Services - Land Development - Drainage

31. Tributary Drainage: Adequate provisions should be made to intercept and conduct the tributary off site on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
32. 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.
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. BMP Enforcement: In the event the property owner/“developer” (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or “developer”, including administrative costs, attorney’s fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.



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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 Water Quality Management Plan (WQMP) for the project. Refer to approved WQMP maintenance section.

Public Health– Environmental Health Services

36. Refuse Storage and Disposal: All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least 1 time per week, or as often as necessary to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least 2 times per week, or as often if necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with San Bernardino County Code Chapter 8, Section 33.0830 et. seq. For information, please call EHS/LEA at: 1-800-442- 2283.
37. Noise Levels: Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call EHS at 1-800-442-2283.

Solid Waste Management Division - Department of Public Works

38. 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).
39. 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.
40. Mandatory Commercial Recycling: Beginning July 1, 2012 all businesses defined to include a commercial or public entity that generates 4 or more cubic yards of commercial waste a week or is a multi-family residential dwelling of 5 units or more are required 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.
41. 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.
42. Mandatory Commercial Organics Recycling: As of January 1, 2019, AB 1826 (Enacted October 2014) requires businesses that generate four (4) cubic yards of solid waste per week to recycle their organic waste. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational.



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Department of Public Works – Traffic Division

- 43. Backing into Roadway: Project vehicles shall not back up into the project site nor shall they back out into the public roadway.
- 44. 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.

Department of Public Works – Surveyors Office

- 45. Land Survey Monuments: If any activity on this project will disturb any land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying prior to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.
- 46. Record of Survey: Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
 - a. Monuments set to mark property lines or corners;
 - b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel;
 - c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

Prior to Land Disturbance

County Fire - Community Safety

- 47. Access: The development shall have a minimum of 2 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. Other recognized standards may be more restrictive by requiring wider access provisions.
 - 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.

Land Use Services - Building and Safety

- 48. Wall Plans: Submit plans and obtain separate building permits for any required retaining walls.
- 49. Geotechnical (Soil) Report Required Before Grading: A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
- 50. Demolition Permit Required Before Grading: Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, back-filled and inspected before covering.

Land Use Services - Land Development - Drainage

- 51. Drainage Improvements: A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site 100-year drainage flows around and through the site in a safety manner that will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. 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.



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52. FEMA Flood Zone: The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8653J dated 9/2/2016. 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.
53. Grading Plans: Grading and erosion control plans shall be submitted for review and approval obtained prior to construction. All drainage and WQMP improvements shall be shown on the grading plans according to the approved 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.
54. 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
55. 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.
56. WQMP: A completed Water Quality Management Plan (WQMP) shall be submitted for review and approval obtained. A \$2,650 deposit for WQMP review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule. The report shall adhere to the current requirements established by the Santa Ana/Mojave Watershed Region. Copies of the WQMP guidance and template can be found at: <http://cms.sbcounty.gov/dpw/Land/WQMPTemplatesandForms.aspx>
57. 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.
58. San Sevaine Fee: The project site is located within the San Sevaine Drainage Fee area and is subject to a fee of \$4,405 per net developed acre that is to be paid prior to issuance of any grading or building permit. (SBC Ord, No. 3358) Total net developed acreage is TBD acres and the fee shall be \$TBD.
59. 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.

Land Use Services - Planning

60. Diesel Regulations: The operator shall comply with all existing and future California Air Resources Board and South Coast Air Quality Management District regulations related to diesel-fueled trucks, which among others may include:
 - a) meeting more stringent emission standards;
 - b) retrofitting existing engines with particulate traps;
 - c) use of low sulfur fuel; and
 - d) use of alternative fuels or equipment. South Coast Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.



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61. Air Quality: Although the Project does not exceed South Coast Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Project is in non-attainment status for ozone and suspended particulates [PM10 and PM2.5 (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures:
- a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday.
 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion.
 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour.
 - b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NOX and PM10 levels in the area. Although the Project will not exceed South Coast Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements:
 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.
62. **Mitigation Measure TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities**
- a) The project applicant/lead agency shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”) - the direct lineal descendants of the project location. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
 - b) A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.
 - c) The project applicant/developer shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.
 - d) The project applicant/developer shall hold at least one (1) pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project’s construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project’s compliance with the TCR mitigation measures.



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- e) The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground- disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request.
 - f) Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.
63. **Mitigation Measure TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods**
- a) Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.
 - b) The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes.
 - c) If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (Pub. Res. Code § 5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98 (a), d)(1) and (2).)
 - d) Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code § 7050.5(c); 14 Cal. Code Regs. § 15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. § 15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
 - e) Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. § 15064.5(f).)
 - f) Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.



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Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

64. **Mitigation Measure HAZ 3:** Prior to the grading/construction activities, the Project Proponent shall prepare and submit to the County a Soil Management Plan to address potential encounters with impacted soil. The plan shall state the actions that would be required if contaminated soils are encountered and provide for cleanup of the said soils. The plan shall follow federal, State, and local safety guidelines and standards to avoid increased exposure to these pollutants.
65. **Mitigation Measure TCR-3:** Procedures for Burials, Funerary Remains, and Grave Goods:
- a) Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.
 - b) As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.
 - c) If the discovery of human remains includes four (4) or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
 - d) The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated "grave goods" (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.
 - e) In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
 - f) In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity.
 - g) Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery.
 - h) The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.



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Public Health– Environmental Health Services

66. Vector Control Requirement: The project area has a high probability of containing vectors. EHS Vector Control Section will determine the need for vector survey and any required control programs. A vector clearance letter shall be submitted to EHS/Land Use. For information, contact Vector Control at (800) 442-2283.

Prior to Issuance of Building Permit

County Fire - Community Safety

67. 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.
68. 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.

Land Use Services - Building and Safety

69. Temporary Use Permit: "Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years."
70. 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.

Land Use Services - Land Development - Roads

71. Road Improvements: The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE) licensed in the State of California: San Bernardino Avenue (Major Arterial with Master Plan Variation – 120’):
- a) Road Dedication. A 30-foot grant of easement is required to provide a half-width right-of-way of 60 feet.
 - b) Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
 - c) Sidewalks. Design sidewalks per County Standard 109 Type "C". •Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way.
 - d) Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130. Live Oak Avenue (Secondary Highway – 88’):
 - e) Road Dedication. A 14-foot grant of easement is required to provide a half-width right-of-way of 44 feet.
 - f) Street Improvements. Design curb and gutter with match up paving 32 feet from centerline.
 - g) Sidewalks. Design sidewalks per County Standard 109 Type "C". •Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110. Adequate easement shall be provided to ensure sidewalk improvements are within public right-of-way.



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- h) Driveway Approach. Design driveway approach per County Standard 129B and located per County Standard 130.
72. Transitional Improvements: Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
73. Road Standards and Design: All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Mountain Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.
74. Slope Easements: Slope rights shall be dedicated, where necessary.
75. Slope Tests: Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of the County Department of Public Works.
76. Soils Testing: Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to the County and a written report shall be submitted to the Permits/Operations Support Division, Transportation Permits Section of the County Department of Public Works prior to any placement of base materials and/or paving.
77. Street Gradients: Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of the County Department of Public Works confirming the adequacy of the grade.
78. Street Type Entrance: Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
79. Utilities: Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County.
80. Encroachment Permits: Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction.
81. Regional Transportation Fee: This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Fontana Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$9.28 per square foot for Office Use, which includes the 5,104 square foot office conversion per the site plan dated March 18, 2021. Therefore, the estimated Regional Transportation Fees for the Project is \$47,365.12. The current Regional Transportation Development Mitigation Plan can be found at the following website: <http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>



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Land Use Services - Planning

82. GHG – Operational Standards. The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project:
- a) Waste Stream Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services.
 - b) Vehicle Trip Reduction. The “developer” shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides.
 - c) Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval. The developer shall also provide to all tenants and require that the tenants shall display in their stores current transit route information for the project area in a visible and convenient location for employees and customers. The specific transit routes displayed shall include Omni Trans Route 8, San Bernardino-Mentone-Yucaipa.
 - d) Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.
83. GHG – Construction Standards. The “developer” shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following:
- a) Implement the approved Coating Restriction Plans.
 - b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment.
 - c) Grading contractor shall provide the implement the following when possible:
 - 1. training operators to use equipment more efficiently.
 - 2. identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions replacing older, less fuel-efficient equipment with newer models use GPS for grading to maximize efficiency
 - d) Grading plans shall include the following statements:
 - “All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration.”
 - “All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes.”
 - e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flag person shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways.
 - f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures.
 - g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.



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84. GHG – Design Standards. The developer shall submit for review and obtain approval from County Planning that the following measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
- a) Meet Title 24 Energy Efficiency requirements implemented January 1, 2020. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non-Residential Buildings, as amended February 14, 2019; Cool Roof Coatings performance standards as amended February 14, 2019):
 - Incorporate dual paned or other energy efficient windows,
 - Incorporate energy efficient space heating and cooling equipment,
 - Incorporate energy efficient light fixtures, photocells, and motion detectors,
 - Incorporate energy efficient appliances,
 - Incorporate energy efficient domestic hot water systems,
 - Incorporate solar panels into the electrical system,
 - Incorporate cool roofs/light colored roofing,
 - Incorporate other measures that will increase energy efficiency.
 - Increase insulation to reduce heat transfer and thermal bridging.
 - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
 - b) Plumbing. All plumbing shall incorporate the following:
 - All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
 - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
 - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
 - c) Lighting. Lighting design for building interiors shall support the use of:
 - Compact fluorescent light bulbs or equivalently efficient lighting.
 - Natural day lighting through site orientation and the use of reflected light.
 - Skylight/roof window systems. • Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
 - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day.
 - Provide a minimum of 2.5 percent of the project’s electricity needs by on-site solar panels.
 - d) Building Design. Building design and construction shall incorporate the following elements:
 - Utilize natural, low maintenance building materials that do not require finishes or regular maintenance.
 - Roofing materials shall have a solar reflectance index of 78 or greater.
 - All supply duct work shall be sealed and leak-tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
 - Energy Star or equivalent appliances shall be installed.
 - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units
 - e) Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.



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- f) Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
 - g) Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.
 - h) Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.
85. 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 to the satisfaction of County Planning and County Building and Safety. These installations/ procedures include the following:
- a. Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent.
 - b. All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting.
 - c. Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.

Public Health– Environmental Health Services

86. Water Service Verification Letter: Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at 1-800-442-2283.
87. Sewage Disposal: Method of sewage disposal shall be City of Fontana, or, if not available, EHS approved onsite wastewater treatment system (OWTS).
88. Sewer Service Verification Letter: Applicant shall procure a verification letter from the sewer service provider identified. This letter shall state whether or not sewer connection and service shall be made available to the project by the sewer provider. The letter shall reference the Assessor's Parcel Number(s).
89. Water and Sewer Service Verification: Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer



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service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.

90. Demolition Inspection Required: All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.
91. Existing OWTS: Existing onsite wastewater treatment system can be used if applicant provides certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function.
92. 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 shall be submitted to DEHS for approval.
93. Individual Wells: If an approved water company cannot serve the project, individual wells are authorized for each daughter parcel providing that County Development Code infrastructure requirements can be met. Conceptual plans, showing that wells and septic system locations meet setback requirements, may be required (§ 83.09.060). If wells are approved, the following notes shall be placed on the Composite Development Plan (CDP), "An individual well shall be utilized as the domestic water source for each lot. The well shall be installed, pump tested, and the pump test results reviewed and approved by EHS prior to the issuance of building permits for each lot."
94. New OWTS: If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: A soil percolation report per June 2017 standards shall be submitted to EHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For information, please contact the Wastewater Section at 1-800-442-2283.
95. Water Purveyor: Water purveyor shall be Fontana Water Company or EHS approved.
96. Water Service Verification Letter: Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at 1-800-442-2283.
97. Preliminary Acoustical Information: Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 1-800-442-2283.



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Public Works - Solid Waste Management

98. CDWMP Part I: CDWMP Part I must be submitted prior to issuance of the permit. County franchise waste hauler is Burrtec Waste. For questions related to the submittal of this plan please call (909) 386-8701 or visit the EZOP website at <http://wp.sbcounty.gov/ezop/permits/construction-waste-management-plan-part-1/>

Prior to Final Inspection

Public Works - Solid Waste Management

99. CDWMP Part II: CDWMP Part II must be submitted prior to the Final Inspection. County franchise waste hauler is Burrtec Waste. For questions related to the submittal of this plan please call (909) 386-8701 or visit the EZOP website at <http://wp.sbcounty.gov/ezop>

Prior to Occupancy

Land Use Services - Land Development - Drainage

100. LDD Requirements: All LDD requirements shall be completed by the applicant prior to occupancy.
101. Road Improvements: All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
102. Parkway Planting: Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.
103. Structural Section Testing: A thorough evaluation of the structural road section, to also include parkway improvements, from a qualified materials engineer shall be submitted to the County Department of Public Works.
104. 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.
105. 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.

Land Use Services - Planning

106. Shield Lights: Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
107. Screen Rooftop: All roof top mechanical equipment is to be screened from ground vistas.
108. 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.
109. Installation of Improvements: All required on-site improvements shall be installed per approved plans.



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110. **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-2020-00066.

111. **Condition Compliance:** Prior to occupancy/use, all conditions shall be completed to the satisfaction of County Planning with appropriate authorizing approvals from each reviewing agency.

If you would like additional information regarding any of the conditions in this document, please contact the department responsible for applying the condition and be prepared to provide the Record number above for reference. Department contact information has been provided below.

Department/Agency	Office/Division	Phone Number
Land Use Services Dept. (All Divisions)	San Bernardino Govt. Center	(909) 387-8311
	High Desert Govt. Center	(760) 995-8140
County Fire (Community Safety)	San Bernardino Govt. Center	(909) 387-8400
	High Desert Govt. Center	(760) 995-8190
County Fire	Hazardous Materials	(909) 386-8401
	Flood Control	(909) 387-7995
	Solid Waste Management	(909) 386-8701
	Surveyor	(909) 387-8149
Dept. of Public Works	Traffic	(909) 387-8186
	Environmental Health Services	(800) 442-2283
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Special Districts	Water and Sanitation	(760) 955-9885
	Administration, Park and Recreation, Roads, Streetlights, Television Districts, and Other	(909) 386-8800
<i>External Agencies (Caltrans, U.S. Army, etc.)</i>		<i>See condition text for contact information...</i>

EXHIBIT C

Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

SAN BERNARDINO COUNTY
FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL CHECKLIST FORM

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

PROJECT LABEL:

APNs:	0234-121-14,15,16,18, & 19	USGS Quad:	Fontana
Applicant:	Oft Family Corporation	T, R, Section:	T1S, R6W, 23
Location	14835 San Bernardino Avenue	Thomas Bros	
Project No:	<u>PROJ-2020-00066 (P201800662)</u>	Community Plan:	
Rep	Maria Kennedy	LUC:	LDR (Low Density Residential) and MDR (Medium Density Residential)
		Zoning:	RS (Single Residential) and RM (Multiple Residential)
Proposal:	A POLICY PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL (LDR) AND MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (C) AND A ZONING CHANGE FROM SINGLE RESIDENTIAL (RS) AND MEDIUM DENSITY RESIDENTIAL TO SERVICE COMMERCIAL (C) ON SIXTEEN LOTS, IN CONJUNCTION WITH A CONDITIONAL USE PERMIT REQUEST TO OPERATE A CONSTRUCTION, EQUIPMENT AND AUTOMOBILE STORAGE YARD, CONSISTING OF THE CONVERSION OF A SINGLE FAMILY HOME AND GARAGE TO AN OFFICE AND STORAGE BUILDING, THE REMOVAL OF THREE SINGLE FAMILY HOMES, AND THE PLACEMENT OF NEW FENCES, AND LANDSCAPING.	Overlays:	Biological Resources Overlay

PROJECT CONTACT INFORMATION:

Lead agency: County of San Bernardino
Land Use Services Department
385 N. Arrowhead Avenue, 1st Floor
San Bernardino, CA 92415-0182

Contact person: Steven Valdez, Senior Planner
Phone No: (909) 387-4421 **Fax No:** (909) 387-3223
E-mail: Steven.Valdez@lus.sbcounty.gov

PROJECT DESCRIPTION:

Summary

The Oft Family Corporation (“Project Applicant”) has submitted a request to the County of San Bernardino for a Policy Plan Amendment (PPA) from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial (C), and a Conditional Use Permit (CUP) to allow for the construction and operation of a contractor’s equipment and storage yard including conversion of and demolition of on-site structures located on five parcels totaling approximately 8.1 acres within an unincorporated area of the County. Specifically, the Project Site, located at 14835 San Bernardino Avenue, is located on the south side of San Bernardino Avenue, west of Live Oak Avenue, east of Redwood Avenue and north of El Molino Street (APNs 0234-121-14, 15, 16, 18 and 19; see Figures 1 and 2).

Most of the property has previously been used by a prior business for equipment storage and temporary office trailers are also on-site. A total of nine structures occur on the 8.1-acre site, two structures (a single-family residence and garage) would be converted to office space and the remaining seven structures (including three garages, three single-family residences and a large shed) would be demolished to allow for the proposed development. The Project includes landscaping along the northern, southern and eastern property boundary and a new concrete block wall around the perimeter of the 8.1-acre site. Access to the site would be provided by a new 40-foot driveway along Live Oak Avenue (see Figure 3).

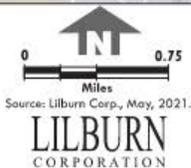
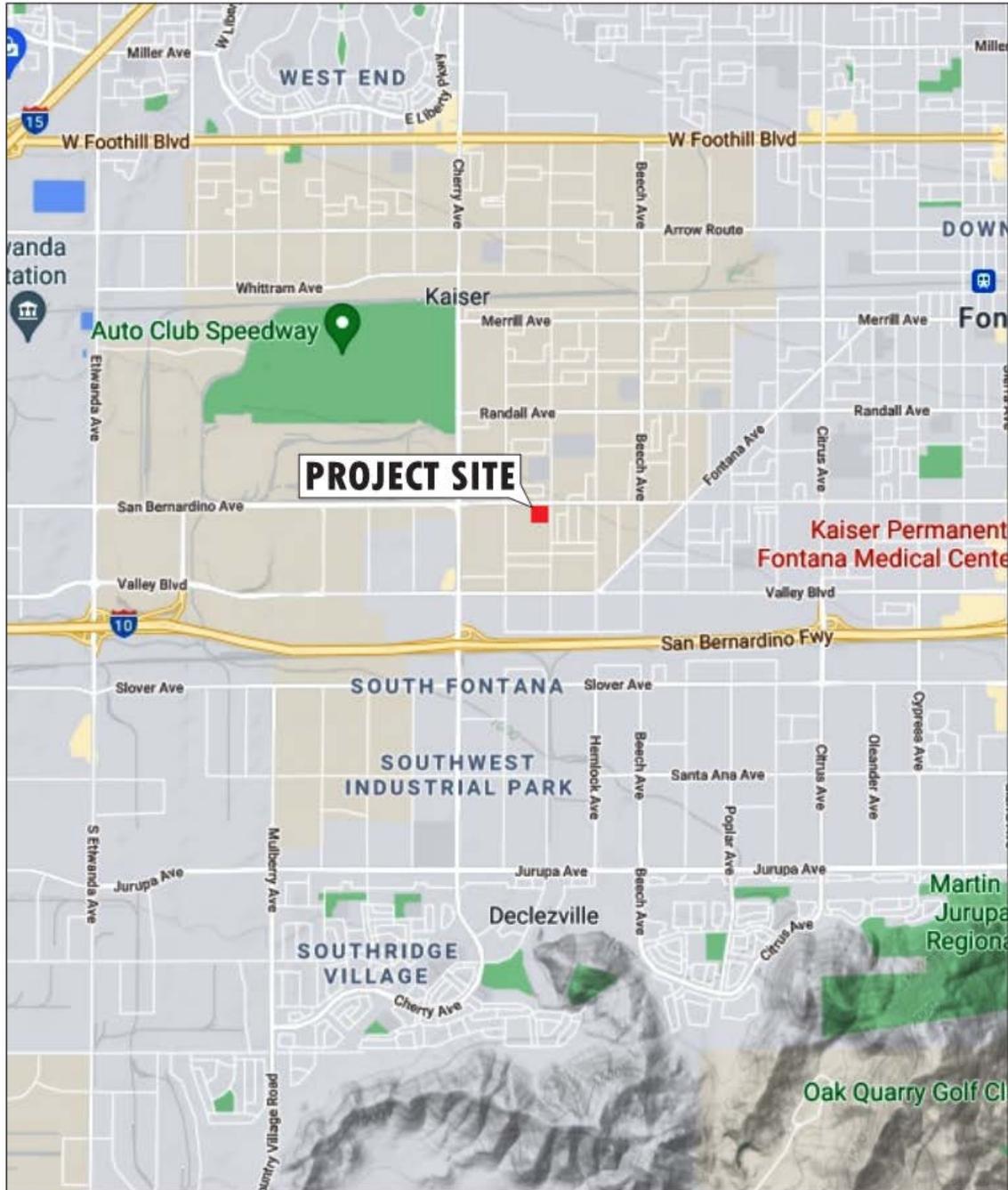
The project also includes a change in the Policy Plan and Zoning for additional properties in the vicinity to be redesignated via a Policy Plan Amendment (PPA) from LDR (Low Density Residential) and MDR (Medium Density Residential) to ~~SC-COM (Special Development Commercial)~~ Commercial (C), and a Zone Change from RS (Single Residential) and RM (Multiple Residential) to ~~CG (General Commercial)~~ CS (Service Commercial). These properties total 17.83 acres and consist of 19 parcels. These properties are included in this Initial Study only for purposes of a PPA and Zone Change; no development is included in the analyses herein.

The proposed PPA and ZC would include the 8.10-acre site to be used for the new contractor’s equipment and storage yard and an additional 14 parcels (APNs 0234-121-13,-12,-11,-10,-09,-08,-07,-06,-05,-04,-03,-02,-20,-21) located between the 8.1-acre site proposed for development and Redwood Avenue to the west. The additional 14 parcels included in the proposed PPA and ZC are currently occupied by legal non-conforming commercial uses and single-family residences. No changes beyond the proposed PPA, including demolish or construction, are proposed for the existing land uses that currently occupy the 14 parcels. These parcels are not a part of the Proposed Project and the evaluation of a proposal for development of the parcels is not included in this Initial Study.

Surrounding Land Uses and Setting

The Project Site is located within the County of San Bernardino and within the City of Fontana Sphere of Influence. The current land use designation and zoning provide for residential uses. Single-family residential development occurs east, north and south of the Project Site. Industrial uses occurs to the west to the Project Site. Table 1 below lists the existing land uses and zoning designations for the Project Site and surrounding area.

Figure 1 Regional Location



REGIONAL LOCATION
Of Family Construction Equipment Yard
Fontana, California

FIGURE 1



PROJECT VICINITY
Offt Family Construction Equipment Yard
Fontana, California

FIGURE 2

Figure 2 Vicinity Map

Table 1 Existing Land Use and Land Use Element Policy Map Category		
Location	Existing Land Use	Land Use Category
Project Site	Contractor Storage Yard; Single Family Residential	Low Density Residential (LDR) and Medium Density Residential (MDR)
North	Single Family Residential	Low Density Residential (LDR)
South	Single Family Residential	Low Density Residential (LDR)
East	Single Family Residential, Commercial	Commercial (C) and Low Density Residential (LDR)
West	Truck Terminus Plus (Industrial Use)	Commercial (C)

Source: http://countywideplan.com/wp-content/uploads/2021/01/LU-Merged-Maps-201027_adopted.pdf

Project Site Location, Existing Site Land Uses and Conditions

The Project Site is located in the southwestern portion of the San Bernardino Valley, a broad inland valley defined by the San Gabriel and San Bernardino mountain ranges on the north and a series of low rocky hills on the south. The Project Site is located on the southwest corner of San Bernardino Avenue and Live Oak Avenue. The entire Project Site is surrounded by single-family residential development and industrial uses. The Project Site is relatively flat with elevations ranging from 1,090 feet to 1,100 feet above mean sea level (amsl).

Single-family residential development occurs east, north and south of the Project Site. Industrial uses occur to the west to the Project Site. A total of nine structures currently occur on the 8.10-acre site to be developed as a new equipment and storage yard; these include single-family residences, and detached garages.

ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES

Federal: None

State: None

County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, and Public Works.

Regional: South Coast Air Quality Management District

CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

The County of San Bernardino mailed notifications pursuant to AB52 and SB18 to 11 tribes, on March 29, 2021 and April 22, 2021, respectively. Table 2 – *AB 52 Consultation Results*, shows a summary of comments and responses provided for the Project.

**Table 2
 AB 52 Consultation**

Tribe	Comment Letter Received	Summary of Response	Conclusion
Gabrieleno Band of Mission Indians – Kizh Nation	June 9, 2021	Consultation conducted on May 18, 2021; tribe provided mitigation measures for project.	Consultation complete
Agua Caliente Band of Cahuilla Indians	June 11, 2021	Records check revealed that project site is not located within the tribe’s traditional use area.	Tribe deferred to other tribes in the area.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

Draft Initial Study
Of Family Storage Yard
APN: 0234-121-14, 15, 16, 18 and 19.
Revised January 2022
Final Initial Study PROJ-2020-00035
APN: 0260-051-04, 0260-051-14
August 2024

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below will be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input type="checkbox"/> <u>Aesthetics</u> | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u> |
| <input checked="" type="checkbox"/> <u>Biological Resources</u> | <input checked="" type="checkbox"/> <u>Cultural Resources</u> | <input type="checkbox"/> <u>Energy</u> |
| <input type="checkbox"/> <u>Geology/Soils</u> | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u> | <input type="checkbox"/> <u>Hazards & Hazardous Materials</u> |
| <input checked="" type="checkbox"/> <u>Hydrology/Water Quality</u> | <input type="checkbox"/> <u>Land Use/Planning</u> | <input type="checkbox"/> <u>Mineral Resources</u> |
| <input type="checkbox"/> <u>Noise</u> | <input type="checkbox"/> <u>Population/Housing</u> | <input type="checkbox"/> <u>Public Services</u> |
| <input type="checkbox"/> <u>Recreation</u> | <input type="checkbox"/> <u>Transportation</u> | <input checked="" type="checkbox"/> <u>Tribal Cultural Resources</u> |
| <input type="checkbox"/> <u>Utilities/Service Systems</u> | <input type="checkbox"/> <u>Wildfire</u> | <input type="checkbox"/> <u>Mandatory Findings of Significance</u> |

DETERMINATION: Based on this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature: (Steven Valdez, Senior Planner)

Date

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Signature:(David Prusch, Supervising Planner)

Date

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the view-shed of any Scenic Route listed in the Policy Plan):

San Bernardino Countywide Plan; Submitted Project Materials;

a) Have a substantial adverse effect on a scenic vista?

The Project Site is located within the City of Fontana Sphere of Influence, in an unincorporated portion of San Bernardino County. Existing views in the area are limited due to mature trees, but include views of the San Bernardino and San Gabriel mountains to the north and east. According to the Countywide Plan Goal NR-4, scenic resources that highlight the natural environment and reinforce the identity of local communities and the county, shall be preserved. The location and scale of development shall be considered in the preservation of regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs

(Policy NR-4.1). There are no policies listed in the City of Fontana's General Plan regarding scenic vistas or resources in the area of the Project Site.¹ Most of the property has previously been used by a prior business for equipment storage and temporary office trailers are currently on-site. A total of nine structures occur on the 8.1-acre site, two structures (a single-family residence and garage) would be converted to office space and the remaining seven structures (including three garages, three single-family residences and a large shed) would be removed to allow for the proposed development. The proposed equipment and storage yard does not include the development of additional structures and existing structures are less than the maximum allowed height of 60 feet for the General Service Commercial Zone and would not obscure views of the mountain ranges and result in any adverse impacts to scene vistas.² Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Project Site is located on the south side of San Bernardino Avenue, west of Live Oak Avenue, east of Redwood Avenue and north of El Molino Street. Single-family residential development occurs east, north and south of the Project Site. Industrial uses occur to the west to the Project Site. The Project Site is not adjacent nor near any scenic highways identified in the San Bernardino County's NR-3 Scenic Routes & Highways.³ The nearest Scenic Route is Lytle Creek Canyon Drive which is located approximately eight miles north of Project Site. During the site visit conducted in October 2020 by Lilburn Corporation and McKenna et al., no rock outcroppings or historic buildings were identified on-site. Tree species within the Project Site boundary include lemon (*Citrus x limon*), Mexican fan palm (*Washingtonia robusta*) and silkfloss tree (*Albizia julibrissin*); therefore, the Proposed Project shall adhere to County's Development Code, Chapter 88.01: Plant Protection and Management, which provide a uniform standard for appropriate removal of native trees and plants in public and private places and streets to promote conservation of these valuable natural resources. With adherence to the Development Code, potential impacts are minimalized. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

¹ <https://www.fontana.org/DocumentCenter/View/26746/Chapter-7---Conservation-Open-Space-Parks-and-Trails>

² San Bernardino County. Development Code. Table 82-13B

<http://www.sbcounty.gov/Uploads/lus/DevelopmentCode/DCWebsite.pdf>. Page 2-46. Accessed November 10, 2020.

³ <https://www.arcgis.com/apps/webappviewer/index.html?id=01c32a4480954deba20af965275b81e7>

Accessed November 10, 2020.

The Proposed Project is an equipment and storage yard which would be consistent with the proposed PPA upon approval. As shown on the Site Plan, the Project will include landscape area of approximately 20 percent of the lot area. To minimize potential impacts to public views of the site and its surroundings, the majority of the proposed landscaping cover would be along San Bernardino Avenue, Live Oak Avenue, and adjacent single-family residential uses along the southern frontage of Project Site. With approval of the CUP and GPA-PPA to C (Commercial), the Proposed Project would be an allowable use. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- d) *Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?*

The Proposed Project would not generate a significant amount of light and glare when compared to the surrounding area, which includes existing lighting from urban development including streetlights, residential dwelling units, and vehicles. Additionally, most of the property was previously used by a prior business for equipment storage and temporary office trailers are also on-site. The design and placement of light fixtures within the future new development would be reviewed for consistency with County of San Bernardino's Glare and Outdoor Lighting standards (Chapter 83.07)⁴ and subject to County-approval. Standards require shielding, diffusing, or indirect lighting to avoid glare. Lighting would be selected and located to confine the area of illumination to on-site streets. The Proposed Project is not anticipated to create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

No significant adverse impacts are identified or anticipated, and no mitigation measures are required

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
II.	AGRICULTURE AND FORESTRY RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to				

⁴ San Bernardino County. Development Code. <http://www.sbcounty.gov/Uploads/lus/DevelopmentCode/DCWebsite.pdf>. Page 3-65. Accessed November 10, 2020.

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Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Important Farmlands Overlay):
San Bernardino Countywide Plan; California Department of Conservation Farmland Mapping and Monitoring Program; Submitted Project Materials

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

	Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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The California Department of Conservation’s Farmland Mapping and Monitoring Program identifies the Project Site as “Urban and Built-Up Land” in its California Important Farmland Finder.⁵ Urban and Built-Up Land” is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. No prime farmland, unique farmland, or farmland of statewide importance occurs at the Project Site or within the immediate vicinity. The Proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

According to San Bernardino Countywide Plan: NR-5 Agricultural Resources Map, the Project Site is not under or adjacent to any lands under a Williamson Act Contract.⁶ Under existing conditions and with approval of the Policy Plan Amendment (PPA), and Zone Change the Proposed Project would be consistent with the Countywide Plan and would not conflict with existing zoning for agricultural uses or lands under a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

Implementation of the Proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production because the Project Site is within a predominantly urbanized area and these designations do not occur in the vicinity. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

⁵ <https://maps.conservation.ca.gov/dlrp/ciff/>. Accessed November 10, 2020.
⁶ <https://www.arcgis.com/apps/webappviewer/index.html?id=fcb9bc427d2a4c5a981f97547a0e3688>
San Bernardino Countywide Plan: NR-5 Agricultural Resources Map. Accessed November 10, 2020.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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The Project Site does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

Implementation of the Proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

No adverse impacts are identified or anticipated, and no mitigation measures are required.

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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III. AIR QUALITY - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | Result in other emissions (such as those leading to odors adversely affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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SUBSTANTIATION: *(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):*

San Bernardino Countywide Plan; Submitted Project Materials

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

The Project Site occurs in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2016 AQMP) was adopted by the SCAQMD on March 3, 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

A project is inconsistent with the AQMP if: (1) it does not conform with the local general plan; or (2) it uses a disproportionately large portion of the forecast growth increment.⁷ If a project proves to be inconsistent with the AQMP, the project proponent can prepare a Policy Plan Amendment (PPA). The County of San Bernardino currently designates the portion of the Project Site to be developed as LDR (Low Density Residential) and Medium Density Residential (MDR) land use category and Single Residential and Multiple Residential Zoning designation. With approval of the PPA, Zone Change and CUP, the equipment storage yard would be acceptable uses within the C (Commercial) land use category. The existing Single Residential Zone designation allows up to 4 dwelling units per acre, which would allow approximately 33 single-family residential units to be developed within the 8.10-acre Project Site. As shown below, the proposed PPA would result in fewer emissions than those associated with the current Policy Plan buildout which forms the basis of the AQMP. Additionally, the Project Site was previously used by a prior business for equipment storage.

An evaluation of potential air quality impacts related to the buildout under the current Policy Plan (i.e., residential) and the Proposed Project (i.e., commercial) was prepared. Table 3 and Table 4 illustrate operational emissions associated with the current General Plan/Zoning designations and the Proposed Project. Construction emissions were not modeled as they are short-term in nature, and measures would be required to minimize such impacts. As shown, operational impacts resulting from either the existing Policy Plan/Zoning designations or the Proposed Project would not exceed SCAQMD thresholds. Consequently, the Proposed Project would not result in a conflict or obstruction to the implementation of the AQMP. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Table 3

⁷ <http://www.sbcounty.gov/Uploads/lus/SpecificPlans/AMSP.pdf>. Page 3-25. Accessed April 21, 2021.

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**Consistency with the AQMP
 Operational Emissions
 (Pounds per Day)**

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
33 Single-Family Units	10.6	3.3	26.7	0.1	5.0	3.2
Proposed Project	0.4	2.2	1.5	0.0	0.6	0.2
SCAQMD Threshold	55	55	550	150	150	55
Significance	No	No	No	No	No	No

Source: CalEEMod.2016.3.2 Winter Emissions

**Table 4
 Consistency with the AQMP
 Greenhouse Gas Operational Emissions
 (Metric Tons per Year)**

Source/Phase	CO ₂	CH ₄	N ₂ O
33 Single Family Units	609.5	0.6	0.0
MTCO ₂ e	624.8		
SCAQMD Threshold	3,000		
<i>Significant</i>	No		
Proposed Project	177.1	0.1	0.0
MTCO ₂ e	179.7		
SCAQMD Threshold	3,000		
<i>Significant</i>	No		

Source: CalEEMod.2016.3.2 Annual Emissions.

Less Than Significant Impact

- b) *Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?*

The Proposed Project is a contractor’s equipment storage yard on property that has previously been used by a prior business for equipment storage with temporary office trailers. A total of nine structures occurs on the 8.1-acre site, two structures would be converted to office space and the remaining seven structures would be demolished to allow for the proposed development. Construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO2), and particulates (PM₁₀ and PM_{2.5}). Two of the analyzed pollutants, ROG and NOx, are ozone precursors. Both summer and winter season emission levels were estimated.

The Project Site occurs in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2016 AQMP) was adopted by the SCAQMD on March 3, 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: demolition, site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. Construction is anticipated to begin in late 2021 and be completed in early 2022. The resulting emissions generated by construction of the Proposed Project are shown in Table 5 and Table 6, which represent summer and winter construction emissions, respectively.

Table 5
Summer Construction Emissions Summary
(Pounds per Day)

Source/Phase	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Demolition	3.2	32.5	22.1	0.0	1.7	1.5
Site Preparation	4.0	40.5	21.8	0.0	20.3	11.9
Grading	2.0	21.9	15.8	0.0	7.7	4.3
Building Construction	2.4	21.2	22.8	0.0	2.9	1.3
Paving	1.2	11.2	15.1	0.0	0.7	0.6
Architectural Coating	7.5	1.4	2.8	0.0	0.4	0.2
Highest Value (lbs./day)	7.5	40.5	22.8	0.0	20.3	11.9

SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

Source: CalEEMod.2016.3.2 Summer Emissions
 Phases do not overlap and represent the highest concentration.

Table 6
Winter Construction Emissions Summary
(Pounds per Day)

Source/Phase	ROG	NO_x	CO	SO₂	PM₁₀	PM_{2.5}
Demolition	0.6	31.5	22.1	0.0	1.7	1.5
Site Preparation	4.0	40.6	21.8	0.0	20.3	11.9
Grading	2.4	24.8	16.4	0.0	7.9	4.5
Building Construction	2.5	21.2	22.4	0.1	2.9	1.3
Paving	1.2	11.2	15.0	0.0	0.7	0.6
Architectural Coating	7.5	1.5	2.8	0.0	0.4	0.2
Highest Value (lbs./day)	7.5	40.6	22.4	0.1	20.3	11.9
SCAQMD Threshold	75	100	550	150	150	55
Significant	No	No	No	No	No	No

Source: CalEEMod.2016.3.2 Winter Emissions.
 Phases do not overlap and represent the highest concentration.

Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM₁₀ and PM_{2.5}).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities
 - (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
 - (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.

- (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
- (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO_x and PM₁₀ levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:

- 2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
- 3. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
- 4. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
- 5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
- 6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.
- 7. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

Operational Emissions

The operational mobile source emissions were calculated using the Generation & Vehicle Miles Traveled Screening Analysis prepared by Ganddini, dated December 17, 2020. The Trip Generation Assessment determined that the Proposed Project would generate approximately 74 total daily trips. Emissions associated with the Proposed Project's estimated total daily trips were modeled and are listed in Table 7 and Table 8, which represent summer and winter operational emissions, respectively.

Table 7
Summer Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	0.3	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Mobile	0.1	2.2	1.5	0.0	0.6	0.2
Totals (lbs./day)	0.4	2.2	1.5	0.0	0.6	0.2
SCAQMD Threshold	55	55	550	150	150	55
Significance	No	No	No	No	No	No

Source: CalEEMod.2016.3.2 Summer Emissions.

Table 8
Winter Operational Emissions Summary
(Pounds per Day)

Source	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Area	0.3	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.0	0.0	0.0	0.0	0.0
Mobile	0.1	2.2	1.5	0.0	0.6	0.2
Totals (lbs./day)	0.4	2.2	1.5	0.0	0.6	0.2
SCAQMD Threshold	55	55	550	150	150	55
Significance	No	No	No	No	No	No

Source: CalEEMod.2016.3.2 Winter Emissions.

As shown, both summer and winter season operational emissions are below SCAQMD thresholds. The Proposed Project does not exceed applicable SCAQMD regional thresholds either during construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Expose sensitive receptors to substantial pollutant concentrations?*

The Project operational-sourced emissions would not exceed applicable regional thresholds of significance established by the SCAQMD. Additionally, project-related trips will not cause or result in CO concentrations exceeding applicable state and/or federal standards (CO “hotspots”). Project operational-source emissions would therefore not adversely affect sensitive receptors within the vicinity of the project. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?)*

The construction and operation of a contractor’s equipment and storage yard including conversion of and demolition of on-site structures is not associated with the emission of objectionable odors. Potential odor sources associated with the Proposed Project may

result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities as well as the temporary storage of domestic solid waste associated with the Proposed Project’s long-term operational uses. Standard construction requirements would minimize odor impacts resulting from construction activity. Any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. Project-generated refuse would continue to be stored in covered containers and removed at regular intervals in compliance with County of San Bernardino solid waste regulations. In addition, the Project would comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the Proposed Project would be less than significant. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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IV. BIOLOGICAL RESOURCES - Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

SUBSTANTIATION: (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):

San Bernardino Countywide Plan; Submitted Project Materials; Site Visit

- a) *Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*

A General Biological Survey dated November 12, 2020, was prepared for the Proposed Project by Natural Resources Assessment, Inc. (NRAI). NRAI conducted a data search for information on plant and wildlife species known occurrences within the vicinity of the project. NRAI used the information to focus their survey efforts for the field assessment conducted on October 7, 2020. The field surveys included searches for sensitive biological resources and observations of potential habitat for sensitive species. Sign surveyed for included nests, tracks, scat, burrows, skeletal remains, and live animals and plants.

Plants

During October 7, 2020 field survey, it was observed that the Project Site was almost entirely disturbed by existing uses. There are patches of native and nonnative weeds such as annual ragweed (*Ambrosia acanthicarpa*), telegraph weed (*Heterotheca grandiflora*) and fennel (*Foeniculum vulgare*). Tree species on the property include lemon (*Citrus x limon*), Mexican fan palm (*Washingtonia robusta*) and silkfloss tree (*Albizia julibrissin*).

Wildlife

During October 7, 2020 field survey, no amphibians were observed on the Project Site because of a lack of suitable habitat. No reptile species were observed. Bird species

observed included rock pigeon (*Columbia livia*), Anna's hummingbird (*Calypte anna*), mourning dove (*Zenaida macroura*) and northern mockingbird (*Mimus polyglottos*). No sign of native mammals was observed.

Sensitive Species

All sensitive species were considered as potentially present on the Project Site if their known geographical distribution encompassed all or part of the project area or if their distribution was near the Project Site and general habitat requirements were present. There is no habitat for sensitive plants, fish, amphibians, reptiles, mammals or insects that were listed as potentially present in the vicinity of the property. There is suitable foraging and/or nesting habitat on-site for the bird species, which includes suitable habitat (such as landscape trees) on the adjacent properties. The Project Site is highly disturbed both because of existing development and surrounding development; it is located in a developed area. As a result, the quality of the habitat on site is marginal.

NRAI concluded that there was suitable nesting habitat on and around the property for nesting birds. It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures; Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. As such, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are:

Mitigation Measure BIO-1: *Applicant shall designate an avian biologist (qualified biologist) experienced in: identifying local and migratory bird species; conducting bird surveys using appropriate survey protocol, nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, identifying nesting stages and success; establishing avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.*

Mitigation Measure BIO-2: *If start of construction occurs between February 1 and August 31, then a qualified biologist shall conduct a breeding bird surveys at the appropriate time of day/night during the appropriate weather conditions, no more than three days prior to the start of construction to determine if nesting is occurring. This survey can be conducted as part of the burrowing owl surveys. Preconstruction surveys shall focus on direct and indirect evidence of nesting, including nest locations, nesting stages, and nest behavior. Surveys shall evaluate all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. The duration of the survey shall be dependent upon the size of the project site, density, and complexity of the habitat; and shall be sufficient to ensure complete and accurate data is collected.*

Mitigation Measure BIO-3: *If active occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation, or (b) the juveniles from the occupied nests are capable of independent survival and will not be impacted by the removal of the nest. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service. The size and location of buffer zones shall be based on nesting bird species, species behavior, nesting stage, species sensitivity to disturbance, and the intensity and duration of the disturbance activity.*

Less than Significant with Mitigation

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

NRAI concluded that the Project Site is almost entirely disturbed by existing uses and does not support riparian habitat or a sensitive natural community. The Project Site is not identified in any local plans, policies, or regulations of the CDFW or the U.S. Fish and Wildlife Service (USFWS). Development of the Project Site as proposed would not result in impacts to riparian vegetation or to a sensitive natural community because these resources do not occur on the Project Site. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

The Project Site has been disturbed by existing uses and does not support wetlands or areas of standing water as observed during the October 2020 site visit. Therefore, the Proposed Project would not have a substantial adverse effect on state or federally protected wetlands. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors provide opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of

sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. Wildlife corridors allow for the dispersal, seasonal migration, breeding, and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The San Bernardino County Land Use Plan Open Space Element depicts wildlife corridors within the Valley and Mountain Areas. According to the Land Use Plan, the Project Site has not been identified as occurring within a Wildlife Corridor.⁸ The Project Site is almost entirely disturbed by existing uses by residential development. With implementation Mitigation Measures BIO-01 through BIO-03, the Proposed Project is not expected to disrupt or have any adverse effects on any migratory corridors or linkages that may occur in the general vicinity of the Project Site. Less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Tree species within the Project Site boundary include lemon (*Citrus x limon*), Mexican fan palm (*Washingtonia robusta*), and silkfloss tree (*Albizia julibrissin*); however, the trees identified are not native to the region and will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*

The Project Site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as identified in the California Department of Fish and Wildlife's California Natural Community Conservation Plans Map (March 2021).⁹ No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures BIO-1, BIO-2 and BIO-3 are required as a condition of project approval to reduce these impacts to a level below significant.

⁸ <http://cms.sbcounty.gov/Portals/5/Planning/ZoningOverlaymaps/OpenSpaceCountywide.pdf>. Accessed April 8, 2020.

⁹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=68626&inline>. Accessed March 10, 2021.

Draft Initial Study
Of Family Storage Yard
 APN: 0234-121-14, 15, 16, 18 and 19.
Revised January 2022
~~Final Initial Study PROJ-2020-00035~~
 APN: 0260-051-04, 0260-051-14
 August 2021

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
V. CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if the project is located in the Cultural or Paleontologic Resources overlays or cite results of cultural resource review): **San**

San Bernardino Countywide Plan; Archaeological Records Search

a,b) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?
 Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

A Phase I Cultural Resources Investigations, dated January 5, 2021, was prepared for the Proposed Project by McKenna et al. and is summarized herein.

The Project Site encompasses five parcels which include APN 234-121-14,-15,-16,-18, and -19. These parcels have all been improved. Parcels -14 and -15 are commercial properties while those fronting Live Oak Avenue (APNs -016, -018, and -019) are residential properties. At the time of this investigation, only the APN -016 was still occupied. The commercial properties are being used for equipment storage and have temporary office trailers within APN-014.

A search of various cultural resource listings (e.g. National Register of Historic Resources, California Register of Historical Resources, California Landmarks, California Points of Historical Interest, and/or locally listed resources) located at the University of California, Riverside, Eastern Information Center was completed on October 27, 2020. Research identified a minimum of thirty-five (35) cultural resources investigations within a one-mile radius of the project area. A minimum of nineteen (19) cultural resources have been recorded within one mile of the project area. However, none of the cultural resources recorded were located within the Project Site boundaries.

Research confirmed that the Project Site was not previously surveyed for cultural resources.

The field surveys conducted on October 7th and November 13th of 2020 failed to yield any evidence of prehistoric or historic archaeological resources. The project area has been impacted by the development (and removal) of orchards; development (and removal) of commercial structures; and the development of residential complexes. Areas of the Project Site not covered with structures or stored equipment were examined for any evidence of archaeological resources. The findings were negative and, given the extent of the impacts to the property, no evidence of archaeological resources was found.

McKenna et al. considers the Project Site clear of archaeological resources but acknowledges the potential for buried resources. Although the likelihood is low, McKenna et al. recognizes this potential and recommends the project proponent be prepared should archaeological resources be uncovered as a result of project area preparation activities. No archaeological monitoring program is warranted at this time, but the proponent should have an archaeological consultant on-call, should resources be identified as some later date. The structures (built environment) within the Project Site consists of one commercial structure and three residential complexes. None of these have been determined to be significant cultural resources and, therefore, any alterations, renovations, or demolition activities will not result in any adverse impacts. As none are considered significant under CEQA criteria, no further studies are recommended. Documentation of the demolition activities are recommended to assure adequate recordation of these two complexes.

Although no significant cultural resources were identified within the Project Site, the following mitigation measure is required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measure is:

Mitigation Measure CR-1: *The Project Applicant shall have an archaeological consultant on-call, should any evidence of prehistoric resources be uncovered. If deemed appropriate, an archaeological monitoring program overseen by a qualified archaeological monitor and Native American representative be initiated. At the discretion of the Lead Agency, spot monitoring may be initiated to assure resources are not being missed or discarded. Any monitoring program must comply with standard profession policies and guidelines and managed by a professional archaeologist meeting the Secretary of the Interior standards.*

Less than Significant with Mitigation

- c) *Disturb any human remains, including those outside of formal cemeteries?*

Construction activities, particularly earth moving activities, could potentially disturb human remains interred outside of a formal cemetery. Thus, the potential exists that

human remains may be unearthed during earthmoving activities associated with Project construction. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measure is required as a condition of project approval to reduce these impacts to a level of less than significant:

Mitigation Measure CR-2: *If, at any time, evidence of human remains (or potential human remains) is uncovered, all activities in the vicinity of the find must be halted, a buffer established, and the County Coroner immediately notified and permitted to examine the find in situ. The Coroner will determine the nature of the find. If the remains are determined to be human, the Coroner will determine their origin: Native American; archaeological but non-Native American; or forensic. If determined to be of Native American origin, the Coroner will contact/notify the Native American Heritage Commission and the Most Likely Descendant (MLD) will be identified. In consultation between the MLD, Lead Agency, and property owner, the disposition of the remains will be determined. Any costs incurred would be the responsibility of the property owner. If the human remains are archaeological (non-Native American), the archaeological consultant will manage the removal, analysis, and reporting. The remains will be reinterred off-site and any costs incurred would be the responsibility of the property owner. If the remains are determined to be of forensic value, the Coroner will arrange for the removal and analysis. The County will assume responsibility of the remains and the property owner will not be responsible for any related costs.*

Less than Significant with Mitigation

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures CR-1 and CR-2 are required as a condition of project approval to reduce these impacts to a level below significant.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
VI. ENERGY – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: San Bernardino Countywide Plan; Submitted Materials

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Electricity

The Proposed Project consists of a PPA and CUP to allow for the construction and operation of a contractor's equipment and storage yard including conversion of and demolition of on-site structures located on five parcels totaling approximately 8.1 acres. The Project Site is currently serviced by Southern California Edison for electric power. In 2019, the commercial sector of the Southern California Edison planning area consumed 36,202.653241 GWh of electricity. The estimated electricity demand for the Proposed Project is approximately 0.05 GWh per year; this does not account for what has historically been used at the site by a prior business. This gross energy consumption would only increase the total planning area demand by 0.0001 percent. The electricity demand from implementation of the Proposed Project would be insignificant when compared to the existing regional demand.

Natural Gas

The Proposed Project and surrounding area are serviced by Southern California Gas Company. According to the California Energy Commission's Energy Report, the Commercial Building was responsible for 947.846870 million Therms of natural gas consumption in the SoCalGas Planning Area in 2019.¹⁰ The Proposed Project's estimated natural gas demand is 149.04 Therms; this does not account for what has historically been used at the site by a prior business. This gross amount represents a small percentage of the overall demand in SoCalGas's service area. Therefore, implementation of the Proposed Project would not significantly or wastefully increase the region's natural gas demand. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

The Proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards (Title 24). Project plans would require approval by the County Building and Safety Department. Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

The Proposed Project would not conflict with any applicable plan, policy or regulation of an agency-adopted plan to reduce GHG emissions, including Title 24, AB 32, and

¹⁰ <https://ecdms.energy.ca.gov/Default.aspx>. Accessed April 29, 2021.

SB 32; the Project is consistent with AB 32, which aims to decrease emissions statewide to 1990 levels by to 2020. The Proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impacts are identified or anticipated, and no mitigation measures are recommended.

No Impact

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VII. GEOLOGY AND SOILS - Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
(1994), creating substantial direct or indirect risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located in the Geologic Hazards Overlay District):

San Bernardino Countywide Plan; Submitted Project Materials; Department of Conservation Fault Activity Map of California;

- a) i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42

According to San Bernardino Countywide Plan: HZ-1 Earthquake Fault Zones Map, the Project Site does not occur within an Alquist-Priolo Earthquake Fault Zone. The nearest fault to the Project Site, the Cucamonga Fault, is approximately 5.8 miles north of the Project Site.¹¹ The possibility of damage due to ground rupture is considered negligible since active faults are not known to cross the Project Site. However, secondary effects of seismic shaking resulting from large earthquakes on major faults in the Southern California region, which may affect the Project Site, include soil liquefaction, dynamic settlement, shallow ground rupture, seiches and tsunamis. The Proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with the California Building Codes and Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

¹¹ San Bernardino Countywide Plan: HZ-1 Earthquake Fault Zones.
<https://www.arcgis.com/apps/webappviewer/index.html?id=d88e2db7ee5649478d70e95c56b0d62d>

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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ii) Strong seismic ground shaking?

As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project Site. During the life of the Proposed Project, seismic activity associated with the active faults can be expected to generate moderate to strong ground shaking at the Project Site. As a mandatory condition of project approval, the Proposed Project would be required to construct proposed structures in accordance with the California Building Code (CBC) which is established by the California Building Standards Code. The CBC is designed to preclude significant adverse effects associated with strong seismic ground shaking. With mandatory compliance with standard design and construction measures, potential impacts would be reduced to a less than significant and the Proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iii) Seismic-related ground failure, including liquefaction?

Liquefaction is a process whereby strong earthquake shaking causes sediment layers that are saturated with groundwater to lose strength and behave as a fluid. Ground failure associated with liquefaction can result in severe damage to structures. As demonstrated by San Bernardino County’s HZ-2 Liquefaction & Landslides Map, the Project Site is not located in an area at risk for liquefaction.¹² Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

iv) Landslides?

Landslides and slope failure can result from ground motion generated by earthquakes. As shown on the HZ-2 Liquefaction & Landslides Map, the Project Site is not located within an area susceptible to landslides.¹³ The Project Site has no prominent geologic features and none occur in the vicinity; therefore the site is at minimal risk for landslide. No impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

¹² San Bernardino Countywide Plan: HZ-2 Liquefaction & Landslides
<https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905>
 Accessed November 11, 2020.

¹³ San Bernardino Countywide Plan: San Bernardino Countywide Plan: HZ-2 Liquefaction & Landslides
<https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905>
 Accessed November 11, 2020.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
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b) *Result in substantial soil erosion or the loss of topsoil?*

During the development of the Project Site, which would include disturbance of 8.10 acres, project-related dust may be generated due to the operation of machinery on-site or due to high winds. Additionally, erosion of soils could occur due to a storm event. Development of the Proposed Project would disturb more than one acre of soil; therefore, the Proposed Project is subject to the requirements of the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-2009-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Storm Water Pollution and Prevention Plan (SWPPP). The SWPPP must list Best Management Practices (BMPs) to avoid and minimize soil erosion. Adherence to BMPs is anticipated to ensure that the Proposed Project does not result in substantial soil erosion or the loss of topsoil. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

According to the United States Department of Agriculture (USDA): Web Survey, the Project Site consist of Tujunga gravelly loamy sand.¹⁴ The USDA states that gravelly loamy sand is characterized as somewhat excessively draining, negligible to low runoff, and high saturated hydraulic conductivity.¹⁵ Seismically induced lateral spreading involves primary lateral movement of earth materials over underlying materials which are liquefied due to ground shaking. As demonstrated by San Bernardino County’s HZ-2 Liquefaction & Landslides Map, the Project Site is not located in an area at risk for liquefaction and/or landslides.¹⁶ Furthermore, the proposed use does not include residential use. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

¹⁴ <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx> Accessed November 11,2020.
¹⁵Tujunga Series https://soilseries.sc.egov.usda.gov/OSD_Docs/T/TUJUNGA.html Accessed November 11, 2020.
¹⁶ <https://www.arcgis.com/apps/webappviewer/index.html?id=5864a434814c4e53adc74101b34b1905> Accessed November 11, 2020.

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
d) <i>Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?</i>				

Expansive soils (shrink-swell) are fine grained clay soils generally found in historical floodplains and lakes. Expansive soils are subject to swelling and shrinkage in relation to the amount of moisture present in the soil. According to the United States Department of Agriculture (USDA): Web Survey, the Project Site consist of Tujunga gravelly loamy sand. The USDA states that gravelly loamy sand is characterized as somewhat excessively draining, negligible to low runoff, and high saturated hydraulic conductivity. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

The structures proposed as office space are currently connected to existing water facilities. The Proposed Project does not require the use of septic tanks or alternative wastewater disposal systems; therefore, no impacts are identified or anticipated and no mitigation measured are required.

No Impact

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

The Cultural Resources Investigation prepared for the Proposed Project concluded that no evidence of paleontological resources was found during the field survey. Additionally, a paleontological overview from the Natural History Museum of Los Angeles and supplemental research for nearby properties confirmed the project area is not sensitive for paleontological resources and, therefore, the Project Site is considered clear of such resources. No paleontological monitoring is warranted. The area is not considered sensitive for paleontological resources. Therefore, the Proposed Project is not anticipated to directly or indirectly destroy a unique paleontological resource or site or unique geologic features. No impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
VIII. GREENHOUSE GAS EMISSIONS – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:
San Bernardino Countywide Plan; Submitted Project Materials

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Many gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated and represent the highest concentration of GHG: Carbon dioxide (CO₂), Methane (CH₄), and Nitrous oxide (N₂O). The Proposed Project would not generate Fluorinated gases as defined by AB 32, only the GHGs (CO₂, CH₄, and N₂O) that are emitted by construction equipment. SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project's emissions in relation to the thresholds. A threshold of 10,000 MTCO₂E per year has been adopted by SCAQMD for industrial type projects.

In September 2011, the County adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (GHG Plan). The GHG Plan presents a comprehensive set of actions to reduce the County's internal and external GHG emissions to 15% below 2007 levels by 2020, consistent with the AB 32 Scoping Plan. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process the County will implement CEQA and require new development projects to quantify the project's GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. A review standard of 3,000 metric tons of CO₂ equivalent (MTCO₂e) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions.

Emissions were estimated using the CalEEMod version 2016.3.2. As shown in Table 9 and Table 10, the Proposed Project's emissions would not exceed the County's 3,000 MTCO₂e threshold of significance. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Table 9
Greenhouse Gas Construction Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O
Demolition	35.4	0.0	0.0
Site Preparation	17.6	0.0	0.0
Grading	20.6	0.0	0.0
Building Construction	584.7	0.1	0.0
Paving	21.4	0.0	0.0
Architectural Coating	3.9	0.0	0.0
Total MTCO₂e	616.5		
County Threshold	3,000		
Significant	No		

Source: CalEEMod.2016.3.2 Annual Emissions.

Table 10
Greenhouse Gas Operational Emissions
(Metric Tons per Year)

Source/Phase	CO ₂	CH ₄	N ₂ O
Area	0.0	0.0	0.0
Energy	16.9	0.0	0.0
Mobile	153.2	0.0	0.0
Waste	1.0	0.1	0.0
Water	6.0	0.0	0.0
Total MTCO₂e	179.7		
County Threshold	3,000		
Significant	No		

Source: CalEEMod.2016.3.2 Annual Emissions.

Less Than Significant Impact

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*

The Proposed Project is not anticipated to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Any project that does not exceed 3,000 MTCO₂e per year will be considered to be consistent with the County’s GHG Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
San Bernardino Countywide Plan; Submitted Project Materials

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

The Proposed Project includes the request for a PPA and issuance of CUP, allows the operation of a contractor's storage yard. Hazardous or toxic materials transported in association with construction may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency (CUPA) regulations, potential impacts to the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are considered to be less than significant.

The operational activities of the equipment storage yard would not require the routine transport or use of hazardous materials. No significant adverse impacts or anticipated and no mitigation measures are required.

Less Than Significant Impact

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Several existing structures on-site would be demolished to allow for the Proposed Project. Given the age of the structures, the potential for lead-based paint and asbestos-containing materials exists. Due to the past uses at the Project Site, the potential for contaminated soils may exist. Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level of less than significant:

Mitigation Measure HAZ 1: *If a contaminated area is encountered during construction, construction shall cease in the vicinity of the contaminated area and the construction contractor shall notify all appropriate authorities, including the Environmental Protection Agency and the County. If necessary, the contaminated area shall be remediated to minimize the potential for exposure of the public and to allow the Project to be safely constructed.*

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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Mitigation Measure HAZ 2: *An Operations and Maintenance (O&M) Program shall be implemented in order to safely manage the suspect asbestos-containing materials and lead-based paint located at the Project Site until such time that demolition of the structures is scheduled.*

Mitigation Measure HAZ 3: *Prior to the grading/construction activities, the Project Proponent shall prepare and submit to the County a Soil Management Plan to address potential encounters with impacted soil. The plan shall state the actions that would be required if contaminated soils are encountered and provide for cleanup of the said soils. The plan shall follow federal, State, and local safety guidelines and standards to avoid increased exposure to these pollutants.*

Less than Significant with Mitigation

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

According to the San Bernardino County’s HW-1 Education Facilities Map, the nearest school to the Project Site is Live Oak Elementary School, located approximately 0.2 miles north of the Project Site.¹⁷ However, the Proposed Project would not require the routine transport or use of hazardous materials. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

The Project Site was not found on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control’s EnviroStor data management system.¹⁸ EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous materials sites are located within or near the vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

No Impact

¹⁷<https://www.arcgis.com/apps/webappviewer/index.html?id=6dcb1fe1b676486586898215997c2e6e>. Accessed November 12, 2020.
¹⁸<https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=1905+business+center+dr+san+bernardino+ca+92408>. Accessed November 12, 2020.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*

As shown on the San Bernardino County’s HZ-9 Airport Safety & Planning Areas Map, the Project Site is not within an airport safety review area.¹⁹ The Project Site is located approximately 5.5 miles east of Ontario International Airport. The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

According to the San Bernardino Countywide Plan: PP-2 Evacuation Routes Map, the evacuation route nearest to the Project Site is Interstate-10.²⁰ The Project Site is approximately two miles from I-10. Access to the Project Site would continue to be provided via driveway along Live Oak Avenue. Therefore, operations and construction of the Proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain any emergency facilities. Project operations at the site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

As shown in the San Bernardino Countywide Plan Map: HZ-5 Fire Hazard Severity Zones, the Project Site is not identified in an area of wildland fire risks.²¹ The Project Site occurs within a largely developed area and no wildlands are located on or adjacent to the Project Site. The Proposed Project would not expose people or structures to significant risk or loss, injury, or death involving wildland fires. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

¹⁹<https://www.arcgis.com/apps/webappviewer/index.html?id=5dc02b81369c49c9a1947aedfc300a45>. Accessed November 12, 2020.
²⁰<https://www.arcgis.com/apps/webappviewer/index.html?id=f54aff8f279449b8a6591ed4a8b1198c> Accessed November 12, 2020.
²¹ San Bernardino Countywide Plan Map: HZ-5 Fire Hazard Severity Zones.
<https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431> Accessed April 28, 2021

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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X. HYDROLOGY AND WATER QUALITY – Would the project:

- | | | | | | |
|------|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | | | | |
| i. | result in substantial erosion or siltation on- or off-site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. | substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii. | create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan; Submitted Project Materials; FEMA Flood Map

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The Proposed Project would disturb more than one acre and therefore would be subject to the NPDES permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activities that causes the disturbance of one acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement an SWPPP. The SWPPP must include BMPs to prevent project-related pollutants from impacting surface waters during construction and include but are not limited to street sweeping of paved roads around the Project Site during construction, and the use of hay bales or sand bags to control erosion during the rainy season. BMPs may also include or require:

- The contractor to avoid applying materials during periods of rainfall and protect freshly applied materials from runoff until dry.
- All waste to be disposed of in accordance with local, state and federal regulations. The contractor to contract with a local waste hauler or ensure that waste containers are emptied weekly. Waste containers cannot be washed out on-site.
- All equipment and vehicles to be serviced off-site.

The NPDES also requires a Water Quality Management Plan (WQMP) which would be subject to review and approval by the County. A WQMP dated April 2021 has been prepared by Joseph E Bonadiman & Associates, Inc. for the Project Site and submitted to the County for review and approval. Findings of the report are discussed herein. The WQMP includes mandatory compliance of BMPs as well as compliance with NPDES Permit requirements. Review and approval of the WQMP by the County would ensure

that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. To ensure potential impacts are reduced to less than significant, the following mitigation measure shall be implemented:

Mitigation Measure WQ-1: *The Project Proponent shall implement all Non-Structural Source Control Best Management Practices and Structural Source BMPs as listed in the final WQMP as approved by the County.*

Less than Significant with Mitigation

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The Project Site is currently served by the Fontana Water Company (FWC). FWC's water supply is produced from Lytle Creek surface flow, and from wells in the Lytle Basin, Rialto Basin, Chino Basin, and another groundwater basin known as No Man's Land. FWC produces groundwater from 29 wells in and around the City of Fontana.²²

The Project Site is currently developed and does not interfere with any groundwater recharge operations. When compared to historic uses of the Project Site, the Proposed Project's water use is not anticipated to substantially increase water demand, and therefore would not result in a substantial impact on groundwater supplies. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site;*

According to the WQMP, the Project Site currently drains from the north to the southeast. The drainage area (DA-1) is approximately 352,663 SF and has a total calculated design captured volume (DCV) of 19,249 cubic feet (CF). Under post-development conditions, the drainage pattern will remain the same and surface flows will drain into a drainage basin (low impact development) (LID) BMP located on the southeast corner of the Project Site. The LID BMP will have a volume of 79,096 CF. Therefore, a full retention of LID DCV is proposed with the site design infiltration. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

²² <https://www.fontanawater.com/water-quality-supply/water-sources/>. Accessed November 13, 2020.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*

According to the Hydrology Study and Drainage Analysis dated November 2018 prepared Joseph E. Bonadiman & Associates, Inc. for the Proposed Project, the proposed condition is expected to result in lower storm water runoff rates than the existing condition, so mitigation is not required. A full retention of LID DCV is proposed with the site design infiltration. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*

As stated in the WQMP prepared for the Project Site, the LID BMPs have been deemed feasible, and the required DCV infiltrated. According to the WQMP, the Project Site currently drains from the north to the southeast. The drainage area (DA-1) is approximately 352,663 SF and has a total calculated design captured volume (DCV) of 19,249 cubic feet (CF). Under developed conditions, the drainage pattern will remain the same and surface flows will drain into a drainage basin (low impact development (LID) BMP) located on the southeast corner of the Project Site. The LID BMP will have a volume of 79,096 CF. Therefore, a full retention of LID DCV is proposed with the site design infiltration. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- iv) *Impede or redirect flood flows?*

According to the Hydrology Study and Drainage Analysis, the proposed condition is expected to result in lower storm water runoff rates than the existing condition, so mitigation is not required. A full retention of LID DCV is proposed with the site design infiltration. The Proposed Project is not anticipated to impede or redirect flood flows. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Due to the inland distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards at the site. As shown on the San Bernardino County's HZ-4 Flood Hazards Map, the Project Site is outside of a flood

hazards area.²³ Therefore, the risk of release of pollutants by flood, seiche, or tsunami is considered low. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

The WQMPs for the Proposed Project has been prepared to comply with the requirements of San Bernardino County and the NPDES Areawide Stormwater Program. The Proposed Project would adhere to the WQMP’s BMPs, regional and local water quality control and/or sustainable groundwater management plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measure WQ-1 is required as a condition of project approval to reduce impacts to a level below significant.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XI. LAND USE AND PLANNING – Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan; Submitted Project Materials

a), b) *Physically divide an established community?*

Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

²³<https://www.arcgis.com/apps/webappviewer/index.html?id=d276e645a4ae4e2bb95694ff06b4f0be>. Accessed November 13, 2020.

The Project Site is surrounded by residential development to the north, south, east and industrial development to the west. The Project Site is designated as LDR (Low Density Residential) and MDR (Medium Density Residential). Approval of the PPA would change the designation to **CG-CS (General Service Commercial)**. The PPA and a CUP would allow for the construction and operation of an equipment and storage yard including conversion of and demolition of on-site structures located on five parcels within an unincorporated area of the County. Since a similar prior use existed at the Project Site, the Proposed Project would neither physically divide an established community nor cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XII. MINERAL RESOURCES – Would the project:				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION: (Check if project is located within the Mineral Resource Zone Overlay):

San Bernardino Countywide Plan; Mineral Land Classification

- a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?

According to the San Bernardino’s NR-4 Mineral Resource Zones Map, the Project Site is within a MRZ-3 zone.²⁴ This zone is defined as an area containing mineral deposits with a significance that cannot be evaluated from available data. An area with

²⁴ <https://www.arcgis.com/apps/webappviewer/index.html?id=9948b9bc78f147fd9ea193c2ce758081> Accessed November 16, 2020.

undetermined mineral significance would not be valuable to the region or residents of the state until its mineral significance is confirmed. Additionally, the Project Site is surrounded by residential and industrial uses. The current uses of the Project Site and surrounding areas are not compatible with mineral resource extraction. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

According to the San Bernardino's NR-4 Mineral Resource Zones Map, the Project Site is within an MRZ-3 zone.²⁵ However, the Project Site is not located within a planning area designated for mining. Therefore, the Proposed Project would not result in the loss of availability of a locally important mineral resource recovery site. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIII. NOISE – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

²⁵ <https://www.arcgis.com/apps/webappviewer/index.html?id=9948b9bc78f147fd9ea193c2ce758081> Accessed November 16, 2020.

airport, would the Project expose people residing or working in the project area to excessive noise levels?

SUBSTANTIATION: (Check if the project is located in the Noise Hazard Overlay District or is subject to severe noise levels according to the Policy Plan Noise Element):

San Bernardino Countywide Plan ; Submitted Project Materials; Noise Impact Analysis

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

The unit of measurement used to describe a noise level is the decibel (dB), which is a logarithmic unit of noise level measurement that relates the energy of a noise source to that of a constant reference level. The human ear, however, is not equally sensitive to all frequencies within the sound spectrum. Therefore, the “A-weighted” noise scale, which weights the frequencies to which humans are sensitive, is used for measurements. Noise levels using A-weighted measurements are written as dBA. Average noise levels over a period of minutes or hours are usually expressed as dBA L_{eq} , or the equivalent noise level for that period of time. Noise standards for land use compatibility are stated in terms of the Community Noise Equivalent Level (CNEL) and the Day-Night Average Noise Level (L_{dn}). CNEL is a 24-hour weighted average measure of community noise. CNEL is obtained by adding five decibels to sound levels in the evening (7:00 PM to 10:00 PM), and by ten decibels to sound levels at night (10:00 PM to 7:00 AM). This weighting accounts for the increased human sensitivity to noise during the evening and nighttime hours. L_{dn} is a similar 24-hour average measure that weights only the nighttime hours.

Construction activities would generate noise associated with the transport of workers and movement of construction materials to and from the area, demolition, ground clearing/excavation, grading, and building activities. The San Bernardino Countywide Plan and Municipal Code do not identify specific construction noise level thresholds; However, demolition and construction activities would be short-term and comply with County Development Code Section 83.01.080. This Code establishes standards for acceptable noise levels; temporary construction, maintenance, repair, or demolition activities between 7 a.m. and 7 p.m. are exempt. Therefore, temporary construction noise levels associated with the Proposed Project are considered less than significant.

Operation noise associated with the Proposed Project would be project-generated traffic. A Trip Generation & Vehicle Miles Traveled Screening Analysis dated December 17, 2020 was completed for the Proposed Project by Ganddini Associates, which concludes the proposed use would result in a decrease of approximately 242 fewer daily trips (including 13 fewer trips during the AM peak hour and 30 fewer trips during the PM peak hour) when compared to the prior use at the Project Site. Furthermore, the Proposed Project would adhere to Table 83-2: “Noise Standards for Stationary Noise Sources”

(Development Code Section 83.01.080) which allows for noise levels up to 60 dB(A) between 7:00a.m. and 7:00p.m. for commercial use. Operational noise levels associated with Proposed Project would be less than significant. Therefore, less than significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Generation of excessive groundborne vibration or groundborne noise levels?*

County Development Code Section 83.01.090, Vibration, establishes standards for acceptable vibration levels; temporary construction, maintenance, repair, or demolition activities between 7 a.m. and 7 p.m. are exempt from this vibration limit, except on Sundays and federal holidays, when construction is prohibited. Potential impacts due to noise would be short-term and temporary during construction. Motor vehicle use during project operation are also exempt from the County vibration standards. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?*

As shown on the San Bernardino County's HZ-9 Airport Safety & Planning Areas Map, the Project Site is not within an airport safety review area.²⁶ The Project Site is located approximately 5.5 miles east of Ontario International Airport. The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIV. POPULATION AND HOUSING – Would the project:				

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

²⁶<https://www.arcgis.com/apps/webappviewer/index.html?id=5dc02b81369c49c9a1947aedfc300a45>. Accessed November 12, 2020.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:
Submitted Project Materials

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

The Proposed Project does not involve construction of new homes nor would it induce unplanned population growth by creating a substantial number of new jobs. Construction activities would be temporary and would not attract new employees to the area. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The existing residential structures on-site have been used for and are intended to be used for office purposes. Implementation of the Proposed Project would not displace substantial numbers of existing housing or require construction of replacement housing. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically

altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

San Bernardino Countywide Plan; Submitted Project Materials

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

Fire Protection?

The nearest fire station is the San Bernardino County Fire Station 72, at 15380 San Bernardino Avenue, which is located approximately 0.61 miles east of the Project Site. The Proposed Project is required to provide a minimum of fire safety and support fire suppression activities, including type and building construction, fire sprinklers, and paved fire access. As the proposed use is similar to what previously existed on-site, the Proposed Project would receive adequate fire protection services and would not result in the need for new or physically altered fire protection facilities. Collection of transportation fees would ensure potential impacts to fire protection is less than significant. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

Police Protection?

Law enforcement services are provided by the San Bernardino County Sheriff's Department. All emergency calls and requests for service from the Project would be dispatched from the Sheriff station at 10510 Civic Center Dr, Rancho Cucamonga. As crime and calls for service change over time, the District's boundaries and staffing assignments are evaluated to maintain a balance of service across the County. Staffing for the department is not based on a particular ratio of "officer per citizen" but is determined by the ability to conduct proactive community-oriented policing and problem solving. To determine a crime rate directly associated with a development proposal would be speculative; the County reviews its needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection throughout the County. Collection of transportation fees would ensure potential impacts to police

protection is less than significant. Therefore, no significant adverse impacts to law enforcement are identified or anticipated, no mitigation measures are required.

Less Than Significant Impact

Schools?

The Project Site is served by the Fontana Unified School District. Construction activities would be temporary and would not result in substantial population growth. No additional employees beyond what has been associated with the Project Site would be required during operation. Therefore, the Proposed Project is not expected to draw any new residents to the region that would require expansion of existing schools or additional schools. With the collection of School impact fees, impacts related to school facilities are expected to be less than significant and no mitigation measures are required.

Less Than Significant Impact

Parks?

The Proposed Project would not induce residential development nor significantly increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of any facilities would result. Operation of the Proposed Project would place no demands on parks because it would not involve the construction of housing and would not involve the introduction of additional residents into the area. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Other Public Facilities?

The Proposed Project would not result in an increased residential population or a significant increase in the work force as the Project involves the continued use of an existing storage yard. Therefore, implementation of the Proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. No impacts are identified or anticipated, and no mitigation measure is required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVI. RECREATION				

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

SUBSTANTIATION:
Submitted Project Materials

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

The number of employees is not anticipated to increase over what has historically been at the Project Site with the implementation of the Proposed Project. Therefore, the Proposed Project would not lead to substantial physical deterioration of recreational facilities. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The Proposed Project does not include the construction or expansion of recreational facilities or increase meet demands of residential development. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XVII. TRANSPORTATION – Would the project:				

Draft Initial Study
Of Family Storage Yard
APN: 0234-121-14, 15, 16, 18 and 19.
Revised January 2022
~~Final Initial Study PROJ-2020-00035~~
~~APN: 0260-051-04, 0260-051-14~~
~~August 2021~~

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

Trip Generation & Vehicle Miles Traveled Screening Analysis; Project Application Materials

a,b) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?

A Trip Generation & Vehicle Miles Traveled Screening Analysis, dated December 17, 2020, was prepared for the Proposed Project by Ganddini Group. The report is available for review at the County of San Bernardino Land Use Services Department and is summarized herein.

The trip generation is based upon trip generation rates obtained from the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017). Based on the ITE land use descriptions, trip generation rates for Land Use Codes ITE 210 – Single Family Detached Residential, ITE 818 -Nursery (Wholesale), and ITE 942 – Automobile Care Center were determined to adequately describe the previous and existing land uses and were selected for analysis. Since the Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017) does not include data for contractor equipment and storage yard facilities, trip rates were derived from counts of the existing contractor equipment and storage yard facility in the City of Fontana. The inbound/outbound traffic counts from the contractor equipment and storage yard were conducted on three (3) consecutive 24-hour weekdays to determine the average trips for the AM peak hour, PM peak hour and daily trip generation for this land-use during typical weekday conditions.

The County of San Bernardino has established guidelines for Level of Service (LOS) impact for Policy Plan operational compliance. As specified in the County of San Bernardino TIS Guidelines, the requirement to prepare a transportation impact study (with Level of Service analysis) should be based on the following criteria:

- Any project that generates more than 100 or more trips without consideration of pass-by trip reductions during any peak hour.
- Any project that is located within 300 feet of intersection of two streets designated as Collector or higher on the County's Policy Plan circulation system.
- Any project which has the potential to generate VMT that could result in a transportation significant impact.

The Proposed Project is forecast to generate significantly less than 50 peak hour trips. Therefore, further traffic analysis should not be necessary for the Proposed Project. Based on a comparison of maximum allowable development between the currently approved residential land use for parcels (APNs 0234-121-14, 15, 16, 18 and 19) and the proposed amendment to allow ~~special development~~ commercial Service Comercial (CS) land uses (contractor equipment and storage yard), the proposed Policy Plan Amendment is forecast result in a decrease of approximately 242 fewer daily trips and including 13 fewer trips during the AM peak hour and 30 fewer trips during the PM peak hour. As such, a traffic impact analysis was not required for the Proposed Project based on the County's traffic study guidelines. Therefore, the Proposed Project does not conflict with an applicable plan, ordinance, or policy establishing measure of effectiveness for the performance of the circulation system. No impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

The Proposed Project is located on the southwest corner of San Bernardino Avenue and Live Oak Avenue. The Proposed Project includes the request for a PPA and issuance of a CUP to allow for operation and construction of contractor's equipment and storage yard. As shown on Site Plan, the Project does not include a geometric design feature or incompatible uses that would substantially increase hazards. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- d) *Result in inadequate emergency access?*

As required by the County, the Project would provide a driveway at Live Oak Avenue with a minimum width of 40 feet to allow for emergency access. The Proposed Project would be subject to any conditions required by the San Bernardino County Fire Department to maintain adequate emergency access. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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XVIII. TRIBAL CULTURAL RESOURCES

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
- i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
 - ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

SUBSTANTIATION:
Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton; Submitted Project Materials

- a) *i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or;*
- ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource*

Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

McKenna et al. completed an archaeological records search and consulted with the Native American Heritage Commission regarding the Project Site. Letters were sent to all listed individuals and McKenna et al. also personally contacted Anthony Morales of the Gabrielino/ Tongva to inquire into sensitivity for the area. A search of various cultural resource listings (e.g. National Register of Historic Resources, California Register of Historical Resources, California Landmarks, California Points of Historical Interest, and/or locally listed resources) located at the University of California, Riverside, Eastern Information Center was completed on October 27, 2020 by Jeanette A. McKenna. Research identified a minimum of thirty-five (35) cultural resources investigations within a one-mile radius of the project area. A minimum of nineteen (19) cultural resources have been recorded within one mile of the project area. However, none of the cultural resources recorded were located within the Project Site boundaries.

At the request of the Gabrieleno Band of Mission Indians – Kizh Nation, appropriate mitigation shall be made a condition of approval for the Project to ensure potential impacts to tribal cultural resources are reduced.

Therefore, possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required to reduce impacts to less than significant:

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

- A. *The project applicant/lead agency shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”) - the direct lineal descendants of the project location. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.*
- B. *A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.*
- C. *The project applicant/developer shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.*

- D. *The project applicant/developer shall hold at least one (1) pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures.*
- E. *The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground- disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request.*
- F. *Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.*

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

- A. *Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.*
- B. *The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes.*

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

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

- A. *Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.*
- B. *As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of*

the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.

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

Less than Significant with Mitigation

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures TCR-1 through TCR-3 are required as a condition of project approval to reduce potential impacts to a level below significant.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SUBSTANTIATION:				

San Bernardino Valley Municipal District Urban Water Management Plan 2015; Submitted Project Materials;

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

The Project Site is currently serviced by the Fontana Water Company (FWC) for water, Southern California Gas Company for gas, Southern California Edison for electricity, Spectrum for cable and Verizon for phone services. The two structures (a single-family residence and garage) that are to be converted to office space are currently connected to water lines, electric power lines, and gas lines. Therefore, the Proposed Project would not require construction of new or expanded water, electric power, natural gas facilities. Additionally, implementation of the Proposed Project would not result in a significant increase in demand for telecommunications services. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- b) *Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?*

The Project Site is currently served by the FWC and water supply is produced from Lytle Creek surface flow, and from wells in the Lytle Basin, Rialto Basin, Chino Basin, and another groundwater basin known as No Man's Land. FWC produces groundwater from 29 wells in and around the City of Fontana.²⁷

The Project Site is currently developed and does not interfere with any groundwater recharge operations. The Proposed Project is a request for a PPA and CUP which would allow for the construction and operation of the equipment and storage yard. The Project also includes two structures (a single-family residence and garage) that would be converted to office space and the remaining seven structures (including three garages, three single-family residences and a large shed) would be demolished to allow for the proposed development. When compared to existing uses, the Proposed Project's water use is not anticipated to substantially increase water demand, and therefore would not result in a substantial impact on groundwater supplies. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

²⁷ <https://www.fontanawater.com/water-quality-supply/water-sources/>. Accessed November 13, 2020.

The City of Fontana is responsible for constructing and maintaining sewage collection facilities to serve the City of Fontana, and its Sphere of Influence. The City owns Fontana's sanitary sewer system of over 250 miles of sewer lines and six sewage pump stations. While Fontana owns this infrastructure, the wastewater treatment services are supplied by a regional authority, the Inland Empire Utilities Authority (IEUA). The City of Fontana is within the service area of two of IEUA's Regional Plants (RP), RP-1 and RP-4. The treatment capacity of RP#1 is 44 million gallons per day (gpd), and currently treats approximately 28 million gpd, or 65% of its capacity. This is down from a high of approximately 37 million gpd in 2006/2007. The treatment capacity of RP-4 is 14 million gpd, and typically treats approximately 10 million gpd or approximately 71% of capacity.²⁸

The Proposed Project includes an office space (existing structure), which is already connected to City of Fontana's water infrastructure. The Proposed Project does not include any facilities that would generate an increase in sewer flows over the existing use and therefore it would not impact the existing City of Fontana's capacity. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

The Project Site is currently within the refuse collection area of Burrtec Waste Industries. Solid waste generated at the Project Site is disposed of at either the San Bernardino County San Timoteo Sanitary Landfill (36-AA-0087), or other active landfills as necessary. Burrtec's operators determine the final disposal location on a case-by-case basis. The San Timoteo Sanitary Landfill has a maximum throughput of 2,000 tons per day, an expected operational life through 2043, and a remaining capacity of 11,402,000 cubic yards. The Proposed Project includes a request for a PPA and issuance of the CUP to allow for the construction and operation the equipment and storage yard; no additional demand on waste services is anticipated. The Project would be served by a landfill with sufficient permitted capacity to accommodate its solid waste disposal needs. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

²⁸ Fontana Forward General Plan Update 2015-2035 Draft Environmental Impact Report. <https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update>. Accessed November 16, 2020

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The purpose of California Assembly Bill 341 is to reduce greenhouse gas emissions by diverting commercial solid waste from landfills by recycling. It mandates businesses and public entities generating 4-cubic yards or more of trash to establish and maintain recycling services. The County of San Bernardino Solid Waste Management Division reviews and approves all new construction projects that require a Construction and Demolition Solid Waste Management Plan (waste management plan).

A project's waste management plan is to consist of two parts which are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Planning and Building & Safety divisions. As part of the plan, proposed projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Disposal/diversion receipts or certifications are required as a part of that summary.

The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant. The Proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the Proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XX. WILDFIRE: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

San Bernardino Countywide Plan; Submitted Project Materials;

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

The evacuation routes nearest to the Project Site is the Interstate 10 Freeway which is located approximately 0.7 miles south of Project Site.²⁹ Therefore, operations and construction of the Proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain any emergency facilities. Continued operations at the Project Site would not interfere with an adopted emergency response or evacuation plan. Existing driveways would be maintained for ingress/egress and no new driveways are proposed. No impacts are identified or anticipated, and no mitigation measures are required.

No Impact

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?*

The Project Site is relatively flat. Fire safety areas are prone to wildfires and require additional development standards. The Project Site and its vicinity are not located within a fire safety boundary, as shown on the San Bernardino Countywide Plan Map: HZ-5 Fire Hazard Severity Zones.³⁰ Due to the lack of wildfire fuel factors within the Project Area, the risk of wildfires is less than significant. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

²⁹ <https://www.arcgis.com/apps/webappviewer/index.html?id=f54aff8f279449b8a6591ed4a8b1198c>
 Accessed April 7, 2021.

³⁰ San Bernardino Countywide Plan: HZ-5 Hazard Severity Zones
<https://www.arcgis.com/apps/webappviewer/index.html?id=355f9beb4a8f446e8869459e91d58431>
 Accessed November 20, 2020

Less Than Significant Impact

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

The Project Site is developed of an equipment and storage yard. Approval of the PPA and the respective CUP will authorize construction and operation of the equipment and storage yard. The Proposed Project does not include the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Therefore, no impacts are identified, and no mitigation measures are required.

No Impact

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

The Project Site and its immediate vicinity are relatively flat, no located within a Fire Hazard Severity Zone, and therefore post-fire slope instability is not anticipated. The implementation of associated storm water BMPs will ensure that the Proposed Project appropriately conveys storm water runoff without affecting upstream or downstream drainage characteristics. As a result, the Proposed Project would not expose people or structure to significant risks, such as downslope flooding or landslides. No significant impacts are identified or anticipated, and no mitigation measures are required.

Less Than Significant Impact

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
XXI. MANDATORY FINDINGS OF SIGNIFICANCE:				

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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the major periods of California history or prehistory?

b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?

a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

A General Biological Survey dated November 12, 2020, was prepared for the Proposed Project prepared Natural Resources Assessment, Inc. (NRAI). NRAI conducted a data search for information on plant and wildlife species known occurrences within the vicinity of the project. NRAI used the information to focus their survey efforts for the field assessment conducted on October 7, 2020. The field surveys included searches for sensitive biological resources and observations of potential habitat for sensitive species. Sign surveyed for included nests, tracks, scat, burrows, skeletal remains, and live animals and plants. NRA concludes that there was suitable nesting habitat on and around the property for nesting birds. It is the Project proponent’s responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. The Proposed Project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or a wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, and reduce the number or restrict the range of a rare or endangered plant or animal with implementation of Mitigation Measure BIO-1 through BIO-3. No additional mitigation is warranted.

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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A Phase I Cultural Resources Investigations, dated January 5, 2021, was prepared for the Proposed Project by McKenna et al. McKenna et al. considers the Project Site clear of archaeological resources but acknowledges the potential for buried resources (more likely historic archaeological resources). Although the likelihood is low, McKenna et al. recognizes this potential and recommends the project proponent be prepared should archaeological resources be uncovered as a result of project area preparation activities. The structures (built environment) within the Project Site consists of one commercial structure and three residential complexes. None of these have been determined to be significant cultural resources and, therefore, any alterations, renovations, or demolition activities will not result in any adverse impacts. As none are considered significant under CEQA criteria, no further studies are recommended. Documentation of the demolition activities are recommended to assure adequate recordation of these two complexes. Although no significant cultural resources were identified within the Project Site, the Project Proponent shall adhere to Mitigation Measures CR-1 and CR-2 and TCR-1 through TCR-3. No additional mitigation is warranted.

Less Than Significant Impact

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

- (c) Cumulative impacts shall be discussed when the project’s incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As concluded in the Trip Generation & Vehicle Miles Traveled Screening Analysis, the Proposed Project is anticipated to generate 74 daily trips, which is considered

Issues	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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insignificant and would not be cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Similarly, the pollutant emissions from the Proposed Project are below SCAQMD thresholds and therefore, the Proposed Project would be in compliance SCAQMD’s AQMP. In addition, greenhouse gas emissions from the Proposed Project are below County thresholds. Therefore, air quality and greenhouse gas impacts would not be cumulatively considerable.

Impacts associated with the Proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study can be reduced to a less than significant impact. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Less Than Significant Impact

- c) *Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?*

The incorporation of design measures, County of San Bernardino policies, standards, and guidelines and proposed mitigation measures as identified within this Initial Study would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis.

Less Than Significant Impact

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

GENERAL REFERENCES

- California Department of Conservation, California Important Farmland Finder. Accessed November 2020 from <https://maps.conservation.ca.gov/DLRP/CIFF/>
- California Department of Conservation, Mineral Land Classification of a Part of Southwestern San Bernardino County: Open-File Report 94-08 (east). Accessed April 2021.
- California Department of Conservation. Fault Activity Map of California (2010). <http://maps.conservation.ca.gov/cgs/fam>. Accessed April 2021.
- California Department of Toxic Substances Control, EnviroStor Database. Accessed April 2021.
- CalFire. Very High Fire Hazard Severity Zones in LRA. https://osfm.fire.ca.gov/media/6783/fhszl_map62.pdf. Accessed February 2021.
- California Energy Commission, California Energy Consumption Database. Accessed January April 2021 from <https://ecdms.energy.ca.gov/Default.aspx>
- California Energy Commission Efficiency Division. *Title 24: 2019 Building Energy Efficiency Standards*. Accessed on April 2021 from <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>
- San Bernardino Countywide Plan. <http://countywideplan.com/>. Accessed periodically.
- Federal Emergency Management Agency. National Flood hazard Layer. https://msc.fema.gov/portal/search?AddressQuery=grand%20terrace%2C%20ca#searchresults_anchor. Accessed April 2021.
- San Bernardino Valley Municipal Water District. 2015 Urban Water Management Plan. June 2016.

PROJECT-SPECIFIC REFERENCES

- Joseph E Bonadiman & Associates, Inc. Preliminary Water Quality Management Plan.
- Joseph E Bonadiman & Associates, Inc. Hydraulic and Hydrology Report. November 2018.
- McKenna et al. A Phase I Cultural Resources Investigation. January 5, 2021.
- Natural Resources Assessment, Inc. general Biological Survey. May 4, 2021.
- Ganddini Group. Trip Generation & Vehicle Miles Traveled Screening Analysis. December 17, 2020.

**Mitigation Monitoring and Reporting Program
Initial Study/Mitigated Negative Declaration
Oft Construction and Storage Yard**

Prepared by:



County of San Bernardino, Land Use Services Department

385 N. Arrowhead Avenue, 1st Floor
San Bernardino, California 92415-0182
Contact: Steven Valdez, Senior Planner

JANUARY 2022

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1 Introduction

The California Environmental Quality Act (CEQA) requires that a public agency adopting a 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 adopted mitigation measures identified in the MND for the proposed Oft Construction and Storage Yard when construction begins. The County, as the lead agency, will be responsible for ensuring that all mitigation measures are carried out. Implementation of the mitigation measures would reduce impacts to below a level of significance for biological, cultural resources, hydrology and water quality, hazards and hazardous materials, and tribal cultural resources.

The remainder of this MMRP consists of a table that identifies the mitigation measures by resource for each project component. Table 1 identifies the mitigation monitoring and reporting requirements, list of mitigation measures, party responsible for implementing mitigation measures, timing for implementation of mitigation measures, agency responsible for monitoring of implementation, and date of completion. With the MND and related documents, this MMRP will be kept on file at the following location:

County of San Bernardino
385 N. Arrowhead Avenue, First Floor
San Bernardino, California 92415

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2 Mitigation Monitoring and Reporting Program Table

Table 1 Mitigation Monitoring and Reporting Program

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<i>Biological</i>				
BIO-1: Applicant shall designate an avian biologist (qualified biologist) experienced in: identifying local and migratory bird species; conducting bird surveys using appropriate survey protocol, nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, identifying nesting stages and success; establishing avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.	Prior to Land Disturbance	Project applicant	County of San Bernardino	
BIO-2: If start of construction occurs between February 1 and August 31, then a qualified biologist shall conduct a breeding bird surveys at the appropriate time of day/night during the appropriate weather conditions, no more than three days prior to the start of construction to determine if nesting is occurring. This survey can be conducted as part of the burrowing owl surveys. Preconstruction surveys shall focus on direct and indirect evidence of nesting, including nest locations, nesting stages, and nest behavior. Surveys shall evaluate all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. The duration of the survey shall be dependent upon the size of the project site, density, and complexity of the habitat; and shall be sufficient to ensure complete and accurate data is collected.	Prior to Land Disturbance / Demolition	Project applicant	County of San Bernardino	
BIO-3: If active occupied nests are found, they shall not be disturbed unless the qualified biologist verifies	Prior to Land Disturbance	Project applicant	County of San Bernardino	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p><i>through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation, or (b) the juveniles from the occupied nests are capable of independent survival and will not be impacted by the removal of the nest. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service. The size and location of buffer zones shall be based on nesting bird species, species behavior, nesting stage, species sensitivity to disturbance, and the intensity and duration of the disturbance activity.</i></p>				
Cultural Resources				
<p>MM-CUL-1: <i>The Project Applicant shall have an archaeological consultant on-call, should any evidence of prehistoric resources be uncovered. If deemed appropriate, an archaeological monitoring program overseen by a qualified archaeological monitor and Native American representative be initiated. At the discretion of the Lead Agency, spot monitoring may be initiated to assure resources are not being missed or discarded. Any monitoring program must comply with standard profession policies and guidelines and managed by a professional archaeologist meeting the Secretary of the Interior standards.</i></p>	During Grading	Project applicant and their construction contractor	Kizh Nation	
<p>MM-CUL-2: <i>If, at any time, evidence of human remains (or potential human remains) is uncovered, all activities in the vicinity of the find must be halted, a buffer established, and the County Coroner immediately notified and permitted to examine the find in situ. The Coroner will determine the nature of the find. If the remains are</i></p>	During construction	Project applicant and their construction contractor	County of San Bernardino	

OFT CONSTRUCTION AND STORAGE YARD MMRP

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p><i>determined to be human, the Coroner will determine their origin: Native American; archaeological but non-Native American; or forensic. If determined to be of Native American origin, the Coroner will contact/notify the Native American Heritage Commission and the Most Likely Descendant (MLD) will be identified. In consultation between the MLD, Lead Agency, and property owner, the disposition of the remains will be determined. Any costs incurred would be the responsibility of the property owner. If the human remains are archaeological (non-Native American), the archaeological consultant will manage the removal, analysis, and reporting. The remains will be reinterred off-site and any costs incurred would be the responsibility of the property owner. If the remains are determined to be of forensic value, the Coroner will arrange for the removal and analysis. The County will assume responsibility of the remains and the property owner will not be responsible for any related costs.</i></p>				
<p><i>Hazards and Hazardous Materials</i></p>				
<p>MM-HAZ-1: <i>If a contaminated area is encountered during construction, construction shall cease in the vicinity of the contaminated area and the construction contractor shall notify all appropriate authorities, including the Environmental Protection Agency and the County. If necessary, the contaminated area shall be remediated to minimize the potential for exposure of the public and to allow the Project to be safely constructed.</i></p>	<p>During Construction</p>	<p>Project applicant</p>	<p>County of San Bernardino / Applicant</p>	
<p>MM-HAZ-2: <i>An Operations and Maintenance (O&M) Program shall be implemented in order to safely manage the suspect asbestos-containing materials and lead-based paint located at the Project Site until such time that demolition of the structures is scheduled.</i></p>	<p>Prior to and during construction</p>	<p>Project applicant</p>	<p>County of San Bernardino</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>MM-HAZ-3: Prior to the grading/construction activities, the Project Proponent shall prepare and submit to the County a Soil Management Plan to address potential encounters with impacted soil. The plan shall state the actions that would be required if contaminated soils are encountered and provide for cleanup of the said soils. The plan shall follow federal, State, and local safety guidelines and standards to avoid increased exposure to these pollutants.</p>	<p>Prior to grading and construction</p>	<p>Project applicant</p>	<p>County of San Bernardino</p>	
<p>Hydrology and Water Quality</p>				
<p>MM-WQ-1: The Project Proponent shall implement all Non-Structural Source Control Best Management Practices and Structural Source BMPs as listed in the final WQMP as approved by the County.</p>	<p>Prior to grading</p>	<p>Project applicant</p>	<p>County of San Bernardino</p>	
<p>Tribal Cultural Resources</p>				
<p>MM-TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency shall make a good faith effort to retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”). The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p>	<p>Prior to grading</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>B. A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.</p> <p>C. The project applicant/developer shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.</p> <p>D. The project applicant/developer shall hold at least one (1) pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project's construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project's compliance with the TCR mitigation measures.</p> <p>E. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts,</p>				

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request.</p> <p>F. Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.</p>				
<p>MM-TCR-2: Discovery of TCRs, Human Remains, and/or Grave Goods</p> <p>A. Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Consulting Tribe(s) (i.e., interested Tribes who have requested and engaged in formal Tribal consultation) shall be immediately informed of the discovery. An archaeologist that meets Secretary of Interior Professional Qualifications and/or a representative from the Consulting Tribe(s) will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless</p>	<p>During construction</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>and until the Consulting Tribe(s) and archaeologist have completed their assessment/evaluation/treatment of the discovered TCR and surveyed the surrounding area. Treatment protocols outlined in TCR-3 shall be followed for all discoveries that do not include human remains.</p> <p>B. If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American “human remains” are defined to include “an inhumation or cremation, and in any state of decomposition or skeletal completeness.” (Pub. Res. Code § 5097.98 (d)(1).) Funerary objects, referred to as “associated grave goods,” shall be treated in the same manner and with the same dignity and respect as human remains. (Pub. Res. Code § 5097.98 (a), d)(1) and (2).)</p> <p>C. Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health & Safety Code § 7050.5(c); 14 Cal. Code Regs. § 15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. § 15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission (NAHC), and Public Resources Code Section 5097.98 shall be</p>				

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p>followed, which includes the NAHC identifying the “Most Likely Descendant” (MLD). The landowner and MLD will then discuss appropriate treatment of the human remains.</p> <p>D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the MLD determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal representatives and/or archaeologist deems necessary). (14 Cal. Code Regs. § 15064.5(f).)</p> <p>E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.</p> <p>F. Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.</p>				
<p>MM-TCR-3: <i>Procedures for Burials, Funerary Remains, and Grave Goods:</i></p> <p>A. <i>Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.</i></p> <p>B. <i>As the Most Likely Descendant (“MLD”), the Koonas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.</i></p> <p>C. <i>If the discovery of human remains includes four (4) or more burials, the discovery location shall</i></p>	<p>During construction</p>	<p>Project applicant and their construction contractor</p>	<p>County of San Bernardino</p>	

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p><i>be treated as a cemetery and a separate treatment plan shall be created.</i></p> <p>D. <i>The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated “grave goods” (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.</i></p> <p>E. <i>In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.</i></p> <p>F. <i>In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed</i></p>				

Mitigation Measure	Implementation Timing	Party Responsible for Implementation	Party Responsible For Monitoring	Date of Completion/Notes
<p><i>upon by the Tribe and the landowner, and shall be protected in perpetuity.</i></p> <p>G. <i>Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items will be retained and shall be reburied within six months of recovery.</i></p> <p>H. <i>The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</i></p>				

EXHIBIT D

Findings

Project: A POLICY PLAN AMENDMENT TO CHANGE THE LAND USE CATEGORY DESIGNATION FROM LOW DENSITY RESIDENTIAL (LDR) AND MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMERCIAL (C) AND A LAND USE ZONING DISTRICT AMENDMENT FROM SINGLE RESIDENTIAL (RS) AND MULTIPLE RESIDENTIAL (RM) TO SERVICE COMMERCIAL (CS) ON NINETEEN PARCELS TOTALING APPROXIMATELY 17.83 ACRES, IN CONJUNCTION WITH A CONDITIONAL USE PERMIT FOR A CONSTRUCTION EQUIPMENT AND AUTOMOBILE STORAGE YARD ON FIVE PARCELS TOTALING APPROXIMATELY 8.1 ACERS; Project: P201800662 (PROJ-2020-00066).

FINDINGS: POLICY PLAN AND ZONING AMENDMENT:

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060, and supporting facts for the Policy Plan and Zoning Amendments on nineteen parcels totaling approximately 17.83 acres (APNs 0234-121-02 through -16, and 0234-121-18 through -21).

1. THE PROPOSED AMENDMENT IS INTERNALLY CONSISTENT WITH ALL OTHER PROVISIONS OF THE RESPECTIVE PLAN, THE POLICY PLAN OR AN APPLICABLE SPECIFIC PLAN;

The Policy Plan Amendment (PPA) would change the land use category of nineteen parcels from Low Density Residential (LDR) and Medium Density Residential (MDR) to Commercial (C) on approximately 17.83 acres. In conjunction with the PPA, the proposed amendment would change the Land Use Zoning District Amendment (Zoning Amendment) of the same nineteen parcels from Single Residential (RS) and Multiple Residential (RM) to Service Commercial (CS). A portion of the amendment is intended to authorize the proposal for a conditional use permit to operate a contractor's equipment and storage yard, including the conversion and demolition of on-site structures located on five parcels totaling approximately 8.1 acres. The amendment is internally consistent with the Policy Plan and will further the goals and policies stated in LU-1, LU-2, LU-2.7 and LU 6.3 by authorizing new development in an area that will minimize negative impacts on existing conforming uses and serve as a logical extension of the existing land use pattern in the area. The proposed amendment is located in an area that abuts an existing commercial area to the east and west and will allow the subject properties to develop the existing and proposed commercial uses in the area. The amendment will allow for the addition of jobs to the region and further a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and improve quality of life.

2. THE PROPOSED AMENDMENT WOULD NOT BE DETRIMENTAL TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE OF THE COUNTY;

The proposed amendment has been analyzed and has been determined through the preparation of an Initial Study/Mitigated Negative Declaration (SCH No. 2021080423) that the amendment will not have a significant impact on the public interest, health, safety, convenience or welfare of the County. The Initial Study/Mitigated Negative Declaration is incorporated by reference as substantial evidence in support of this finding. Future

development in the area will be subject to countywide development standards designed specifically to protect the public interest, health and safety of the County.

3. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE IS IN THE PUBLIC INTEREST, THERE WILL BE A COMMUNITY BENEFIT, AND OTHER EXISTING AND ALLOWED USES WILL NOT BE COMPROMISED;

The Project site is currently developed with structures and has been extensively disturbed by existing and previous operations. A variety of trucking yard uses and commercial/industrial land uses exist near the area. Approval of the proposed amendment will allow existing operations to be more representative of its current activities and better comply with the proposed land use category and land use zoning district. As such, the proposed amendment will be a benefit to the community and will not compromise existing development in the area.

4. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE WILL PROVIDE A REASONABLE AND LOGICAL EXTENSION OF THE EXISTING LAND USE PATTERN IN THE SURROUNDING AREA;

The amendment is an extension of an existing commercial area that abuts the project site to the east and west and will therefore provide a reasonable and logical extension of the existing commercial land uses occurring in the surrounding area.

5. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT DOES NOT CONFLICT WITH PROVISIONS OF THIS DEVELOPMENT CODE;

The proposed amendment does not conflict with the provisions of the Development Code because the amendment will meet the minimum district and parcel sizes requirements, will allow for the continued operations of all existing legal non-conforming uses and will authorize the approval of the proposed contractor storage yard that is being proposed in conjunction with this amendment.

6. THE PROPOSED LAND USE CATEGORY AND ZONING DISTRICT CHANGE WILL NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON SURROUNDING PROPERTY; AND

The proposed amendment has been analyzed and has been determined through the preparation of an Initial Study/Mitigated Negative Declaration (SCH No. 2021080423) that the amendment will not have a significant impact on the public, health, safety, convenience or welfare of the surrounding property. . Approval of the amendment will not result in a reduction of public services to properties in the vicinity. Adequate public services and facilities will be required for future ministerial and discretionary projects and all projects will be required to comply with countywide development standards intended to mitigate adverse effects on surrounding property.

- 7. THE AFFECTED SITE IS PHYSICALLY SUITABLE IN TERMS OF DESIGN, LOCATION, SHAPE, SIZE, OPERATING CHARACTERISTICS, AND THE PROVISION OF PUBLIC AND EMERGENCY VEHICLE (E.G., FIRE AND MEDICAL) ACCESS AND PUBLIC SERVICES AND UTILITIES (E.G., FIRE PROTECTION, POLICE PROTECTION, POTABLE WATER, SCHOOLS, SOLID WASTE COLLECTION AND DISPOSAL, STORM DRAINAGE, WASTEWATER COLLECTION, TREATMENT, AND DISPOSAL, ETC.), TO ENSURE THAT THE PROPOSED OR ANTICIPATED USES AND/OR DEVELOPMENT WOULD NOT ENDANGER, JEOPARDIZE, OR OTHERWISE CONSTITUTE A HAZARD TO THE PROPERTY OR IMPROVEMENTS IN THE VICINITY IN WHICH THE PROPERTY IS LOCATED.**

The proposed amendment will not jeopardize or constitute a hazard to property or improvement in the vicinity given that future development will utilize and improve upon existing roadways and services offered to the surrounding area. The proposed amendment will not have a substantial adverse effect on surrounding property and will be compatible with the existing and planned land use character of the surrounding area.

FINDINGS: CONDITIONAL USE PERMIT

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040(a) and supporting facts for the Conditional Use Permit (CUP) for a contractor's equipment and storage yard, including conversion of and demolition of on-site structures located, on five parcels totaling approximately 8.1 acres (APNs 0234-121-14, -15, -16, -18 and -19):

- 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 8.39-acre parcel is of adequate size and shape to accommodate the storage of construction equipment. All setbacks, walls, and yards have an appropriate landscaped buffer that meets or exceeds the requirements of the Development Code for the proposed use and land use designation. Approximately 20% of the site will be landscaped, which meets the County's minimum 20% landscaping standard for the proposed zoning district in which the project is located.

- 2. THE SITE FOR THE PROPOSED USE HAS ADEQUATE ACCESS, WHICH MEANS THAT THE SITE DESIGN INCORPORATES APPROPRIATE STREET AND HIGHWAY CHARACTERISTICS TO SERVE THE PROPOSED USE.**

The proposed Project has been conditioned to meet County requirements for street frontage and site ingress/egress to provide appropriate legal and physical access to the site. The Project is located on San Bernardino Avenue between Redwood Avenue and Live Oak Avenue. San Bernardino Avenue is a County-maintained road that provides adequate legal and physical access to the Project site.

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 surrounding properties will be protected under countywide development standards for noise, vibration, and lighting. Block walls with vegetative screening to buffer the interface and improve appearance are required. The loading and dropping of construction equipment shall be conducted only during the permitted operating hours. No repair operations shall be conducted on the project site. After 9:00 p.m. the noise level 12-Hour Equivalent Sound Level (Interior) in dBA Ldn must be under 65 within the structure.

4. THE PROPOSED USE AND MANNER OF DEVELOPMENT ARE CONSISTENT WITH THE GOALS, MAPS, POLICIES, AND STANDARDS OF THE COUNTY GENERAL PLAN AND ANY APPLICABLE COMMUNITY OR SPECIFIC PLAN.

The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the Countywide Plan/Policy Plan. The proposed site plan, together with the provisions for its design and improvement are also consistent with the Countywide Plan/Policy Plan. The Project specifically implements the following goals:

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

Policy LU-1.2 Infill Development: *We prefer new development to take place on existing vacant and underutilized lots where public services and infrastructure are available.*

- Goal/Policy Implementation: The proposed Project is located on a lot that was previously developed. The redevelopment of the lot will be fiscally sustainable and occurs on an underutilized lot where infrastructure is available. The Project is proposed within an existing Residential land use category that will be modified to a commercial land use category that better represents the existing uses on the block.

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.*

- Goal/Policy Implementation: The Project is located in a corridor with other compatible commercial and industrial uses within the Service Commercial (CS) zone to the east, which provides sites for light industrial uses that have not generated severe negative impacts. Considering features of the site design, the arrangement of land uses within the vicinity, and data included in the supporting studies, the Project is compatible with the surrounding area.

Policy LU-2.6 Coordination with adjacent entities: *We require that new and amended development projects notify and coordinate with adjacent local, state and federal entities to maximize land use compatibility, inform future planning and implementation, and realize mutually beneficial outcomes.*

- Goal/Policy Implementation: The Project Notice was sent to adjacent entities for coordination, including to the City of Fontana, and the local Tribe in compliance with AB-52 guidelines. The City of Fontana is in support of the change of the Policy Plan and Zoning designations, and no tribal issues exist on the project site with the implementation of mitigation measures.

Policy LU-2.7 Countywide job-housing balance: *We prioritize growth that furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and household income, and improve quality of life. We also strive for growth that furthers a balance of jobs and housing in the North Desert region and the Valley region.*

- Goal/Policy Implementation: The Project will add additional jobs to the region and furthers a countywide balance of jobs and housing to reduce vehicle miles traveled, increase job opportunities and improve quality of life.

Policy LU-6.3 Commercial Amendments: *We will only approved Land Use Plan amendments that would introduce new commercial areas in the context of a comprehensive Land Use Plan amendment. We may waive this requirement when the proposed amended area abuts and existing or designated commercial area and the amount of land available for new commercial uses falls below 15 percent of the total commercially-designated land in the area.*

- Goal/Policy Implementation: The proposed amendment abuts and existing commercial area and the amount of land available for new commercial uses is less than 15% of the total land available. Furthermore, the new commercial area is in the context of a comprehensive Land Use Plan.

The Project will not conflict with any applicable adopted land use plan, policy, or regulation or an agency with jurisdiction over the Project and will implement the goals/policies described in the General Plan.

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.

Public streets adjacent to and surrounding the Project are largely improved to County Standards. The anticipated relatively-low traffic generation of the Project will not increase service level demand. The City of Fontana will serve the site for water.

6. THE LAWFUL CONDITIONS STATED IN THE APPROVAL ARE DEEMED REASONABLE AND NECESSARY TO PROTECT THE OVERALL PUBLIC HEALTH, SAFETY AND GENERAL WELFARE.

Conditions of approval include measures to protect neighboring residences, businesses, and property owners to minimize noise, vibration, lighting, air quality, and traffic impacts and enforce performance standards to protect the overall public health, safety and general welfare.

7. THE DESIGN OF THE SITE HAS CONSIDERED THE POTENTIAL FOR THE USE OF SOLAR ENERGY SYSTEMS AND PASSIVE OR NATURAL HEATING AND COOLING OPPORTUNITIES.

Although solar energy generation and use is not a part of this Project proposal, the design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.

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 to not have a significant adverse impact on the environment with the implementation of all the required mitigation measures. A Mitigated Negative Declaration (MND) is recommended for adoption, and a Notice of Determination (NOD) will be filed by 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 E

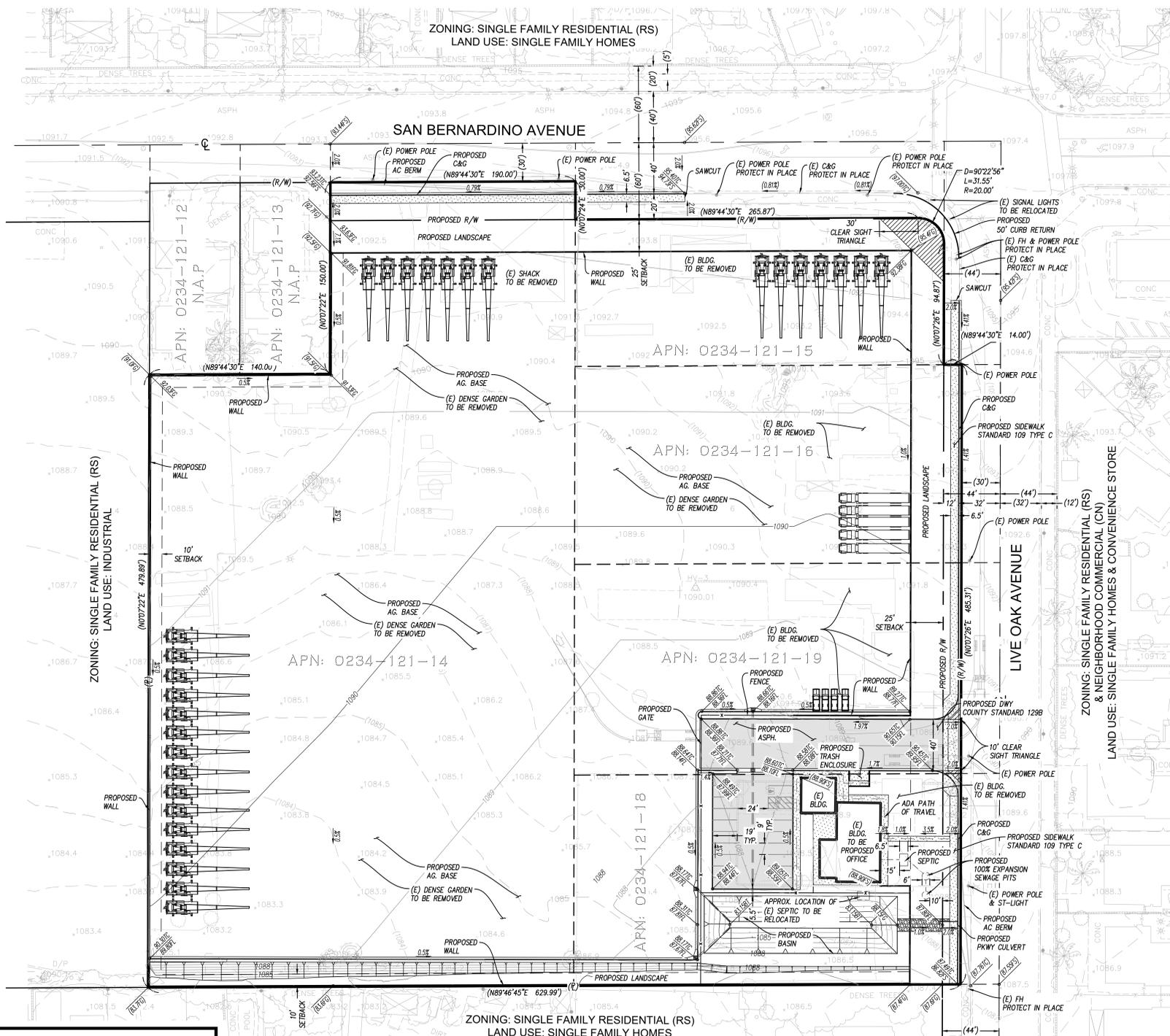
Site Plan

PRELIMINARY GRADING PLAN

14835 SAN BERNARDINO AVE.

COUNTY OF SAN BERNARDINO, CA
APN: 0234-121-14, 15, 16, 18 & 19

OFFICIAL USE ONLY



PROJECT INFORMATION

ASSessor'S PARCEL NO: 0234-121-14, 15, 16, 18 & 19
 GROSS ACREAGE: 365,258 SF/8.39 AC
 NET ACREAGE: 352,763 SF/8.10 AC
 EXISTING ZONING: SINGLE RESIDENTIAL (RS)
 EXISTING LAND USE: SINGLE RESIDENTIAL (RS)
 PROPOSED LAND USE: EQUIPMENT STORAGE YARD
 CABLE: SPECTRUM (800) 892-4357
 WATER PURVEYOR: FONTANA WATER COMPANY (909) 822-2201
 SEWER PURVEYOR: CITY OF FONTANA (909) 350-7670
 GAS PURVEYOR: SOUTHERN CALIFORNIA GAS CO. (800) 427-2000
 ELECTRICITY PURVEYOR: SOUTHERN CALIFORNIA EDISON (800) 655-4555
 TELEPHONE PURVEYOR: SPECTRUM (800) 892-4357

PROJECT DESCRIPTION

DEVELOP CONSTRUCTION EQUIPMENT/AUTOMOBILE STORAGE YARD CONSISTING OF AN OFFICE AND EMPLOYEE PARKING.

PROPERTY OWNER

DAN OTTING
 THE OFT FAMILY CORP.
 893 W 16TH ST.
 NEWPORT BEACH, CA 92663
 OFFICE: (323) 477-2151

PROPERTY ADDRESS

14835 SAN BERNARDINO AVE.
 FONTANA, CA 92335

EXHIBIT PREPARED BY

JOSEPH E BONADIMAN & ASSOC, INC
 234 N. ARROWHEAD AVE.
 SAN BERNARDINO, CA 92408-1013
 PHONE: (909) 885-3806
 FAX: (909) 381-1721

PARCEL COVERAGE

SUBJECT	EXISTING	%	PROPOSED	%
BUILDING(S)	14,004 SF.	3.8%	3,230 SF.	0.9%
IMPERVIOUS	21,531 SF.	5.9%	299,330 SF.	84.8%
PERVIOUS	329,222 SF.	90.3%	50,202 SF.	14.2%
TOTALS	365,258 SF.	100% (8.39 AC.)	352,763 SF.	100% (8.10 AC.)

THE QUANTITIES ABOVE ARE PER GIS DATA AND IS APPROXIMATE ONLY.

LEGAL DESCRIPTION

PARCEL 1:
 THE WEST ONE-HALF OF THE EAST ONE-HALF OF FARM LOT 807, ACCORDING TO THE SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:
 THE NORTH 175 FEET OF THE NORTH ONE-HALF OF THE EAST ONE-HALF OF THE EAST ONE-HALF OF LOT 807, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 3:
 THE NORTH 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF FARM LOT 807, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 4:
 THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE EAST 1/2 OF THE EAST 1/2 OF FARM LOT 807, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, RECORDS OF SAID COUNTY.

PARCEL 5:
 THE NORTH HALF OF THE FOLLOWING DESCRIBED PROPERTY:
 THE SOUTH HALF OF THE EAST HALF OF THE EAST HALF OF FARM LOT 807, ACCORDING TO MAP SHOWING SUBDIVISION OF LANDS BELONGING TO THE SEMI-TROPIC LAND AND WATER COMPANY, AS PER MAP RECORDED IN BOOK 11, PAGE 12 OF MAPS, RECORDS OF SAID COUNTY.

BUILDING SETBACK

FRONT: 25'
 REAR: 10'
 SIDE (STREET): 25'
 SIDE (INTERIOR): 10'

BUILDING HEIGHT: 35' MAXIMUM
 LOT COVERAGE: 80%
 LANDSCAPE: 20% MINIMUM

DATA DERIVED PER SAN BERNARDINO COUNTY SPECIAL DEVELOPMENT - COMMERCIAL (SD-COM) ZONING REGULATIONS.

FLOOD ZONE NOTE

ALL PROPERTY IS LOCATED WITHIN FEMA ZONE X:
 "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD."

PER FLOOD INSURANCE RATE MAP NO. 06071C0653J
 EFFECTIVE DATE: SEPTEMBER 2, 2016

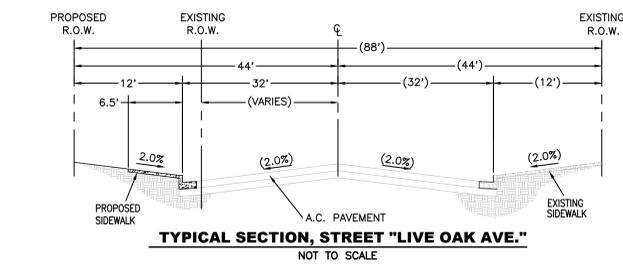
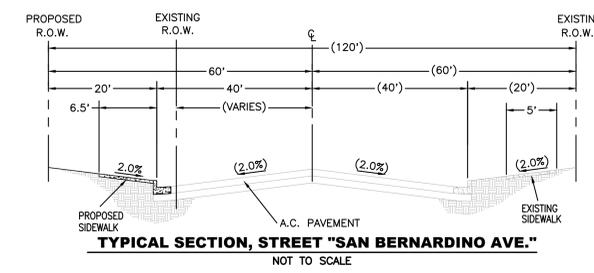
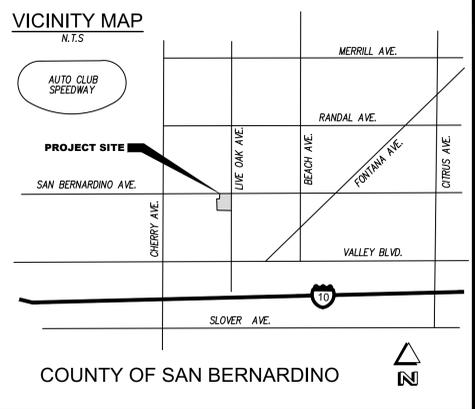
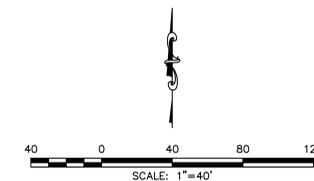
PARKING COUNT

VEHICLE STALLS 20
 DISPLAY STALLS 0
 TOTAL 20

EARTHWORK QUANTITIES:

CONSTRUCTION MAY VARY:
 CUT 4,288 CUBIC YARDS
 FILL 16,431 CUBIC YARDS

EARTH WORK QUANTITIES NOTE: THE ABOVE LISTED QUANTITIES REFLECT THE ENGINEER'S ESTIMATE OF THE ACTUAL VOLUMES OF MATERIAL CUT AND FILLED. THESE QUANTITIES ARE FOR ESTIMATING AND BIDDING PURPOSE ONLY. THE CONTRACTOR IS RESPONSIBLE FOR COMPUTING HIS OWN QUANTITIES FOR CONTRACT PURPOSES.



LEGEND

- AC ASPHALTIC CONCRETE SURFACE
- AG AGGREGATE
- BVC BEGIN VERTICAL CURVE
- C&G CURB & GUTTER
- CL CENTER LINE
- DWY DRIVEWAY
- EVO END OF VERTICAL CURVE
- FF FINISH FLOOR
- FG FINISH GRADE
- FH FIRE HYDRANT
- FL FLOWLINE
- FS FINISHED SURFACE
- GB GRADE BREAK
- GW GUY WIRE
- INV INVERT OF PIPE
- MH MANHOLE
- N.T.S. NOT TO SCALE
- PP POWER POLE
- TC TOP OF CURB
- TW TOP OF WALL
- TYP TYPICAL
- WI WROUGHT IRON (XXX) EXISTING ELEVATION
- EXISTING CONCRETE SURFACE
- PROPOSED GRAVEL
- PROPOSED CONCRETE SURFACE
- PROPOSED AC PAVEMENT
- RIGHT OF WAY
- PROPERTY LINE
- CENTERLINE
- PROPOSED BLOCK OR STONE WALL
- FLOWLINE
- FILL SLOPE
- INDICATES DIRECTION OF FLOW
- CONTOUR ELEVATION (FEET)
- PATH OF TRAVEL

BONADIMAN

JOSEPH E. BONADIMAN & ASSOCIATES, INC.
 ENGINEERS - G.T.S. - SURVEYING - PLANNING

TEL. (909) 885-3806
 234 NORTH ARROWHEAD AVE
 SAN BERNARDINO, CA 92408
 FAX (909) 381-1721
 www.bonadiman.com

OFT CONSTRUCTION EQUIPMENT YARD

14835 SAN BERNARDINO AVENUE
 FONTANA, CA 92335
 APN: 0234-121-14, 15, 16, 18 & 19

REVISIONS				
NO	DESCRIPTION	BY	APPROVED	DATE

PREPARED FOR: THE OFT FAMILY CORPORATION
 DRAWN BY: RN SCALE: 1" = 40'
 CHECKED BY: EJB JOB NO: 184546 SHEET: 1 OF 1 **SP1**
 DISREGARD PRINTS BEARING EARLIER REVISION DATES 01-20-22