



# LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

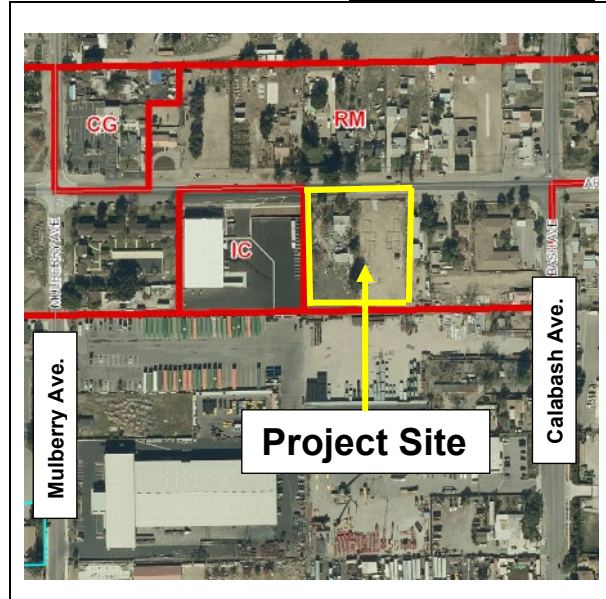
**HEARING DATE: May 20, 2021**

**AGENDA ITEM #2**

**Project Description**

**Vicinity Map -**

**APN:** 0230-091-04 and 05  
**Applicant:** Lord Constructors, LLC  
**Community:** Fontana / 2<sup>ND</sup> Supervisorial District  
**Location:** South side of Arrow Route, approximately 350 feet west of Calabash Avenue  
**Project No:** PROJ-2020-00220  
**Staff:** Jim Morrissey  
**Rep:** Gloria Loofbourrow  
**Proposal:** (1) Policy Plan Amendment from MDR (Medium Density Residential) to LI (Limited Industrial); (2) Zoning Amendment from RM (Multiple Residential) to IC (Community Industrial), and; (3) Conditional Use Permit to construct two warehouse/fabrication buildings of 16,831 sq. ft. and 15,613 sq. ft. on separate parcels totaling 1.8 acres



**25 Hearing Notices Sent on : May 7, 2021**

Report Prepared By: Jim Morrissey, Contract Planner

**SITE INFORMATION:**

Parcel Size: 1.8 acres  
 Terrain: Relatively flat  
 Vegetation: Minimal vegetation, due to existing residences and existing business uses.

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

AREA	EXISTING LAND USE	LAND USE CATEGORY	ZONING DISTRICT
SITE	Single Family Residence and storage	Medium Density Res. (MDR)	Multiple Residential (RM)
North	Residential	Medium Density Res. (MDR)	Multiple Residential (RM)
South	Industrial	Limited Industrial (LI)	Community Industrial (IC)
East	Residential	Medium Density Res. (MDR)	Multiple Residential (RM)
West	Industrial	Limited Industrial (LI)	Community Industrial (IC)

	<u>Agency</u>	<u>Comment</u>
City Sphere of Influence:	Fontana	None received
Water Service:	Fontana Water Company	Will Serve
Sewer Service:	Environmental Health Services	Septic Tank

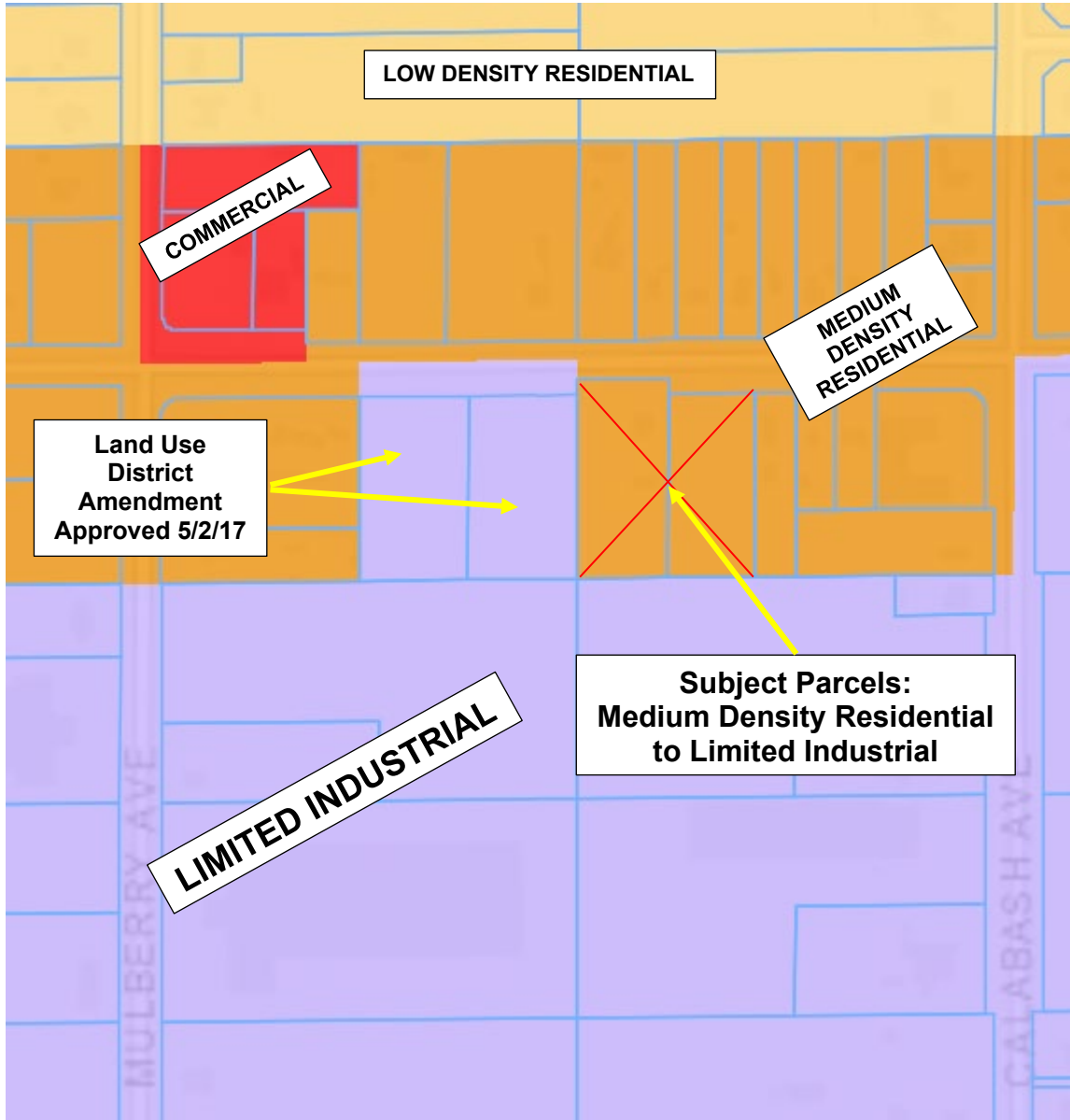
**STAFF RECOMMENDATION:** That the Planning Commission recommend that the Board of Supervisors **ADOPT** the Mitigated Negative Declaration; **ADOPT** the Findings contained in the staff report; **ADOPT** the Policy Plan Amendment; **ADOPT** the Zoning Amendment; **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval, and **DIRECT** the Clerk of the Board to file a Notice of Determination. <sup>1</sup>

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

**VICINITY MAP:**  
Aerial view of the Project Site



**CURRENT AND PROPOSED LAND USE CATEGORY MAP:**



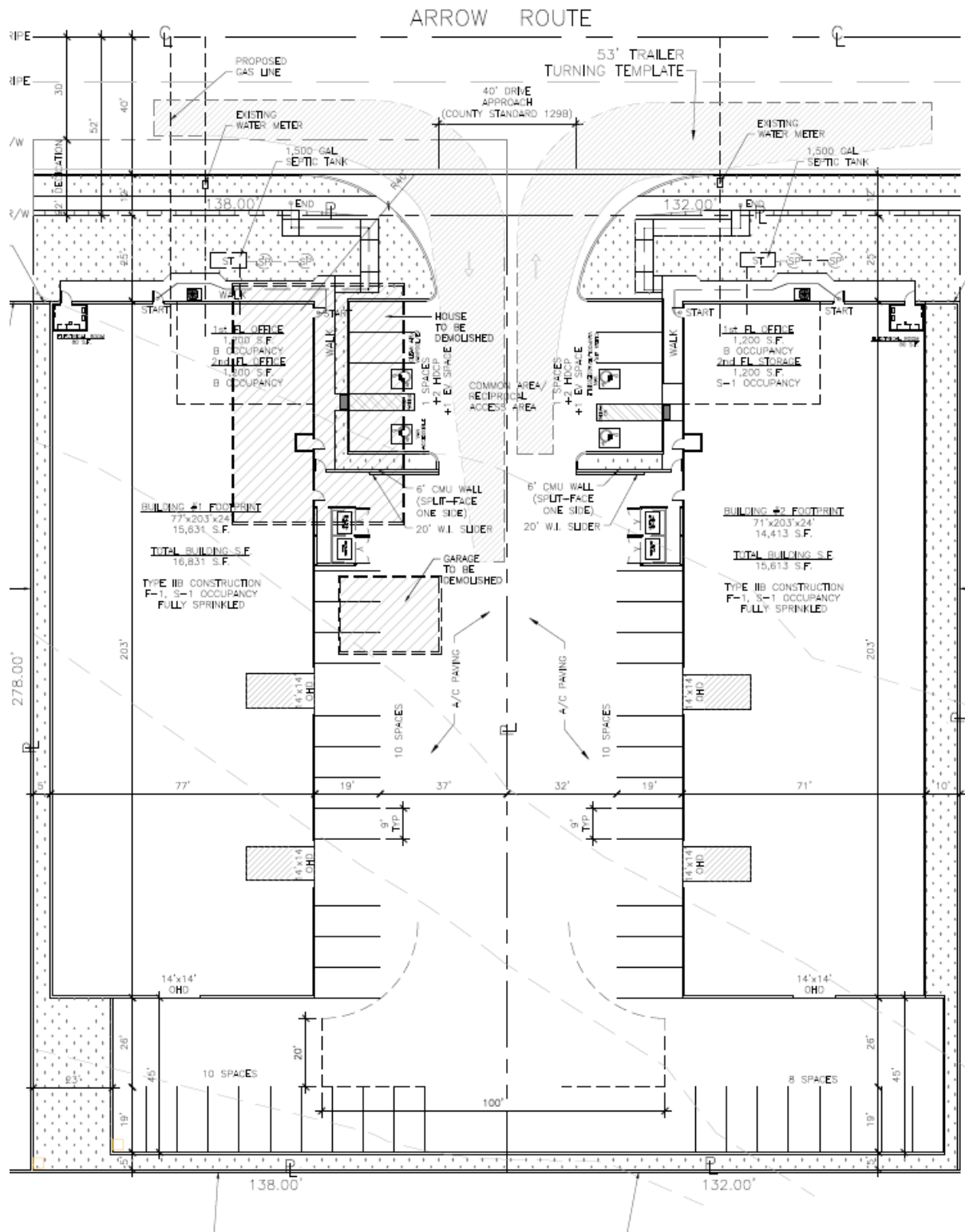
**CURRENT AND PROPOSED ZONING MAP:**



**AERIAL MAP:**

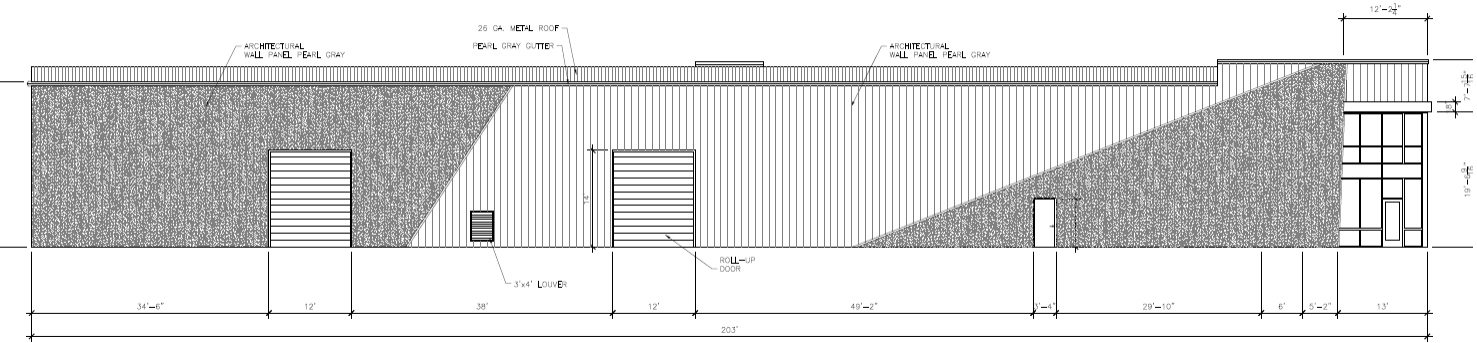


**SITE PLAN:**

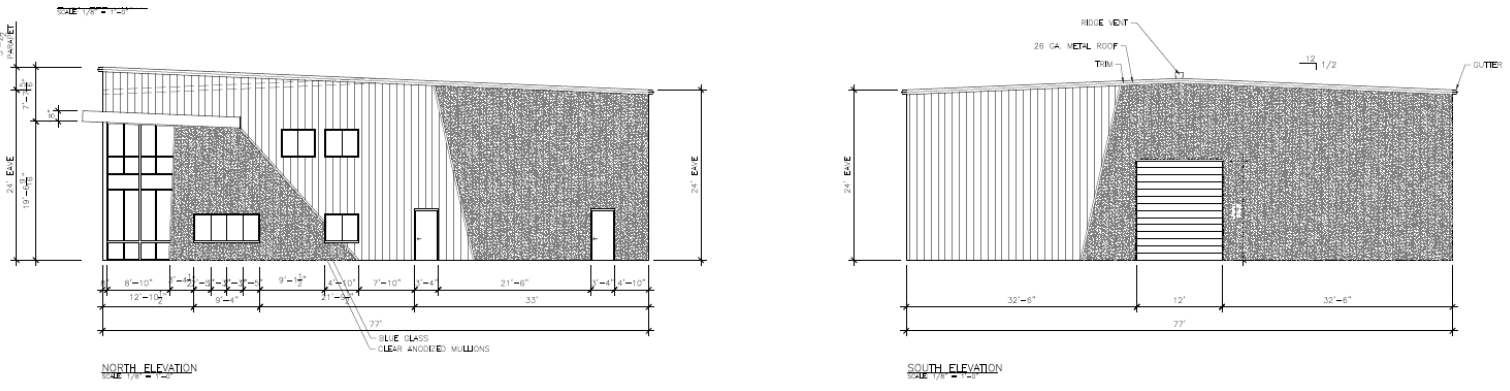


**BUILDING ELEVATIONS:**

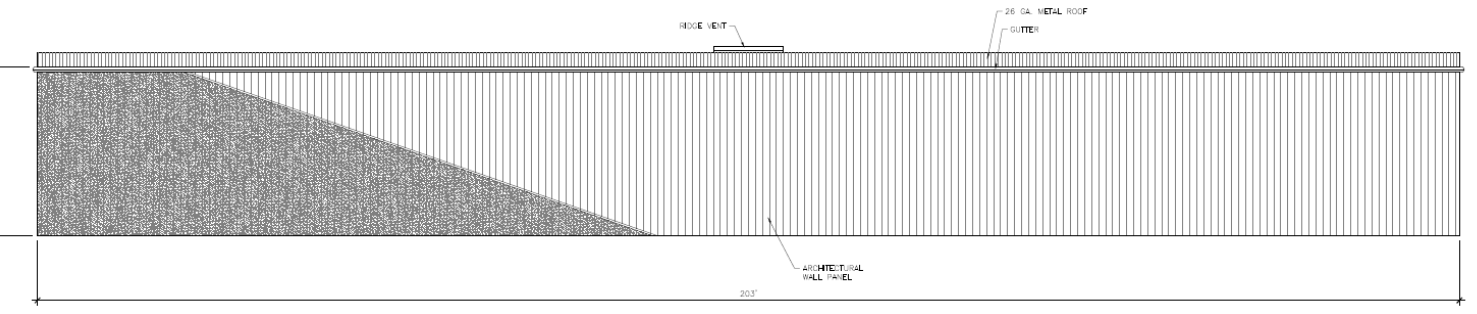
**Facing the Interior Parking Areas**



**North and South Ends of the Buildings**



**Facing Exterior Properties**



## SITE PHOTOS

View easterly across the frontage of the subject property.



View of buildings along the adjoining easterly property boundary looking onto the subject property.





View westerly onto the adjoining property.



View of the north side of Arrow Route, looking easterly, across from the Project site.



## **PROJECT DESCRIPTION AND BACKGROUND:**

This item consists of the following actions to be recommended to the Board of Supervisors:

- (1) Policy Plan Amendment to change the Land Use Category designation from MDR (Medium Density Residential) to LI (Limited Industrial).
- (2) Zoning Amendment to change the Land Use Zoning District from RM (Multiple Residential) to IC (Community Industrial).
- (3) Conditional Use Permit to construct two warehouse/fabrication buildings of 16,831 square-foot and 15,613 square-foot on separate parcels totalling 1.8 acres.

The subject property is located within a block that has multiple Policy Plan Land Use Category designations and Zoning Districts. General Commercial zoning is located approximately 400 feet to the west at the northeast corner of Arrow Route and Mulberry Avenue. Community Industrial zoning adjoins the westerly and southerly property lines. Multiple Residential zoning adjoins the easterly property line and across the street to the north. An amendment similar to the proposed project was approved by the Board of Supervisors on May 2, 2017, on the adjoining property to the west for a similar sized property.

Existing land uses in the area also include a variety of land use types, with industrial to the west and south, multiple residential to the east, and both single and multiple family residential to the north.

The subject property was improved over the years with a single family residence on the westerly parcel and building foundations and initial structural framing constructed on the easterly parcel. However, the residence on the westerly parcel was removed in February 2021, and the framing on the foundations was removed prior to that time.

### **Overall Project Design**

The Project is being proposed as a fabrication facility, but primarily involves the assembly of materials with some product and material storage. The proposed Project does not include a merger of the existing parcels, but will utilize a common driveway for public access to each property through the recordation of an agreement, as required by Condition #98 in the Conditions of Approval (Exhibit C). The fencing separating the parcels will also have gates to allow the movement of goods from one building or property to the other.

Each building and use meets their respective Development Code requirements within the boundaries of each parcel. Although each building layout is essentially a mirror image of each other, the requirements for each parcel vary slightly due to the existence of Industrial zoning to the west and Multiple Family zoning to the east, which necessitate different setback distances. However, the drainage from both parcels will be captured on the westerly parcel, also addressed through the above-referenced agreement required in the Conditions of Approval.

The scope of the proposed development will consist of site grading, site preparation, appurtenant improvements, and construction of the proposed buildings, with on-site parking and loading areas, circulation, appropriate landscaping and stormwater management improvements.

### **PROJECT ANALYSIS:**

The proposed Project complies with the County's Development Code, including setbacks, building height, accessibility, and parking.

Code Compliance Summary: As noted above, the Project satisfies all applicable standards of the Development Code for development in the IC Zoning District, as illustrated in Table 2 below:

**Table 2: PROJECT CODE COMPLIANCE**

<b>Project Component</b>	<b>Development Code Community Industrial</b>	<b>Project Plans (Proposed)</b>
Warehouse and Fabrication	CUP	CUP
Parking	<p><i>Building One/Parcel One:</i></p> <ul style="list-style-type: none"> <li>Office Area: 2,400 sq. ft. @ 1/250 = 10 spaces</li> <li>Storage/Manufacturing: 14,431 sq. ft. @ 1/1,000 = 14 spaces</li> <li>Handicapped Parking @ 2/50 = 2 spaces</li> <li>Loading Spaces @ 1/5,000 sq. ft. = 3 spaces</li> </ul> <p><i>Building Two/Parcel Two:</i></p> <ul style="list-style-type: none"> <li>Office Area: 1,200 sq. ft. @ 1/250 = 4 spaces</li> <li>Storage/Manufacturing: 13,213 sq. ft. @ 1/1,000 = 13 spaces</li> <li>Handicapped Parking @ 2/50 = 2 spaces</li> <li>Loading Spaces @ 1/5,000 sq. ft. = 3 spaces</li> </ul>	<p><i>Building One/Parcel One:</i></p> <ul style="list-style-type: none"> <li>Office Area = 10 spaces</li> <li>Storage/Manufacturing = 14 spaces</li> <li>Handicapped = 2 spaces</li> <li>Loading Spaces = 2 spaces*</li> </ul> <p><i>Building Two/Parcel Two:</i></p> <ul style="list-style-type: none"> <li>Office Area = 4 spaces</li> <li>Storage/Manufacturing = 13 spaces</li> <li>Handicapped = 2 spaces</li> <li>Loading Spaces = 2 spaces*</li> </ul> <p><i>*Loading spaces can be shared. No more than 4 spaces are required.</i></p>
Landscaping	Minimum 15% Landscaping	15% landscaping
Building Setbacks	<p>Front = 25 feet</p> <p>Side = 10 feet (On one side. Must provide adjacent to residential)</p> <p>Rear = 10 feet</p>	<p>25'</p> <p>5' and 10'</p> <p>45'</p>
Building Height	45 feet maximum	27 feet (approximately)
Drive Aisles	26'	26' minimum

**CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE:**

An Initial Study was prepared for the proposed Project and circulated for review (Exhibit A). The proposed Project is relatively small in nature and occurs on a previously developed site within an urban area. As such, no significant environmental topics were identified. The items listed below summarize particular topical areas that include recommended mitigation measures that are typical in similar settings.

Cultural/Tribal Resources: Contact with Tribes occurred as part of the AB 52 Tribal Consultation and SB 18 Tribal Notification process based upon those Tribes that contacted Staff for notification and a listing of Tribes from the Native American Heritage Commission, respectively. Three Tribes contacted the County, but only the San Manuel Band of Mission Indians provided recommended measures. The other Tribes indicated either the area was beyond their “Traditional Use Area” or they did not wish to comment. No Tribe indicated the potential for Tribal resources, but did recommend measures should such resources be found during construction activities.

Noise: A noise study was not conducted for the use, and conditions were included based upon existing County Development Standards for hours of operation and additional measures for siting staging areas that would reduce potential conflicts with surrounding sensitive land uses.

Geological: The Countywide Plan Programmatic Environmental Impact Report (EIR) contains information on potential areas for paleontological resources, based upon known geologic conditions. The Valley area of the County has a very broad potential for such resources that range from low to high. The Countywide Plan EIR contains a mitigation measure that provides guidance for actions depending upon the depth of site excavation. Due to this potential a mitigation measure has been included for a paleontologist to assess potential resources if they are unearthed during construction.

**Public Comments:**

Public notices were distributed to surrounding residents on a number of occasions, as noted below.

- Project notices were sent to surrounding property owners within 300 feet of the Project site on January 13, 2021, as required by Development Code Section 85.03.080. No comments were received.
- Notices were mailed to surrounding landowners, residents, and business owners on March 5, 2021, advertising a Zoom meeting on March 17, 2021, as required by the Environmental Justice Element of the County's Policy Plan. No one identified themselves in the meeting other than the applicant and Staff. It is believed one other person joined the meeting and was listening to the discussion.
- A Notice of Availability/Notice of Intent indicating the availability of the environmental documentation was distributed to surrounding property owners. No comments were received as of the posting of this staff report.
- Planning Commission hearing notices were mailed two weeks before the scheduled hearing date.

**RECOMMENDATION:**

That the Planning Commission recommend that the Board of Supervisors:

1. **ADOPT** the Mitigated Negative Declaration (Exhibit A);
2. **ADOPT** the recommended Findings for approval of the Project (Exhibit B);
3. **ADOPT** a Policy Plan Amendment to change the Land Use Category from Medium Low Density Residential (MDR) to LI (Limited Industrial);
4. **ADOPT** a Zoning Amendment to change the Land Use Zoning District from RM (Multiple Residential) to IC (Community Industrial);
5. **APPROVE** a Conditional Use Permit to construct two warehouse/fabrication buildings of 16,831 square-foot and 15,613 square-foot on separate parcels totalling 1.8 acres, subject to the recommended Conditions of Approval (Exhibit C); and
6. **DIRECT** the Clerk of the Board to file the Notice of Determination.

**ATTACHMENTS:**

- EXHIBIT A: Initial Study/Mitigated Negative Declaration
- EXHIBIT B: Findings
- EXHIBIT C: Conditions of Approval
- EXHIBIT D: Letter of Intent
- EXHIBIT E: Site Plan

# EXHIBIT A

## Initial Study/Mitigated Negative Declaration

**SAN BERNARDINO COUNTY  
 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:**

<b>APNs:</b>	0230-091-04 and 05	<b>USGS Quad:</b>	Fontana
<b>Applicant:</b>	Lord Constructors, Inc. 1820 W. 11 <sup>th</sup> St Upland, CA 91786	<b>T, R, Section:</b>	T01S,R06W,S7
<b>Location</b>	On the south side of Arrow Route, approximately 350 feet west of Calabash Avenue.	<b>Thomas Bros</b>	Page 604; A-2
<b>Project No:</b>	PROJ-2020-00220	<b>Community Plan:</b>	None
<b>Rep</b>	Lord Constructors, Inc. 1820 W. 11 <sup>th</sup> St Upland, CA 91786	<b>LUZD:</b>	MR – Multiple Residential
<b>Proposal:</b>	Policy Plan Amendment from MDR (Medium Density Residential) to LI (Limited Industrial) and a Zone Change from RM (Multiple Residential) to IC (Community Industrial) and a Conditional Use Permit to establish two separate warehouse/fabrication buildings of 16,831 sq. ft. and 15,613 sq. ft. and associated parking and landscaping with a common access drive on two separate parcels totaling approximately 1.8 acres, 2 <sup>nd</sup> Supervisorial District;	<b>Overlays:</b>	Burrowing Owl

**PROJECT CONTACT INFORMATION:**

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

**Contact person:** Jim Morrissey, Contract Planner

**Phone No:** (909) 387-4234      **Fax No:** (909) 387-3223  
**E-mail:** [jim.morrissey@lus.sbcounty.gov](mailto:jim.morrissey@lus.sbcounty.gov)

**Project Sponsor:** Lord Constructors, Inc.  
 1820 W. 11<sup>th</sup> St  
 Upland, CA 91786  
 Lord Constructors, Inc.

**PROJECT DESCRIPTION:**

**Summary**

Policy Plan Amendment from MDR (Medium Density Residential) to IC (Community Industrial) and a Zone Change from RM (Multiple Residential) to IC (Community Industrial) and a Conditional Use Permit to establish two separate warehouse/fabrication buildings of 16,831 sq. ft. and 15,613 sq. ft. and associated parking and landscaping with a common access drive on two separate parcels totaling approximately 1.8 acres.

**Surrounding Land Uses and Setting**

Existing Land Use and Land Use Zoning Districts		
Location	Existing Land Use	Land Use Zoning District
<b>Project Site</b>	Vacant	RM (Multiple Residential)
North	Arrow Route and single-family residential homes on the north side of road.	RM (Multiple Residential)
South	Industrial storage facility	IC (Community Residential)
East	Residential development	RM (Multiple Residential)
West	Industrial development	IC (Community Residential)

**Project Site Location, Existing Site Land Uses and Conditions**

CEQA Guidelines §15125 establishes requirements for defining the environmental setting to which the environmental effects of a proposed project must be compared. The environmental setting is defined as "...the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation is published, or if no Notice of Preparation is published, at the time the environmental analysis is commenced..." (CEQA Guidelines §15125[a]). The Project does not require the preparation of an Environmental Impact Report and a Notice of Preparation is not required. Thus, the environmental setting for the Project is the approximate date that the project's Initial Study Checklist commenced in January 2021.

The project sited is located on the south side of Arrow Route between Calabash Avenue and Mulberry Avenue in the unincorporated area of Fontana. The site is bounded to the north by Arrow Route, to the east by a residential development, to the west by an industrial development, and to the south by an industrial storage facility. The site has been disturbed by recent activities that include the demolition of a house on the western portion of the site and the construction of a building foundation and the start of framing for a building on the eastern portion of the site. The framing has since been removed and the building foundation is to be removed in the near future.

**ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

Federal: None.

State of California: None.

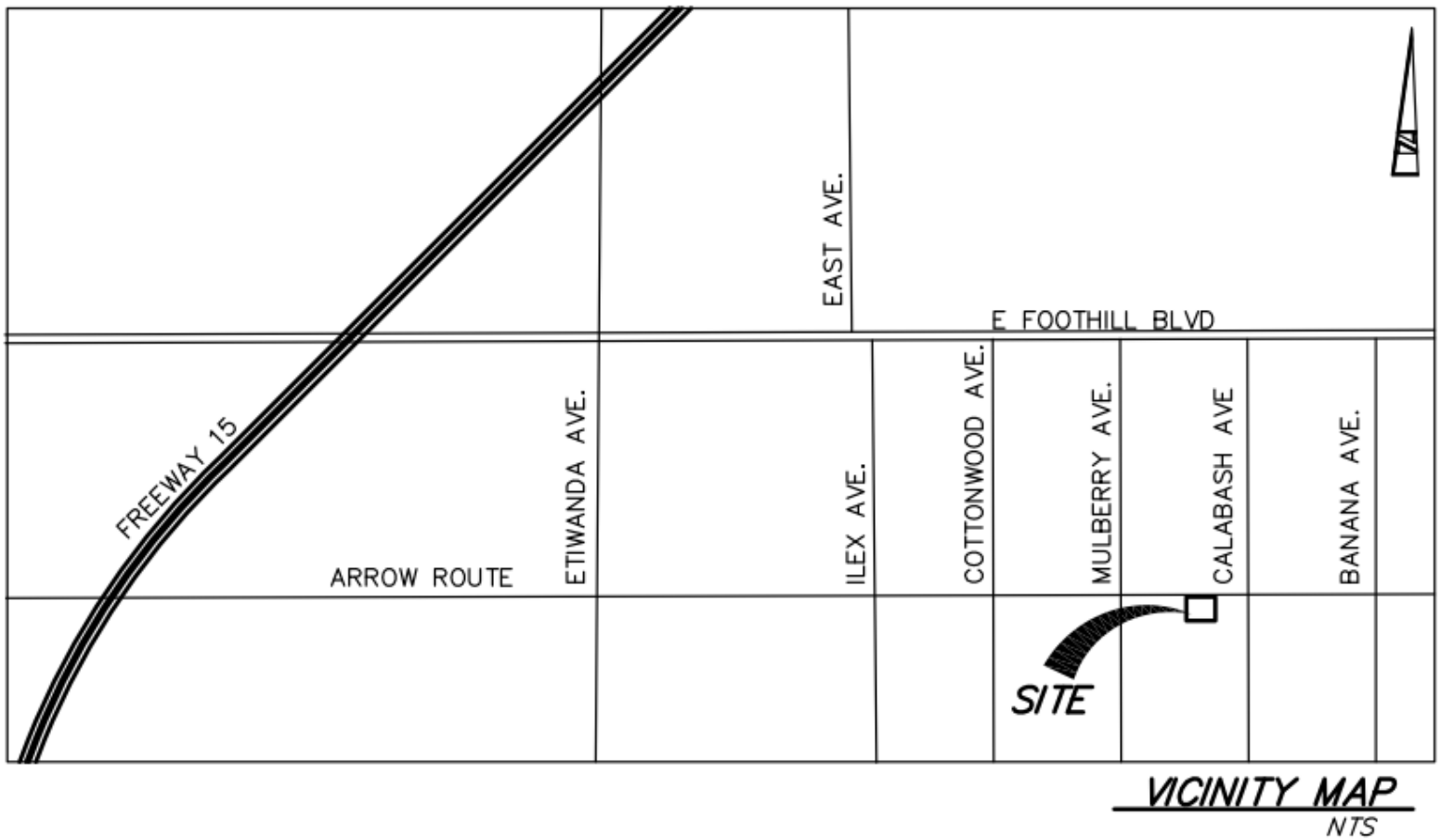
County of San Bernardino: Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, Special Districts, and Public Works. Regional: None.

**Figure 1. Aerial Photograph**





**Figure 1. Project Vicinity Map**



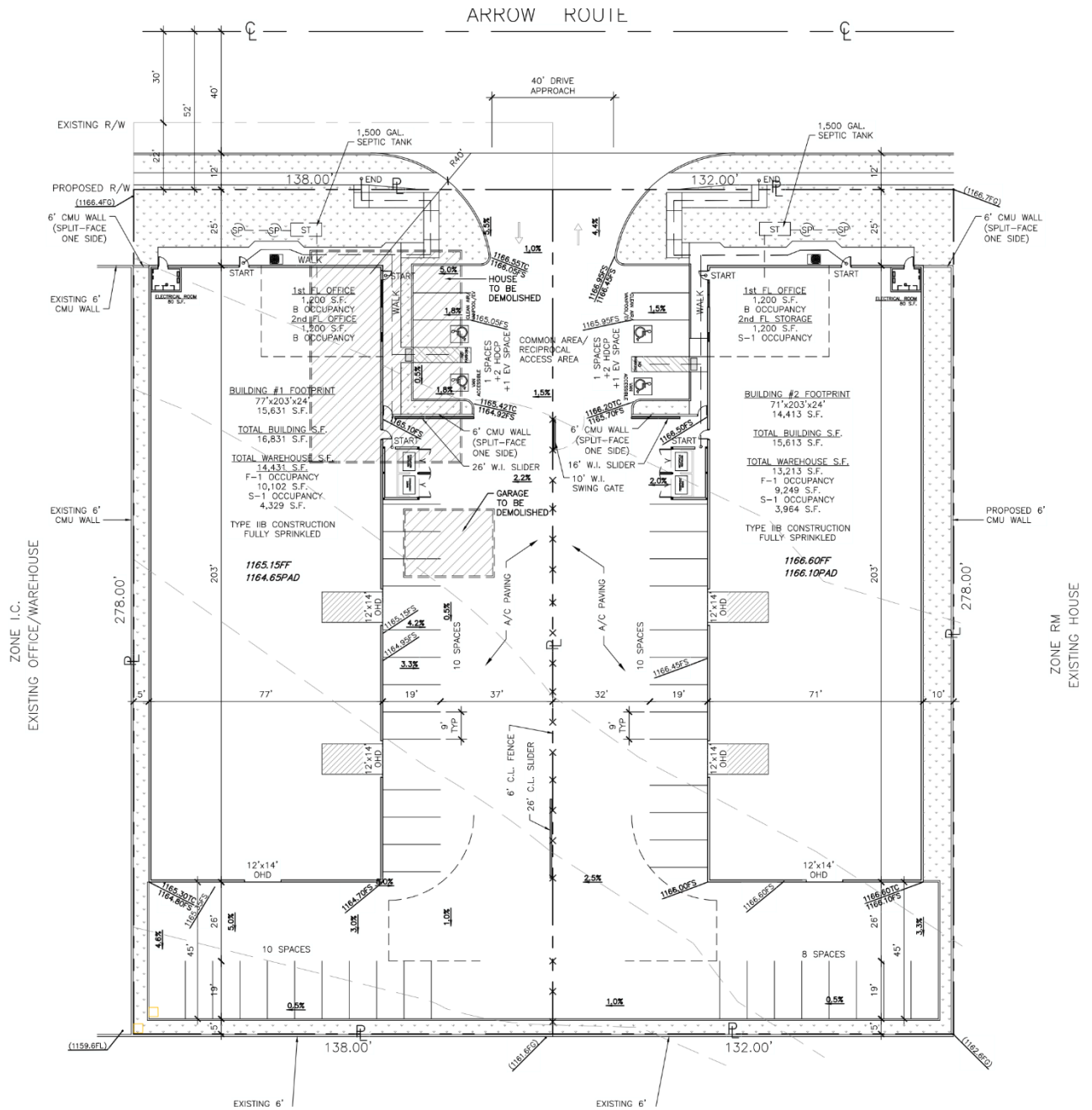
**Figure 2. Site Photo Eastern Portion of the Site**



**Figure 4. Site Photo Western Portion of the Site**



Figure 5. Site Plan



**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.?**

Tribal Consultation has occurred with the San Manuel Band of Mission Indians. Recommended mitigation measures were provided by the Tribe and incorporated into this document as both mitigation measures and conditions of approval.

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.

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

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project <b>COULD NOT</b> have a significant effect on the environment, and a <b>NEGATIVE DECLARATION</b> 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 <b>MITIGATED NEGATIVE DECLARATION</b> shall be prepared.
<input type="checkbox"/>	The proposed project <b>MAY</b> have a significant effect on the environment, and an <b>ENVIRONMENTAL IMPACT REPORT</b> is required.
<input type="checkbox"/>	The proposed project <b>MAY</b> 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 <b>ENVIRONMENTAL IMPACT REPORT</b> 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 <b>NEGATIVE DECLARATION</b> pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or <b>NEGATIVE DECLARATION</b> , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

James Morrissey  
 Signature: (Reviewed by Jim Morrissey , Planner)

4/27/21  
 Date

Chris Warrick  
 Signature:(Chris Warrick , Supervising Planner)

4/28/21  
 Date

<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>I. AESTHETICS</b> – 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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:** *San Bernardino County Policy Plan, 2020; 2010 Census Urbanized Area Reference Map for Riverside-San Bernardino, CA*

- a) **No Impact.** County of San Bernardino Policy Plan Natural Resources Element Policy NR-4.1 states that a proposal will be evaluated as it relates to a particular feature or vista based upon its location and scale of development to preserve regionally significant scenic vistas and natural features, including prominent hillsides, ridgelines, dominant landforms, and reservoirs

The project site is located in an area consisting of residential and industrial development. There are no features that would be considered a scenic vista in the immediate vicinity of the Project site. The nearest scenic vistas visible in the distance are the San Gabriel Mountains located approximately 5 miles north of the site and Mount Jurupa located approximately 5 miles southeast of the site. Given the distance to these scenic vistas

and the intervening development, public views from Arrow Route of these scenic vistas would not be impacted.

- b) **No Impact.** California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263.

According to the California Department of Transportation, the project site is not located within a State Scenic Highway. In addition, according to the County of San Bernardino Policy Plan the Project site is not located within a scenic route (Ref. Policy Plan Map NR-3). Therefore, there proposed project would have no impact.

- c) **Less Than Significant Impact.** According to the Census 2010 Urbanized Area Reference Maps, the project site is located in the Riverside-San Bernardino Urbanized Area. The project is subject to mandatory Development Code requirements governing scenic quality that stipulate that new land uses and structures shall be designed, constructed, and established in compliance with the requirements in the Development Code, including but not limited to, Chapter 82.06 (Industrial and Special Purpose Land Use Zoning Districts), Chapter 83.02 (General Development and Use Standards), Chapter 83.06 Fences, Hedgers, and Walls), Chapter 83.10 (Landscape Standards), and Chapter 83.13 (Signs). Compliance with these mandatory Development Code requirements will ensure that the project will not conflict with applicable zoning and other regulations governing scenic quality.
- d) **Less Than Significant Impact.** The proposed Project will increase the amount of light in the area above what is being generated by the vacant site by directly adding new sources of illumination including parking lot lighting, security lighting, and decorative lighting. The California Green Building Code requires that all outdoor lighting be designed and installed to comply with California Green Building Standard Code or with a local ordinance lawfully enacted pursuant to California Green Building Standard Code Section 101.7, whichever is more stringent.

The exterior building surfaces for the proposed structure primarily consist of painted steel and will not cause substantial glare. County lighting standards require that lighting fixtures shall be fully shielded to preclude light pollution or light trespass on an abutting residential land use zoning district; a residential parcel; or public right-of-way. Thus, the project will be required to comply with the County lighting standards and will not adversely affect day or nighttime views in the area.

**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>
<b>II.</b>	<b>AGRICULTURE AND FORESTRY RESOURCES</b> - 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 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 County Policy Plan, 2020; California Department of Conservation Farmland Mapping and Monitoring Program.*

- a) **No Impact.** The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. The project site is within an area mapped as “urban and built-up land.” As such, the project has no potential to convert such lands to a non-agricultural use and no impact would occur.

- b) **No Impact.**

*Agricultural Zoning*

Generally, a conflict with existing zoning for agriculture use would occur if a project would intrude into agricultural areas and create conflicts between agriculture uses and non-agriculture uses. The project site is currently zoned RM (Multiple Residential). The RM zone provides sites for multiple residential uses, mixed residential uses, and similar and compatible non-residential uses and activities. Agriculture use is not an allowed primary uses in the RM zone. The project is proposing a zone change from RM to IC. The IC zone provides sites for light industrial uses such as light manufacturing uses, wholesale/warehouse services, contract/construction services, transportation services, agriculture support services, incidental commercial and accessory residential uses, and similar and compatible uses. Agriculture is not an allowed primary use in the IC zone.

The zoning on the adjacent properties to the north and east is RM, and IC to the south and west. As noted above, agriculture is not an allowed primary use in both the RM and IC zones. In addition, there are no primary agricultural uses on the project site or in the immediate vicinity. As such, the project will not create a conflict with agricultural zoning.

*Williamson Act*

Pursuant to the California Land Conservation Act of 1965, a Williamson Act Contract enables private landowners to voluntarily enter into contracts with local governments for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive lower property tax assessments based upon farming and open space uses as opposed to full market value. The project site is not under a Williamson Act Contract. As such, there is no impact with respect to a Williamson Act Contract.

- c) **No Impact.** The project site does not contain any forest lands, timberland, or timberland zoned as Timberland Production, nor are any forest lands or timberlands located on or nearby the project site. Because no lands on the project site or in the immediate area are zoned for forestland or timberland use, the project has no potential to impact such zoning.
- d) **No Impact.** The project site and surrounding properties do not contain forest lands and are not zoned for forest lands. Because forest land is not present on the project site or in the

immediate vicinity of the project site, the proposed project has no potential to result in the loss of forest land or the conversion of forest land to non-forest use.

- e) **No Impact.** The project site is located in an area largely characterized by residential and industrial uses. The site is bounded to the north by Arrow Route, to the east by a residential development, to the west by an industrial development, and to the south by an industrial storage facility. Therefore, the project would not result in conversion of Farmland to non-agricultural use or forestland to non-forest use. No impacts will occur.

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

<b>Issues</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>III. AIR QUALITY</b> - 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"/>

**SUBSTANTIATION:** *(Discuss conformity with the South Coast District Air Quality Management Plan, if applicable):*  
 San Bernardino County Policy Plan, 2020; CalEEMod Data Sheets (Appendix A).

a) **Less Than Significant Impact.** The South Coast Air Quality Management District (“District”) is required to produce air quality management plans directing how the South Coast Air Basin’s air quality will be brought into attainment with the national and state ambient air quality standards. The most recent air quality management plan is the 2016 Air Quality Management Plan (AQMP) and it is applicable to the project site.

Per the SCAQMD California Environmental Quality Act (CEQA) Air Quality Handbook (April 1993), there are two main indicators of a project’s consistency with the applicable AQMP: (1) Whether the project would increase the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the 2016 AQMP; and (2) Whether the project would exceed the 2016 AQMP’s assumptions for the final year for the AQMP. These criteria are discussed below.

**Consistency Criterion No. 1:** *The proposed project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new*

*violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the 2016 Air Quality Management Plan.*

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Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards and National Ambient Air Quality Standards. As evaluated under Issue III (b), below, the air emission from construction and operation of the project will not exceed regional or localized significance thresholds for any criteria pollutant during construction or during long-term operation. Accordingly, the project's regional and localized emissions would not contribute substantially to an existing or potential future air quality violation or delay the attainment of air quality standards.

***Consistency Criterion No. 2: The proposed project will not exceed the assumptions in the 2016 Air Quality Management Plan.***

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Consistency Criterion No. 2 refers to the proposed project's potential to exceed the assumptions in the AQMP is primarily assessed by determining consistency between the proposed project's land use designations and potential to generate population growth. In general, projects are considered consistent with, and would not conflict with or obstruct implementation of, the AQMP if the growth in socioeconomic factors is consistent with the underlying regional plans used to develop the AQMP. The CEQA Air Quality Handbook states that, "New or amended General Plan Elements (including and use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP" (SCAQMD 1993). However, strict consistency with all aspects of the plan is usually not required. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies.

The AQMP considers regional population forecasts developed by the Southern California Association of Governments (SCAG). SCAG's most recent population forecast was adopted in April 2016 as part of the 2016-2040 *Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS). Table 11, *Jurisdictional Forecast 2040*, of the RTP/SCS shows a population for unincorporated San Bernardino County of 295,600 in 2012 and 344,100 in 2040.

A project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plan(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan). Conformity with growth forecasts can be established by demonstrating that a project is consistent with the land use plan that was used to generate the growth forecast.

The Project represents a change in the zoning and land use classifications that were used to prepare the 2016 AQMP. However, based on Table 3 below, Project-generated emissions will not exceed District emission thresholds. Therefore, the Project's emissions are in compliance with the thresholds established by the District. The Project would not significantly increase local air emissions and therefore would not conflict with or obstruct implementation of the 2016 AQMP.

b) **Less Than Significant Impact.**

Federal Air Quality Standards

Under the Federal Clean Air Act, the Federal Environmental Protection Agency establishes health-based air quality standards that California must achieve. These are called “national (or federal) ambient air quality standards” and they apply to what are called “criteria pollutants.” Ambient (i.e. surrounding) air quality standard establish a concentration above which a criteria pollutant is known to cause adverse health effects to people. The national ambient air quality standards apply to the following criteria pollutants:

- Ozone (8-hour standard)
- Respirable Particulate Matter (PM10)
- Fine Particulate Matter (PM2.5)
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NOx)
- Sulphur Dioxide (SO2), and
- Lead.

State Air Quality Standards

Under the California Clean Air Act, the California Air Resources Board also establishes health-based air quality standards that cities and counties must meet. These are called “state ambient air quality standards” and they apply to the following criteria pollutants:

- Ozone (1-hour standard)
- Ozone (8-hour standard)
- Respirable Particulate Matter (PM10)
- Fine Particulate Matter (PM2.5)
- Carbon Monoxide (CO)
- Nitrogen Dioxide (NOx)
- Sulphur Dioxide (SO2), and
- Lead

Regional Air Quality Standards

The project is located in an unincorporated area of San Bernardino County adjacent to the City of Fontana. The unincorporated area is located within the South Coast Air Basin which is under the jurisdiction of the South Coast Air Quality Management District (“District”). The District develops plans and regulations designed to achieve both the national and state ambient air quality standards described above.

Attainment Designation

An “attainment” designation for an area signifies that criteria pollutant concentrations did not exceed the established standard. In contrast to attainment, a “nonattainment” designation indicates that a criteria pollutant concentration has exceeded the established standard.

Table 1 shows the attainment status of criteria pollutants in the South Coast Air Basin.

**Table 1  
 Attainment Status of Criteria Pollutants in the South Coast Air Basin.**

<b>Criteria Pollutant</b>	<b>State Designation</b>	<b>Federal Designation</b>
Ozone – 1 hour standard	Nonattainment	No Standard
Ozone – 8 hour standard	Nonattainment	Nonattainment
Respirable Particulate Matter (PM10)	Nonattainment	Nonattainment
Fine Particulate Matter (PM2.5)	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Attainment	Attainment
Nitrogen Dioxide (NOx)	Attainment	Attainment
Sulfur Dioxide (SO2)	Attainment	Attainment
Lead	Attainment	Attainment
<i>Source: California Air Resources Board, 2015</i>		

Both construction and operational emissions for the project were estimated by using the California Emissions Estimator Model (CalEEMod), which is a statewide land use emissions computer model designed to provide a uniform platform for government agencies to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. The model can be used for a variety of situations where an air quality analysis is necessary or desirable such as California Environmental Quality Act (CEQA) documents and is authorized for use by the South Coast Air Quality Management District (“District”).

*Construction Emissions*

Construction activities associated with the project will result in emissions of CO, VOCs, NOX, SO2, PM10, and PM2.5. Construction related emissions are expected from construction activities that include site preparation, grading, building construction, paving, and architectural coating. Project construction is anticipated to occur over an approximately 1-year period. The estimated maximum daily construction emissions are summarized in Tables 2. The projected construction phase would result in less than

significant impacts to air quality and would not violate any air quality standard or result in a substantial increase of any criteria pollutant to an existing or projected air quality violation with regard to construction.

**Table 2. Construction Emissions (Rule 401 & 403 Compliance)**

Maximum Daily Emissions	Emissions (pounds per day)					
	NOx	VOC	CO	SOx	PM10	PM2.5
	20.17	30.83	15.10	0.03	2.87	1.76
<b>Regional Threshold</b>	<b>100</b>	<b>75</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceeds Regional Threshold?</b>	NO	NO	NO	NO	NO	NO
<b>Source:</b> SCAQMD and CalEEMod						

*Operations*

The estimated maximum daily operational emissions without mitigation are summarized in Tables 4. The operation phase of the proposed project would result in less than significant impacts to air quality and would not violate any air quality standard or result in a substantial increase of any criteria pollutant to an existing or projected air quality violation with regard to daily operations.

**Table 3. Operational Emissions**

Maximum Daily Emissions	Emissions (pounds per day)					
	NOx	VOC	CO	SOx	PM10	PM2.5
	2.57	1.12	4.78	0.02	1.39	0.39
<b>Regional Threshold</b>	<b>55</b>	<b>55</b>	<b>550</b>	<b>150</b>	<b>150</b>	<b>55</b>
<b>Exceeds Regional Threshold?</b>	NO	NO	NO	NO	NO	NO
<b>Source:</b> SCAQMD and CalEEMod						

c) **Less Than Significant Impact.**

*Sensitive Receptors*

Sensitive receptors (i.e., children, senior citizens, and acutely or chronically ill people) are more susceptible to the effects of air pollution than the general population. Land uses that are considered sensitive receptors typically include residences, schools, playgrounds, childcare centers, hospitals, convalescent homes, and retirement homes. The closest sensitive receptors would be the residential homes to the north and east of the project site.



### *Localized Impacts*

As part of the South Coast Air Quality Management District's environmental justice program, attention has been focusing more on the localized effects of air quality. Although the region may be in attainment for a particular criteria pollutant, localized emissions from construction and operational activities coupled with ambient pollutant levels can cause localized increases in criteria pollutant that exceed national and/or State air quality standards. The South Coast Air Quality Management District has established Localized Significance Thresholds (LST), which were developed in response to environmental justice and health concerns raised by the public regarding exposure of individuals to criteria pollutants in local communities.

Localized Significance Thresholds are only applicable to the following criteria pollutants: oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), particulate matter less than 10 microns in aerodynamic diameter (PM<sub>10</sub>) and particulate matter less than 2.5 microns in aerodynamic diameter (PM<sub>2.5</sub>). Localized Significance Threshold's represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable national or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

### *Construction-Related Localized Emissions*

Construction localized impacts were evaluated pursuant to the South Coast Air Quality Management District's *Final Localized Significance Thresholds Methodology*. This methodology provides screening tables for one through five-acre project construction scenarios, depending on the amount of site disturbance during a day. Maximum daily oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO), and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) emissions will occur during construction of the project, grading of the project site, and paving of streets and driveways.

### *Operational-Related Localized Emissions*

On-site operational activities can result in localized increases in criteria pollutant levels that can cause air quality standards to be exceed even if standards are not exceeded on a regional level. On-site area and energy sources were evaluated. As shown in Table 4, emissions resulting from the Project operations would not exceed LST numerical thresholds established by the South Coast Air Quality Management District and no mitigation is required.

Table 4 summarize on-site construction and operation emissions as compared to the established local screening thresholds.

**Table 4**

**Construction and Operation LST Analysis (1 acres - receptor @ 25 meters) for Localized Emissions (lbs/day)**

Pollutant	LST Significance Threshold Lbs/Day*	Project Emissions (mitigated)	Exceeds Threshold?
(NO <sub>x</sub> ) for Construction and Operation	118	20.17	<b>NO</b>
(CO) for Construction and Operation	667	15.10	<b>NO</b>
PM 10 for Operation	1	<0.1	<b>NO</b>
PM10 for Construction	4	2.87	<b>NO</b>
PM 2.5 for Operation	1	<0.1	<b>NO</b>
PM2.5 for Construction	3	1.76	<b>NO</b>
*Based on LST SRA #34 1-acre @ 25 meters			

As shown in Table 4, emissions resulting from the project construction and operation would not exceed LST numerical thresholds established by the SCAQMD and no mitigation is required.

*CO Hot Spots*

CO Hot Spots are typically associated with idling vehicles at extremely busy intersections (i.e., intersections with an excess of 100,000 vehicle trips per day). There are no intersections in the vicinity of the project site which exceed the 100,000 vehicle per day threshold typically associated with CO Hot Spots. In addition, the South Coast Air Basin has been designated as an attainment area for CO since 2007. Therefore, project-related vehicular emissions would not create a CO Hot Spot and would not substantially contribute to an existing or projected CO Hot Spot.

*Toxic Air Contaminants (TAC)*

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed project. The Office of Environmental Health Hazard Assessment (OEHHA) has issued the *Air Toxic Hot Spots Program Risk Assessment Guidelines and Guidance Manual for the Preparation of Health Risk Assessments*, February 2015, to provide a description of the algorithms, recommended exposure variants, cancer and non-cancer health values, and the air modeling protocols needed to perform a health risk assessment (HRA) under the Air Toxics Hot Spots Information and Assessment Act of 1987. All substances are evaluated for cancer risk and/or non-cancer acute, 8-hour, and chronic health impacts. In addition, this process would identify any multi-pathway substances that present a cancer risk or chronic non-cancer hazard via non-inhalation routes of exposure. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the proposed project

would not result in a long-term substantial source of toxic air contaminant emissions and corresponding individual cancer risk. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the project.

- d) **Less Than Significant Impact.** According to the South Coast Air Quality Management District *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project proposes a manufacturing/fabrication facility which is a land use typically not associated with emitting 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. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the County's solid waste regulations. The proposed project would also be required to comply with South Coast Air Quality Management District Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed project construction and operations would be less than significant and no mitigation is required.

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>IV. BIOLOGICAL RESOURCES - Would the project:</b>				
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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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 County Policy Plan, 2020, Field Inspection.*

- a) **No Impact.** The site has been disturbed by recent activities that include the demolition of a house on the western portion of the site and the construction of a building foundation and the start of framing for a building on the eastern portion of the site. The framing has since been removed and the building foundation is to be removed in the near future.

The site does not contain any sensitive or special status species as listed in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS).

- b) **No Impact.** As noted in the response to Issue a) above, the site has been disturbed and would not have any impact on riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS.
- c) **No Impact.** As noted in the response to Issue a) above, the site has been disturbed and has no surface water on site or any riparian habitat or other sensitive natural community. As such, the Project will not 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 or 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.
- d) **No Impact.** As noted in the response to Issue a) above, the site has been disturbed and has no habitat that would support the movement of any native resident or migratory fish and/or wildlife species; impact established native resident or migratory wildlife corridors; or impede the use of native wildlife nursery sites.
- e) **No Impact.** As noted in the response to Issue a) above, the site has been disturbed and there are no trees on the site. Therefore, the project would not conflict with a tree preservation ordinance.
- f) **No Impact.** The project site is not located within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. Therefore, the proposed project would have no impact.

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

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 Bernardino County Policy Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center (Appendix B).*

- a) **No Impact.** Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

Aerial photographs dated from 1985 to 2020 demonstrate there was a single- family residential structure on the site, which has since been removed. At present, there are no structures on the site, except for a building foundation that was recently constructed and will be removed prior to construction of the project. Because the site has been disturbed by grading and construction activities, there are no historic resources on site, and project would have no impact.

- b) **Less Than Significant Impact with Mitigation Incorporated.** Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacture, tool concentrations, and/or discoloration or accumulation of soil or food remains. The site has been disturbed by recent activities that include the demolition of a house on the westerly portion of the site and the construction of a building foundation and the start of framing for a building on the eastern portion of the site. The framing has since been removed and the building foundation is to be removed in the near future.

AB 52 Tribal Consultation and SB 18 notifications were provided to Tribes that requested notification or were identified as part of the County's contact with the Native American Heritage Commission. Responses were received from three Tribes: San Manuel Band of Mission Indians; Quechan Tribe, and; Aqua Caliente Tribe. Only the San Manuel Band of Mission Indians provided recommendations, which have been incorporated below, with the others indicating either a desire not to comment or that the location was beyond their Traditional Use Area.

As a result of these activities, the potential to discover near surface archaeological resources is remote. However, if excavations occur at depths greater than previously excavated, there is the possibility archaeological resources could be encountered. In the event that archaeological resources are encountered during new excavations, the following mitigation measure is required to minimize impacts to the maximum extent feasible:

**Mitigation Measure CR-1: Treatment of Previously Unidentified Cultural Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:**

***"If previously unidentified cultural resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:***

- 1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.***

**2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable cultural storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant cultural resources is not complete until such curation into an established repository has been fully completed and documented.**

**3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to cultural resources.”**

**Mitigation Measure CR-2: Treatment of Potential Tribal Cultural Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:**

**“If unidentified cultural resources are unearthed during construction activities, the following actions shall be undertaken:**

**1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.**

**2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.**

**3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.”**

With implementation of Mitigation Measure CR-1 and CR-2, impacts are less than significant.



- c) **Less Than Significant Impact.** The project site does not contain a cemetery and no known formal cemeteries are located within the immediate site vicinity. In the event that human remains are discovered during project grading or other ground disturbing activities, the project would be required to comply with the applicable mandatory provisions of California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq. California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native American, the California Native American Heritage Commission (NAHC) must be contacted and the NAHC must then immediately notify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours of obtaining access to the property, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

With mandatory compliance with California Health and Safety Code §7050.5 as well as Public Resources Code §5097 et. seq., impacts are less than significant.

**Therefore, no significant adverse impacts are identified or anticipated and with implementation of Mitigation Measure CR-1 and CR-2.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>VI. ENERGY – Would the project:</b>				
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 County Policy Plan, 2020; CalEEMod Data Sheets (Appendix A)

a) **Less Than Significant Impact.** Implementation of the project would result in increases in demand for electricity and natural gas as compared to the currently undeveloped project site, which does not have any energy consuming uses. Construction of the project would create temporary increased demands for electricity and vehicle fuels compared to existing conditions. Operational use of energy includes the heating, cooling, and lighting of buildings; water heating; operation of electrical systems and plug-in appliances within buildings; parking lot and outdoor lighting; and the transport of electricity, natural gas, and water to the areas where the resource would be consumed. Southern California Edison (SCE) provides electrical power and Southern California Gas Company (SoCalGas) provides natural gas service to the project area.

*Short-Term Construction Impacts*

Construction of the project would require electricity use to power some of the construction-related equipment. The electricity use during construction would vary during different phases of construction, where the majority of construction equipment during grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered, such as interior construction and architectural coatings.

Table 5 shows the estimated energy consumption for project construction.

**Table 5. Energy Consumption Estimate for Project Construction.**

Construction Phase	Number of Construction Days	Average Worker and Vendor Trips Per Day	Horse Power Hours per Construction Phase	Construction Equipment		Worker and Vendor Trips
				Energy Use (1)	Gas & Fuel Use (2)	Gas & Fuel Use (3)
Site Preparation	2	8	8,002		432.54	17.57
Grading	4	8	13,132		709.83	35.14
Building Const., Paving, Architectural Coating.	200	38	892,540		48,245	8346.66
			<b>TOTALS</b>	<b>35.53 kWh</b>	<b>49,387.37 Gal.</b>	<b>8,399.37 Gal.</b>

1: Calculation is based on an average construction energy cost of \$2.28 per month of energy use per 1,000 square feet of building space (32,462.00 s.f.) over the total duration of construction (6-months), at the rate of 8 cents per kilowatt hour (kWh).  
 2: Calculation is based on expected horsepower (HP) hours and an average factor of 1 gallon of fuel per 18.5 horsepower-hour.  
 3: Calculation is based on number of expected worker and vendor trips per day, multiplied by an average trip length of 14.7 miles and based on the average fuel economy of a light duty automobile of 26.77 miles per gallon.  
 4. This calculation overstates the HP hours per construction phase because it does not apply a load factor.

Since the project area is already served by onsite electrical infrastructure, adequate electrical infrastructure capacity is available to accommodate the electricity demand during construction, the proposed project would not require additional or expanded electrical infrastructure.

The amount of energy and fuel use anticipated by the project's construction are typical for the type of construction proposed, because there are no aspects of the project's proposed construction process that are unusual or energy-intensive. Project construction equipment would conform to the applicable ARB emissions standards, acting to promote equipment fuel efficiencies. In addition, demand for construction-related electricity and fuels would be spread out over the life of the construction phases of the project but would not require a permanent commitment of energy or diesel fuel resources for this purpose. Therefore, impacts from energy use during short-term construction activities would be less than significant.

*Long-Term Operational Impacts*

Operation of the project would create additional demands for electricity as compared to existing conditions, and would result in increased transportation energy use. Operational use of energy would include heating, cooling, and ventilation of buildings; operation of electrical systems, security functions, use of on-site equipment and appliances; and indoor, outdoor, perimeter, and parking lot lighting.

Based on Lamer Kreations Air Quality Analysis (Appendix A), the project would create a net increase in electricity demand of approximately 348,879 kWh per year. This net increase is well within SCE's system-wide net increase in electricity supplies of approximately 15,634 GWh annually over the 2012-2024 period (CEC, Electricity Consumption by County, 2018).

Therefore, there are sufficient planned electricity supplies in the region for the estimated net increase in electricity demands, and buildout under the proposed project would not require expanded electricity supplies.

Based on Lamer Kreations Air Quality Analysis (Appendix A), the Project would generate a net increase in natural gas demand of approximately 916,841 KBTU/yr. This net increase is well within the Southern California Gas (SoCalGas) Company's system wide natural gas supplies of approximately 500 Million of Therms during the 2018 period. (CEC, 2018). Therefore, there are sufficient planned natural gas supplies in the region for the estimated net increase in natural gas demands, and buildout under the proposed Project would not require expanded natural gas supplies.

Additionally, plans submitted for building permits of development projects in the project area would be required to include verification demonstrating compliance with the 2016 Building and Energy Efficiency Standards and are also required to be reviewed. The Project would also be required to adhere to the provisions of CALGreen, which established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants.

### **Conclusion**

Even though the project would increase the consumption of electricity and natural gas resources, the Project would not significantly increase demand such that SoCalGas and SCE would need to plan for new regional electricity or natural gas facilities, the construction of which could cause significant environmental effects.

Based on the above analysis, the proposed Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

- b) **No Impact.** The County of San Bernardino General Plan Renewable Energy and Conservation Element (REC Element) is an established regulatory framework, and is supportive of other county, state, and federal plans. REC Element Policy 1.1 states: "*Continue implementing the energy conservation and efficiency measures identified in the County of San Bernardino Greenhouse Gas Emissions Reduction Plan.* As noted in the analysis for Issue VIII-a and VIII-b, *Greenhouse Gas Emissions*, the Performance Standards for Commercial and Industrial Project pursuant to Appendix F of the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan* will be included as Conditions of Approval for the Project. As such, the Project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. There is no impact and no mitigation measures are required.

**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>
<b>VII.</b>	<b>GEOLOGY AND SOILS - Would the project:</b>				

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.

ii. Strong seismic ground shaking?

iii. Seismic-related ground failure, including liquefaction?

iv. Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

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?

d) 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?

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?

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

**SUBSTANTIATION:** (Check  if project is located in the Geologic Hazards Overlay District):  
San Bernardino County Policy Plan, 2020; San Bernardino County Geologic Hazard Map for Fontana (FH29C); California Geological Survey (CGS), California Earthquake Hazards Zone Application

- ai) **No Impact.** According to the California Geological Survey (CGS), California Earthquake Hazards Zone Application the project site is not located within an Alquist-Priolo Earthquake Fault Zone, and no known faults underlie the site. Because there are no faults located on the project site, there is no potential for the project to expose people or structures to adverse effects related to ground rupture.

(a-ii) **Less Than Significant Impact.** The project site is located in a seismically active area of Southern California and is expected to experience moderate to severe ground shaking during the lifetime of the project. According to the (CGS), California Earthquake Hazards Zone Application, the Cucamonga Fault is located approximately 5.14 miles north of the project site. The Cucamonga Fault is capable of generating an earthquake magnitude of M=6.7. This risk is not considered substantially different than that of other similar properties in the Southern California area. As a mandatory condition of project approval, the project would be required to construct the proposed structures in accordance with the California Building Code. The County's Building and Safety Department would review the building plans through building plan checks, issuance of a building permit, and inspection of the buildings during construction, which would ensure that all required California Building Code seismic safety measures are incorporated into the buildings. Compliance with the California Building Code as verified by the County's review process, would reduce impacts related to strong seismic ground shaking to less than significant.

(a-iii) **Less Than Significant Impact.** Liquefaction is a phenomenon in which loose, saturated, relatively cohesion-less soil deposits lose shear strength during strong ground motions. The factors controlling liquefaction are:

- Seismic ground shaking of relatively loose, granular soils that are saturated or submerged can cause soils to liquefy and temporarily behave as a dense fluid. For liquefaction to occur, the following conditions have to occur:
  - Intense seismic shaking;
  - Presence of loose granular soils prone to liquefaction; and
  - Saturation of soils due to shallow groundwater.

According to the County's Geologic Hazards Overlay Maps, the Project site is not located in an area that is susceptible to landslides or liquefaction (SB County, 2010). The project site is in a region to likely to experience "moderate" ground shaking during the life expectancy of the structures that may have relatively adverse effects requiring appropriate structural design, as required by the County Building and Safety Department and the California Building Code. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the County Building and Safety Department. Therefore, compliance with the requirements of the California Building Code as identified in a site specific geotechnical design would be reviewed by the County for appropriate inclusion, as part of the building plan check and development review process, would reduce the potential for liquefaction to a less than significant level.

(a-iv) **No Impact.** The site is relatively flat and contains no slopes that may be subject to landslides. According to the County's Policy Plan Map HZ-2 Liquefaction and Landslides the site is not identified as an area subject to landslide activity. Therefore, the site is not considered susceptible to seismically induced landslides. As such, there are no impacts.

b) **Less Than Significant Impact.**

*Construction*

During construction, the Project has the potential to contribute to soil erosion and the loss of topsoil. Grading and excavation activities that would be required for the project would expose and loosen topsoil, which could be eroded by wind or water. A Construction General Permit would be obtained and a Storm Water Pollution Prevention Plan (SWPPP) would be prepared prior to construction. Potential impacts would be mitigated for through sediment, erosion, and non-storm water control methods identified in the SWPPP pursuant to the requirements of the NPDES General Construction Permit. Implementation of a SWPPP would ensure the Project does not result in significant impacts to water quality due to construction-related activities.

*Operations*

The Project includes installation of landscaping, gravel, and paving throughout the project site and areas of loose topsoil that could erode by wind or water would not exist upon operation of the proposed use. In addition, as described in Section X, *Hydrology and Water Quality*, the hydrologic features of the proposed Project have been designed to slow, filter, and retain stormwater on the Project site, which would also reduce the potential for stormwater to erode topsoil. Furthermore, the Project requires a Water Quality Management Plan (WQMP), which would ensure that appropriate operational Best Management Practices (BMPs) would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur during operation of the Project. As a result, potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

c) **Less Than Significant Impact.**

*Landslide*

As noted in the response to Issue VII(a-iv) above, the site is relatively flat and contains no slopes that may be subject to landslides and is in a region of low risk for landslides. Therefore, the site is not considered susceptible to landslides

*Lateral Spreading*

Lateral spreading is a term referring to landslides that commonly form on gentle slopes and that have rapid fluid-like flow horizontal movement. Most lateral spreading is caused by earthquakes but it is also caused by landslides. As noted in the response to Issue VII (a-iv) above, the site is relatively flat and contains no slopes that may be subject to landslides. Therefore, the site is not considered susceptible to lateral spreading.

*Subsidence*

Subsidence is the downward movement of the ground caused by the underlying soil conditions. Certain soils, such as clay soils are particularly vulnerable since they shrink and swell depending on their moisture content. Detailed design-level geotechnical studies and building plans pursuant to the California Building Code are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions is a standard practice and would be required by the County Building and Safety Department. Therefore, compliance with the requirements of the California Building Code as identified in a site specific geotechnical design would be reviewed by the County for appropriate inclusion, as part of the building plan check and development review process, would reduce the potential for subsidence to a less than significant level.

*Liquefaction*

As noted in the response to Issue VII aiii above, the potential for exposure to liquefaction is not expected.

*Collapse*

Collapse occurs in saturated soils in which the space between individual particles is completely filled with water. This water exerts a pressure on the soil particles that influences how tightly the particles themselves are pressed together. The soils lose their strength beneath buildings and other structures. The upper 4 to 5 feet of soil may be susceptible to collapse. Detailed design-level geotechnical studies and building plans pursuant to the *California Building Code* are required prior to approval of construction. As such, compliance with the requirements of the *California Building Code* as identified in a site specific geotechnical design would be reviewed by the County for appropriate inclusion, as part of the building plan check and development review process, would reduce the potential for collapse to a less than significant level.



- d) **Less Than Significant Impact.** Detailed design-level geotechnical studies and building plans pursuant to the *California Building Code* are required prior to approval of construction. Compliance with the recommendations of the geotechnical study for soils conditions, is a standard practice and would be required by the County Building and Safety Department. Therefore, compliance with the requirements of the *California Building Code* as identified in a site specific geotechnical design, would be reviewed by the County for appropriate inclusion as part of the building plan check and development review process, and would reduce the potential for expansive soils to a less than significant level.
- e) **Less than Significant Impact.** The proposed Project will be conditioned to meet County discharge requirements through Environmental Health Services Division of the Public Health Department. Reporting will be undertaken in accordance with *Onsite Wastewater Treatment Soil Percolation (PERC) Test Report Standards: Suitability of Lots and Soils for Use of Leachlines or Seepage Pits* by San Bernardino County Public Health. Impacts are less than significant.
- f) **Less Than Significant Impact with Mitigation Incorporated.** Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

The project site is located within the unincorporated area of the City of Fontana. No known paleontological resources or unique geologic features are present on the Project site. However, Figure 5.5-1 Paleontological Sensitivity – Valley Region, of the Draft Environmental Impact Report identifies the area as “Low – High” sensitivity. The San Bernardino County Policy Plan of the Cultural Resources Element, Policy CR-2.3, states:

“We strive to protect paleontological and archaeological resources from loss or destruction by requiring that new development include appropriate mitigation to preserve the quality and integrity of these resources. We require new development to avoid paleontological and archeological resources whenever possible. If avoidance is not possible, we require the salvage and preservation of paleontological and archeological resources.”

Mitigation Measure CUL-5 of the County Policy Plan EIR states:

“Low to High (SVP)/Class 2 to Class 4–5 (BLM)—All projects involving ground disturbance in previously undisturbed areas mapped with low-to-high paleontological sensitivity will only require monitoring if construction activity will exceed the depth of the low sensitivity surficial sediments. The underlying sediments may have high paleontological sensitivity, and therefore work in those units might require paleontological monitoring, as designated by the Qualified Paleontologist in the PRMMP. When determining the depth at which the transition to high sensitivity occurs and monitoring becomes necessary, the Qualified Paleontologist should take into account: a) the most recent local geologic mapping, b) depths at which

fossils have been found in the vicinity of the project area, as revealed by the museum records search, and c) geotechnical studies of the project area, if available.”

Accordingly, the project has the potential to result in significant adverse impacts to paleontological resources that may exist beneath the ground surface on the project site during site excavation and/or grading activities that would occur on the property during project construction activities. To minimize the effects of this potential impact, Mitigation Measure GEO-1 is required.

**Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources.** Prior to the issuance of a grading permit, the following note shall be included on the grading plans:

***“If previously unidentified paleontological resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:***

- 1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.***
- 2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontological storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant paleontological resources is not complete until such curation into an established repository has been fully completed and documented.***
- 3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.”***

With implementation of Mitigation Measure GEO-1, impacts are less than significant.

**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>
<b>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** San Bernardino County Policy Plan, 2020; CalEEMod Data Sheets (Appendix A.)

a) **Less Than Significant Impact.** In December September 2011, the County of San Bernardino adopted the "*Greenhouse Gas Emissions Reduction Plan*" ("GHG Plan"). The purpose of the GHG Plan is to reduce the County's internal and external GHG emissions by 15 percent below current (2011) levels by year 2020 in consistency with State climate change goals pursuant to AB32. The GHG Plan has been designed in accordance with Section 15183.5 of the State CEQA Guidelines which provides for streamline review of climate change issues related to development projects when found consistent with an applicable greenhouse gas emissions reduction plan.

Section 5.6 of the GHG Plan identifies the procedures for reviewing development projects for consistency with the GHG Plan. The GHG Plan includes a two-tiered development review procedure to determine if a Project could result in a significant impact related greenhouse gas emissions or otherwise comply with the GHG Plan pursuant to Section 15183.5 of the State CEQA Guidelines. The initial screening procedure is to determine if a project will emit 3,000 metric tons of carbon dioxide equivalent (MTCO<sub>2</sub>E) per year or more. Projects that do not exceed this threshold require no further climate change analysis, but are required to implement mandatory reducing measures in the project's conditions of approval.

Projects exceeding this threshold must meet a minimum 31 percent emissions reduction in order to garner a less than significant determination. This can be met by either (1) achieving 100 points from a menu of mitigation options provided in the GHG Plan or (2) quantifying proposed reduction measures. Projects failing to meet the 31 percent reduction threshold would have a potentially significant impact related to climate change and greenhouse gas emissions. Information supplied by the applicant utilizing the criteria in the County's adopted screening table found the proposed Project would achieve 131 points.

A GHG emissions inventory was conducted for the project utilizing the California Emissions Estimator Model (CalEEMod) as shown in Table 6.

**Table 6. Project Greenhouse Gas Emissions**

Source	GHG Emissions MT/yr			
	N2O	CO2	CH4	CO2e
Mobile Sources	0.000	225.21	0.011	225.48
Area	0.000	0.002	0.0001	0.0021
Energy	0.0019	160.09	0.0055	160.77
Solid Waste	0.000	7.86	0.47	19.48
Water/Wastewater	0.0059	34.21	0.24	48.56
30-year Amortized Construction GHG				4.47
<b>TOTAL</b>				<b>488.76</b>
<b>SCAQMD Threshold</b>				<b>3,000</b>
<b>Exceed Threshold?</b>				<b>NO</b>

As shown in Table 6, the project's GHG emissions are less than the initial screening threshold of 3,000 MTCO<sub>2</sub>E per year. Projects that do not exceed this threshold require no further climate change analysis. However, Performance Standards pursuant to Appendix F of the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan* will be included as Conditions of Approval for the project. Therefore, impacts are less than significant, and no mitigation would be required.

**b) Less Than Significant Impact.**

**State Plan**

The *Climate Change Scoping Plan* was first approved by the California Air Resources Board (CARB) in 2008 and must be updated every five years. The *First Update to the Climate Change Scoping Plan* was approved by CARB on May 22, 2014. The *Climate Change Scoping Plan* provides a framework for actions to reduce California's GHG emissions, and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. As such, the *Climate Change Scoping Plan* is not directly applicable to the project in most instances. However, the project is not in conflict with the *Climate Change Scoping Plan* because its individual greenhouse gas emissions are below screening thresholds as noted in the response to Issue VIII(a) above and the project will implement such greenhouse reduction measures as Water Efficient Landscaping, Title 24 Energy Efficiency Requirements, and recycling and waste reduction requirements.

**Regional Plan**

As noted above, in December September 2011, the County of San Bernardino adopted the "*Greenhouse Gas Emissions Reduction Plan*" ("GHG Plan"). The purpose of the GHG Plan is to reduce the County's internal and external GHG emissions by 15 percent

below current (2011) levels by year 2020 in consistency with State climate change goals pursuant to AB32. The GHG Plan has been designed in accordance with Section 15183.5 of the State CEQA Guidelines which provides for streamline review of climate change issues related to development projects when found consistent with an applicable greenhouse gas emissions reduction plan.

Performance Standard pursuant to the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan* will be included as conditions of approval for the project.

Based on the analysis above, the project will not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Impacts are less than significant

**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>
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
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 type="checkbox"/>	<input checked="" 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"/>

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

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**SUBSTANTIATION:**

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*San Bernardino County Policy Plan, 2020; San Bernardino County Hazard Overlay Map (FH28B – Fontana)*

a-b) **Less Than Significant Impact.**

*Construction Activities*

Heavy equipment that would be used during construction of the project would be fueled and maintained by substances such as oil, diesel fuel, gasoline, hydraulic fluid, and other liquid materials that would be considered hazardous if improperly stored or handled. In addition, materials such as paints, roofing materials, solvents, and other substances typically used in building construction would be located on the project site during construction. Improper use, storage, or transportation of hazardous materials could result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. The potential for accidental releases and spills of hazardous materials during construction is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with future development that would be a reasonable consequence of the project than would occur on any other similar construction site.

Construction contractors are required to comply with all applicable federal, state, and local laws and regulations regarding hazardous materials, including but not limited requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board. As such, impacts due to construction activities would not cause a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials

*Operational Activities*

During the operational phase of the project, hazardous or potentially hazardous materials would not be routinely handled, stored, or dispensed on the project site in substantial quantities. Cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of buildings and landscaping would be utilized on-site. Some medicines and medical supplies may also be used on-site, of limited type and quantity.

These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to the public and safety or the environment. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers that handle hazardous materials, and adequately training workers. The Project would be required to comply with applicable federal, state, and local requirements related to the

handling of hazardous materials. Thus, hazardous materials used during project operation would not pose any substantial public health risk or safety hazards. Therefore, long-term operational impacts are less than significant.

- c) **No Impact.** The project site is not located within one-quarter (0.25) mile of a mile from an existing or proposed school. The nearest school is the Almond Elementary School, located approximately 1 mile northeast off the project site. In addition, as discussed in the responses to issues VII (a-b) above, the all hazardous or potentially hazardous materials would comply with all applicable federal, State, and local agencies and regulations with respect to hazardous materials.
- d) **No Impact.** The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State and local agencies to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites pursuant to Government Code Section 65962.5. Below are the data resources that provide information regarding the facilities or sites identified as meeting the “Cortese List” requirements.
- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
  - List of Leaking Underground Storage Tank Sites from the State Water Board’s GeoTracker database.
  - List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit (PDF).
  - List of “active” CDO and CAO from Water Board (MS Excel, 1,453 KB).
  - List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC.

Based on a review of the Cortese List maintained by the California Environmental Protection Agency website at <https://calepa.ca.gov/SiteCleanup/CorteseList/> on 16 April 2021, the project site is not identified on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

- e) **No Impact.** The Project site is not located within an airport land use plan or within 2 miles of a public use airport or private airstrip. The nearest airport is the Ontario International Airport, located approximately 8 miles to the southwest of the project site. As such, the project would not result in safety hazard impacts to or from aircraft-related uses. No impact is anticipated.
- f) **No Impact.** The Project site is located on Arrow Route, which does not contain any emergency facilities nor does it serve as an emergency evacuation route. The Project would not result in a substantial alteration to the design or capacity of any public road that would impair or interfere with the implementation of evacuation procedures.



Because the Project would not interfere with an adopted emergency response or evacuation plan, there is no impact.

- g) **No Impact.** The County has mapped areas that are susceptible to wild land fires within the Fire Hazard Overlay. The Fire Hazard Overlay is derived from areas designated in high fire hazard areas in the General Plan and locations derived from the California Department of Forestry, U.S. Forest Service, and the County Fire Department. According to Policy Plan Map HZ-5 Fire Hazards Severity Zones, San Bernardino County Hazards Element, the project Site is not located within a Fire Safety Overlay District. There is no impact. (Also see Section XX, *Wildfire*).

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

<b>Issues</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY - Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
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 type="checkbox"/>	<input checked="" 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"/>

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***SUBSTANTIATION:***

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*San Bernardino County Policy Plan, 2020; County Hazard Map FH28B; Project Site Plan*

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a) **Less Than Significant Impact.**

*Waste Discharge Requirements*

Waste Discharge Requirements (WDRs) are issued by the Santa Ana Regional Board under the provisions of the California Water Code, Division 7 “Water Quality,” Article 4 “Waste Discharge Requirements.” These requirements regulate the discharge of wastes which are not made to surface waters, but which may impact the region’s water quality by affecting underlying groundwater basins. Such WDRs are issued for Publically Owned Treatment Works’ wastewater reclamation operations, discharges of wastes from industries, subsurface waste discharges such as septic systems, sanitary landfills, dairies and a variety of other activities that can affect water quality.

*Water Quality Requirements*

The Porter-Cologne Act defines water quality objectives (i.e. standards) as “...the limits or levels of water quality constituents or characteristics which are established for the reasonable protection of beneficial uses of water or the prevention of nuisance within a specific area” (§13050 (h)).

**Construction Impacts**

Construction of the proposed Project would involve clearing, grading, paving, utility installation, building construction, and the installation of landscaping, which would result in the generation of potential water quality pollutants such as silt, debris, chemicals, paints, and other solvents with the potential to adversely affect water quality. As such, short-term water quality impacts have the potential to occur during construction activities in the absence of any protective or avoidance measures.

Pursuant to the requirements of the Santa Ana Regional Water Quality Control Board and the County of San Bernardino, the Project will be required to obtain a National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit for construction activities. The NPDES permit is required for all Projects that include construction activities, such as clearing, grading, and/or excavation that disturb at least one acre of total land area.

In addition, the Project will be required to comply with the Santa Ana Regional Water Quality Control Board’s *Basin Plan*. Compliance with the National Pollutant Discharge Elimination System permit and the *Basin Plan* involves the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for construction-related activities, including grading. The SWPPP would specify the Best Management Practices that the project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the Project site.

## Operational Impacts

### *Storm Water*

Storm water pollutants commonly associated with the project include sediment/turbidity, nutrients, trash and debris, oxygen-demanding substances, organic compounds, bacteria and viruses, oil and grease, and pesticides.

Pursuant to the requirements of the County's National Pollutant Discharge Elimination System permit, a Water Quality Management Plan (WQMP) is required for managing the quality of storm water or urban runoff that flows from a developed site after construction is completed and the facilities or structures are occupied and/or operational.

With implementation of mandatory requirements for a SWPPP and a WQMP, impacts are less than significant.

### *Septic System*

The Project proposes to use an onsite sewage disposal system consisting of seepage pits. Testing must be conducted in accordance with *Onsite Wastewater Treatment Soil Percolation (PERC) Test Report Standards: Suitability of Lots and Soils for Use of Leachlines or Seepage Pits* by San Bernardino County Public Health. The installation of the septic system is subject to the mandatory requirements of the County of San Bernardino Local Agency Management Program (LAMP), which specifically addresses wastewater issues, County requirements, and scope of coverage for Onsite Wastewater Treatment System installation and maintenance. With implementation of mandatory requirements contained in the LAMP, impacts are less than significant.

- b) **Less Than Significant Impact.** The Project site will be provided water by the Fontana Water Company (FWC). FWC is a division of the San Gabriel Valley Water Company and is a retail water supplier for the City of Fontana, and portions of the City of Rialto, City of Rancho Cucamonga, and adjacent unincorporated areas of San Bernardino County. FWC operates within the service area of the Inland Empire Utilities Agency (IEUA) and the San Bernardino Valley Municipal Water District (SBVMWD) wholesale water agencies. FWC purchases imported water supplies from IEUA and SBVMWD, both wholesale water agencies.

FWC receives groundwater supplies from three adjudicated basins which includes the Chino Basin, Rialto-Colton Basin, and the Lytle Basin, and one un-adjudicated basin known as the No Man's Land Basin.

### *Chino Basin*

The Chino Basin is the main source of water for FWC. The Chino Basin is an adjudicated basin. According to the DWR Bulletin 118 (California's Groundwater), DWR has not identified the Chino Basin as one of the basins being in "*critical condition of overdraft*."

### *Rialto-Colton Basin*

FWC pumps groundwater from four active wells in the Rialto-Colton Basin. The Rialto-Colton Basin is an adjudicated basin. DWR has also not identified the Rialto-Colton Basin as one of the basins being in “critical condition of overdraft.”

### *Lytle Basin*

FWC pumps groundwater from ten active wells in the Lytle Basin. The Lytle Basin is an adjudicated basin. DWR has also not identified the Lytle Basin as one of the basins being in “critical condition of overdraft.”

### *No Man’s Land Basin*

FWC pumps groundwater from three active wells in the No Man’s Land Basin. The No Man’s Land Basin is not an adjudicated basin. DWR has also not identified the No Man’s Land Basin as one of the basins being in “critical condition of overdraft.” Average groundwater production of approximately 4,000 AFY from the No Man’s Land Basin is estimated to be available for pumping and diversion by FWC during normal, single dry and multiple dry years in the next twenty years.

The adopted groundwater management plans for the adjudicated Chino Basin, Rialto-Colton Basin, and Lytle Basin are contained within the Chino Basin Judgment, Rialto-Colton Basin Court Decree, and McKinley Decree, respectively. FWC has the legal right to pump groundwater from these basins.

Historical average groundwater withdrawal from 2011 through 2015 from these basins over the last 21 years has been about 33,900 AFY; however, during the last five years, average pumping has only been about 29,000 AFY.

Development of the Project would increase impervious surface coverage on the site that would in turn reduce the amount of direct infiltration of runoff into the ground. The Project proposes to maximize roof drainage to landscaped areas, route downspouts across paved areas to underground infiltration system to collect and treat all water on the site in an underground infiltration system. As such, the project will not interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Based on the above analysis, impacts to groundwater supplies and recharge would be less than significant and no mitigation measures are required.

- c) **Less Than Significant Impact.** The existing condition of the Project site undeveloped land with poor natural grass coverage and few trees. Improvements include two proposed buildings, proposed concrete pavement, proposed concrete curb, proposed concrete gutter, proposed block walls, proposed landscape, and a proposed underground infiltration system. Based on the above analysis, impacts are less than significant and no mitigation measures are required.
- (i-iv)

- d) **No Impact.** According to Policy Map HZ-4 Flood Hazards, of the County Hazards Element, the Project site is not located within a Flood Hazard. According to the California Department of Conservation, California Official Tsunami Inundation Maps the site is not located within a tsunami inundation zone.

Seismic seiches are standing waves set up on rivers, reservoirs, ponds, and lakes when seismic waves from an earthquake pass through the area. The project site is not located in close proximity to a river, reservoir, pond, or lake and will not be at risk from seiche.

- e) **Less Than Significant Impact.** The site design will mimic the existing drainage patterns of the Project site, the project will maximize roof drainage to landscaped areas, downspouts will discharge onto paved surface and routed to underground infiltration system. All on site water will be collected and treated in underground infiltration system. As such, the project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Impacts are less than significant

**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>
<b>XI. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 County Policy Plan, 2020, Google Earth Pro.*

- a) **No Impact.** An example of a project that has the potential to divide an established community includes the construction of a new freeway or highway through an established neighborhood. The Project site is approximately 1.8 acres in size and is located in a developed area. The site is bordered by Arrow Route and single-family residences to the north, a single-family residential to the east and industrial/storage uses to the west and south areas. As such, the Project will not divide an established community and there are no impacts.
- b) **Less Than Significant Impact.** As demonstrated throughout this Initial Study/Mitigated Negative Declaration, the proposed Project would not otherwise conflict with any applicable goals, objectives, and policies of the County of San Bernardino Policy Plan or Development Code. Additionally, the Project would not conflict with any applicable policy document, including, without limitation, the South Coast Air Quality Management District’s *Air Quality Management Plan*, and the County of San Bernardino *Greenhouse Gas Emissions Reduction Plan*. The purpose of these plans is to avoid or mitigate an environmental effect.

In conclusion, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating adverse environmental effects and impacts are less than significant.

**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>
<b>XII. MINERAL RESOURCES</b> - 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION:</b> (Check <input type="checkbox"/> if project is located within the Mineral Resource Zone Overlay):				
<i>San Bernardino County Policy Plan, 2020</i>				

a) **No Impact.** The California Department of Conservation (DOC) designates portions of the Project site as being located within Mineral Resource Zone (MRZ)- 2, which is a zone known to contain significant mineral deposits or have a high likelihood of containing significant deposits (DOC, 2008). The County’s Policy Plan Map NR-4 Mineral Resources Zone designates the area as having Moderate Potential or Possible Location for mineral resources. However, the mineral resource zone and classification focus solely on geologic factors and the potential value and marketability of a mineral resource, without regard to existing land use and ownership or the compatibility of surrounding land uses.

Due to small size of the Project site and the residential uses in close proximity to the site, mineral resources extraction would not be feasible on-site. Accordingly, the Project would result in a less-than-significant impact related to the loss of availability of a known mineral resource.

b) **No Impact.** The Project site is not identified as a recourse recovery site on the Policy Plan, a specific plan or other land use plan. Therefore, no impact is anticipated.

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



<b>Issues</b>	<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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**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 checked="" type="checkbox"/> | <input 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 airport, would the Project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

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

*San Bernardino County Policy Plan, 2020; Submitted Project Materials*

a) **Less Than Significant Impact with Mitigation Incorporated.**

**Construction Noise**

Noise generated by construction equipment will include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. The number and mix of construction equipment is expected to occur in the following stages:

- Site Preparation;
- Grading;
- Building Construction;

- Paving; and
- Architectural Coating.

#### *Construction Noise Thresholds*

The degree of construction noise will vary depending on the phase of construction and type of construction activity. The closest sensitive receptors to the project site are existing residential uses to the north and east.

Construction noise sources are regulated within San Bernardino County under Section 83.01.090 (G) of the Development Code, which states that temporary construction, maintenance, repair, or demolition activities between 7AM to 7PM, except Sundays and Federal Holidays are exempt from the County's noise regulations.

Regardless of the Project's consistency with the Section 83.01.090 of the Development Code as described above, construction activities on the project site, especially those involving heavy equipment, would result in noise levels up to 101.5 dBA during construction as shown on Table 13 above, which would exceed the exterior noise level for residential uses of 55 dBA CNEL. The following mitigation measure is required to reduce construction noise impacts to the maximum extent feasible.

***Mitigation Measure NOI-1: Construction Noise. Prior to the issuance of a grading permit and building permit, the following note shall be placed on the grading plans and building plans.***

***"a. During the project site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with the manufactures standards.***

***b. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.***

***c. The construction contractor shall limit all construction-related activities that would result in high noise levels between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday excluding holidays.***

***d. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.***

***e. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings."***

With implementation of Mitigation Measure NOI-1, impacts are less than significant.

## **Operational Noise**

### *Operational Noise (Stationary)*

Existing residences near the Project may periodically be subjected to noise associated with on-site operation of the facility. On-site operational noise would include noise from HVAC equipment, vehicle traffic, and business activities.

The Project is not allowed to generate noise in excess of standards established by the County's General Plan and § 83.01.080 of the County's Development Code. Mandatory compliance with the General Plan and Development Code will ensure that noise impacts are less than significant.

### *Traffic Noise*

The proposed Project is expected to generate approximately 54 trips (19 trips in the AM peak hours and 19 trips in the PM peak hours respectively). Typically, a doubling of traffic volumes would result in an increase of 3 dBA, which is considered to be a barely audible change. Project generated traffic will not result in a doubling of traffic volumes along any affected roadway segment. As such, the proposed Project traffic would not result in a substantial permanent increase in ambient roadway noise levels. Off-site transportation-related noise impacts created by the Project are less than significant and mitigation is not required.

## **b) Less Than Significant Impact.**

### *Construction Vibration*

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that ground-borne vibration from construction activities most likely to cause vibration impacts are:

Heavy Construction Equipment: Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration while operating close to buildings, the vibration is usually short-term and is not of sufficient magnitude to cause building damage.

Trucks: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

Section 83.01.090 of the Development Code states:

*“No ground vibration shall be allowed that can be felt without the aid of instruments at or beyond the lot line, nor shall any vibration be allowed which produces a particle velocity greater than or equal to two-tenths (0.2) inches per second measured at or beyond the lot line.”*

The vibratory impact from the site is estimated to be 0.141 PPV (in/sec) at the nearest sensitive receiver. Therefore, the project will not result in a generation of excessive groundborne vibration or groundborne noise levels. Impacts are less than significant.

*Operational Vibration*

Typically, groundborne vibration sources that could potentially affect nearby properties are from rail roads and trucks traveling at higher speeds on freeways and highways. The project does not have rail access nor is it a major transportation facility or roadway. Therefore, the operational impacts associated with ground-borne vibration would be less than significant at nearby sensitive uses.

- c) **No Impact.** The Project site is not located within an airport land use plan or within 2 miles of a public use airport or private airstrip. The nearest airports are the Ontario International Airport approximately 8 miles to the southwest, and the Chino Airport located approximately 15 miles to the southwest of the project site. As such, the Project would not expose people residing or working in the project area to excessive noise levels. There is no impact.

**Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation Measure NOI-1.**

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

***SUBSTANTIATION:***  
*San Bernardino County Policy Plan, 2020*

- a) **No Impact.** The Project is proposing the IC (Community Industrial) Zoning with proposed fabrication/manufacturing use and would not yield any population growth. The project will connect to existing infrastructure and utilize existing roads and would not result in any new extension of roads. Based on the analysis, no impact is anticipated.
- b) **No Impact.** The Project would not displace substantial numbers of existing people or existing housing units, or require the construction of replacement housing. There is no impact.

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

<b>Issues</b>	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

*San Bernardino County Policy Plan, 2020*

- a) **Less than Significant Impact.**

**Fire Protection**

The Fontana Fire District, through contract by the San Bernardino Fire Department, provides fire services to the City of Fontana and surrounding unincorporated areas of San Bernardino County.

Development of the project would affect fire protection services by placing an additional demand on existing fire protection resources. The Project would be conditioned by the Fire Department to provide a minimum of fire safety and support fire suppression activities, including compliance with State and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. Although the Project would increase the demand for fire protection services, it is not anticipated it would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, as the Fire Department has reviewed the Project and will provide fire protection services from existing facilities.

Based on the above analysis, impacts related to fire protection are less than significant.

**Police Protection**

The San Bernardino County Sheriff's Department provides police protection services to project area. The Project site is located within an urbanized area routinely patrolled.

The Sheriff's Department has indicated that it can provide police protection services to the Project site from existing facilities so the provision of new or physically altered sheriff facilities or need for new or physically altered sheriff facilities is not required. Impacts are less than significant.

### **Schools**

The Project does not propose any housing and would not directly create additional students to be served by the Fontana Unified School District. However, the Project would be required to contribute fees to the Jurupa Unified School District in accordance with the Leroy F. Greene School Facilities Act of 1998 (Senate Bill 50). Pursuant to Senate Bill 50, payment of school impact fees constitutes complete mitigation under CEQA for Project-related impacts to school services and no impacts would occur.

### **Parks**

The Project will not create an additional need for housing. As such, the Project will not directly increase the overall population of the County and generate the need for additional parkland. The payment of property taxes will reduce any indirect Project impacts related to parks. No impact would occur.

### **Other Public Facilities**

The Project would not contribute to a substantial increase in the overall population, necessitating either construction or expansion of a hospital, community based clinic, or other health services facility or program. No impact is anticipated.

**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>
<b>XVI. RECREATION</b>				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**  
*San Bernardino County Policy Plan, 2020*

- a) **No Impact.** As discussed above in Section XIV, the Project would not result in any increase in the overall population, necessitating neither construction or expansion of a parks or recreational facilities. Therefore, no impact is anticipated.
- b) **No Impact.** Because the Project proposes manufacturing/fabrication uses, it would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Therefore, no impact would occur.

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



<b>Issues</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII. TRANSPORTATION – Would the project:</b>				
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 type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

*San Bernardino County Policy Plan, 2020;*

a) **Less Than Significant Impact.**

**Transit Service Analysis**

Omnitrans, a public transit agency serves the project area. There is no bus service adjacent to the project site. In addition, the Project is not proposing to construct any improvements that would interfere with any future bus service.

**Bicycle & Pedestrian Facilities Analysis**

The Project is proposing to construct applicable street improvements, including a sidewalk, drive approach, and landscaping. Pedestrian access is available with the

construction of these improvements. Although no bicycle parking areas have been identified, the Project site is easily accessible to bicyclists. Therefore, the project will not conflict with an applicable plan, ordinance or policy applying to non-motorized travel. Impacts are less than significant.

- b) **Less Than Significant Impact.** CEQA Guidelines Section 15064.3 (b) describes specific considerations for evaluating a project's transportation impacts utilizing vehicle miles traveled (VMT). For purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact.

According to the *County of San Bernardino Transportation Impact Study Guidelines*, July 9, 2019, projects that serve the local community and have the potential to reduce VMT should not be required to complete a VMT assessment. These projects are noted below:

- 11 single family housing units
- 16 multi-family, condominiums, or townhouse housing units
- 10,000 sq. ft. of office
- 15,000 sq. ft. of light industrial
- 63,000 sq. ft. of warehousing
- 79,000 sq. ft. of high cube transload and short-term storage warehouse
- 12 hotel rooms

The project proposes the construction of two new structures one being 15,613 sq. ft. with 1,200 sq. ft. 1<sup>st</sup> floor office space, 1,200 2<sup>nd</sup> floor storage space, 12,213 sq. ft. warehouse; the second structure being 16,831 sq. ft., with 1,200 1<sup>st</sup> floor office, and 1,200 sq. ft. 2<sup>nd</sup> floor office, and 14,431 sq. ft. warehouse areas. As such, it does not exceed the thresholds for office and light industrial uses described above and is not forecast to significantly impact VMT.

- c) **No Impact.** The Project will construct frontage improvements (curb, gutter, and sidewalk) to County standards along Arrow Route. As such, the Project will not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections). The Project site is located in an area developed with residential and industrial land uses. There are no major agricultural uses in the vicinity which would increase incompatible uses with farm equipment.
- d) **No Impact.** The project will not result in inadequate emergency access, because the Project will provide a driveway approach from the site to Arrow Route.

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

<b>Issues</b>	<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  | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

**SUBSTANTIATION:**  
*San Bernardino County Policy Plan, 2020; Letter of Response from the Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, California State University, Fullerton*

i) **No Impact.** Historic resources generally consist of buildings, structures, improvements, and remnants associated with a significant historic event or person(s) and/or have a historically significant style, design, or achievement. Damaging or demolition of historic resources is typically considered to be a significant impact. Impacts to historic resources can occur through direct impacts, such as destruction or removal, and indirect impacts, such as a change in the setting of a historic resource.

CEQA Guidelines §15064.5(a) clarifies that historical resources include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources.

2. A resource included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements [of] section 5024.1(g) of the Public Resources Code.

3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

On March 3, 2021, the South Central Coastal Information Center (SCCIC) at California State University, Fullerton conducted a record search of previously documented cultural resources and cultural resource surveys and studies conducted on the property and within 1-mile radius of the subject property, using the Cultural Historical Resources Information System (CHRIS) (Appendix B).

While there appeared to be one or more structures on the property in the 1950s, the structures no longer exist or have been recently demolished. Grading also appears to have occurred. Because there are no historic resources indicated on the site, the proposed project would have no impact.

a) **Less Than Significant Impact With Mitigation Incorporated.** Tribal Cultural Resources are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

#### Assembly Bill (AB) 52

AB 52 also created a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project.

Through the AB52 notification process, the County Land Use Services Department sent notices to the following tribes:

- San Gabriel Band of Mission Indians.
- Soboba Band of Luiseño Indians.
- San Manuel Band of Mission Indians.
- Gabrieleño Band of Mission Indians-Kizh Nation.
- Morongo Band of Mission Indians.

In combination with the AB 52 process, notification consistent with SB18 was also provided to Tribes based a contact list provided by the Native American Heritage Commission (NAHC). As a result of the AB52 and SB18 consultation process, as noted previously in the **Cultural Resources**, Section V of this document, the San Manuel Band of Mission Indians indicated that should any Tribal Resources may be encountered certain mitigation measures are to be undertaken, as noted below.

**Mitigation Measure TCR-1: Tribal Cultural Resources.**

- 1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.***
- 2. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.***

Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation measure TCR-1.

<b>Issues</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION:</b>				
County of San Bernardino Policy Plan, 2020; Submitted Project Materials, CalEEMod Printouts (Appendix A), CalRecycle.				

- a) **Less Than Significant Impact With Mitigation Incorporated.** The Project would require the relocation and/or construction of the following facilities:

Water

The Project will construct an existing water line located in Arrow Route.

Wastewater Treatment

The Project proposes the use an on-site wastewater treatment system (OWTS) for wastewater treatment.

Storm Drainage

The site design will mimic the existing drainage patterns of the Project site. The Project will maximize roof drainage to landscaped areas and downspouts will discharge onto paved surface and routed to underground infiltration system. All on site water will be collected and treated in underground infiltration system.

Electric Power

The Project will connect to the existing Southern California Edison electrical distribution facilities available near the project site.

Natural Gas

The Project will connect to the existing Southern California Gas natural gas distribution facilities near the Project site.

**Conclusions**

The installation of the above-described facilities as proposed by the Project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout this Initial Study/Mitigated Negative Declaration. In instances where significant impacts have been identified, Mitigation Measures have been required to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study/Mitigated Negative Declaration would not be required.

- b) **Less Than Significant Impact.** The following analysis is based in part on the *San Gabriel Valley Water Company Fontana Water Company Division, Final 2015 Water Management Plan* (FWC, 2015):

The Project site will be provided water by the Fontana Water Company (FWC). FWC is a division of the San Gabriel Valley Water Company and is a retail water supplier for the City of Fontana, and portions of the City of Rialto, City of Rancho Cucamonga, and adjacent unincorporated areas of San Bernardino County. FWC operates within the service area of the Inland Empire Utilities Agency (IEUA) and the San Bernardino Valley

Municipal Water District (SBVMWD) wholesale water agencies. FWC purchases imported water supplies from IEUA and SBVMWD, both wholesale water agencies.

FWC receives groundwater supplies from three adjudicated basins which includes the Chino Basin, Rialto-Colton Basin, and the Lytle Basin, and one un-adjudicated basin known as the No Man's Land Basin.

#### *Chino Basin*

The Chino Basin is the main source of water for FWC. The Chino Basin is an adjudicated basin. According to the DWR Bulletin 118 (California's Groundwater), DWR has not identified the Chino Basin as one of the basins being in "*critical condition of overdraft*."

#### *Rialto-Colton Basin*

FWC pumps groundwater from four active wells in the Rialto-Colton Basin. The Rialto-Colton Basin is an adjudicated basin. DWR has also not identified the Rialto-Colton Basin as one of the basins being in "*critical condition of overdraft*."

#### *Lytle Basin*

FWC pumps groundwater from ten active wells in the Lytle Basin, The Lytle Basin is an adjudicated basin. DWR has also not identified the Lytle Basin as one of the basins being in "*critical condition of overdraft*."

#### *No Man's Land Basin*

FWC pumps groundwater from three active wells in the No Man's Land Basin. The No Man's Land Basin is not an adjudicated basin. DWR has also not identified the No Man's Land Basin as one of the basins being in "*critical condition of overdraft*." Average groundwater production of approximately 4,000 AFY from the No Man's Land Basin is estimated to be available for pumping and diversion by FWC during normal, single dry and multiple dry years in the next twenty years.

The adopted groundwater management plans for the adjudicated Chino Basin, Rialto-Colton Basin, and Lytle Basin are contained within the Chino Basin Judgment, Rialto-Colton Basin Court Decree, and McKinley Decree, respectively. FWC has the legal right to pump groundwater from these basins.

Historical average groundwater withdrawal from 2011 through 2015 from these basins over the last 21 years has been about 33,900 AFY. However, during the last five years, average pumping has only been about 29,000 AFY.

The data in FWC's Urban Water Management Plan indicated the following:

- Normal Year supplies are adequate to meet projected Normal Year demands.



- With a reduction in demands as a result of water conservation, FWC's Single Dry Year supplies are adequate to meet projected Single Dry Year demands.
- FWC's Multiple Dry Year supplies are adequate to meet projected Multiple Dry Year demands.

The Project is proposing a Policy Plan Amendment to change the Land Use District from MDR (Medium Density Residential) to LI (Limited Industrial) and the Zoning District from RM (Multiple Residential) to IC (Community Industrial) on two parcels consisting of 1.8 acres. Given that the current unemployment rate for the Riverside-San Bernardino-Ontario area is approximately 4.5%, it is reasonably assured that the jobs would be filled by people living within the region. (Bureau of Labor Statistics, 2018). As such, the Project is not expected to result in an increase in population. As such, the change in land use will not substantially change the population assumptions in the *San Gabriel Valley Water Company Fontana Water Company Division, Final 2015 Water Management Plan*.

Based on the analysis above, the Project will have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple years and impacts are less than significant.

- c) **No Impact.** Wastewater is proposed to be treated by an on-site septic system. Therefore, the Project will not 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.
- d) **Less Than Significant Impact.**

#### *Construction Waste*

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The California Green Building Standards Code ("CALGreen"), requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects required to submit a Waste Management Plan. Mandatory compliance with CALGreen solid waste requirements will ensure that construction waste impacts are less than significant.

#### *Operational Waste*

Waste generated during the operation of the Project is estimated to be 38.73 tons per year based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model which can be used to estimate solid waste generation rates for various types of land uses for analysis in CEQA documents.

Solid waste generated in the Fontana area is generally transported to the Mid-Valley Landfill. According to the Cal Recycle Facility/Site Summary Details website accessed on February 10, 2020 the Mid-Valley Landfill has a maximum capacity of 101,300,000 CY and is not anticipated to reach capacity until 2033 (CalRecycle, 2019). As such, the Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

- e) **No Impact.** The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the Act established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted. Utilizing the requirements of the Integrated Waste Management Act, the San Bernardino County Board of Supervisors adopted the *County of San Bernardino Countywide Integrated Waste Management Plan*. This document outlines the goals, policies, and programs the County and its cities will implement to create an integrated and cost effective waste management system that complies with the provisions of California Integrated Waste Management Act and its diversion mandates.

The Project operator(s) will be required to coordinate with the waste hauler to develop collection of recyclable materials for the Project on a common schedule as set forth in applicable local, regional, and State programs. Recyclable materials that would be recycled by the commercial facility include paper products, glass, aluminum, and plastic.

Additionally, the Project's waste hauler would be required to comply with all applicable local, State, and Federal solid waste disposal standards, thereby ensuring that the solid waste stream to the landfills that serve the facility are reduced in accordance with existing regulations.

**Therefore, no significant adverse impacts are identified or anticipated with implementation of Mitigation Measure CR-1, GEO-1, and TCR-1.**

<b>Issues</b>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XX. WILDFIRE:</b> 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***

*County of San Bernardino Policy Plan, 2020;*

a-d) **No Impact.** A wildfire is a nonstructural fire that occurs in vegetative fuels, excluding prescribed fire. Wildfires can occur in undeveloped areas and spread to urban areas where the landscape and structures are not designed and maintained to be ignition resistant. A wildland-urban interface is an area where urban development is located in proximity to open space or “wildland” areas. The potential for wildland fires represents a hazard where development is adjacent to open space or within close proximity to wildland fuels or designated fire severity zones. Steep hillsides and varied topography also contribute to the risk of wildland fires. Fires that occur in wildland-urban interface areas may affect natural resources as well as life and property. The California Department of Forestry and Fire Protection (Cal Fire) has mapped areas of significant fire hazards in the state through its Fire and Resources Assessment Program (FRAP). These maps place areas of the state into different fire

hazard severity zones (FHSZ) based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing density, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses. As part of this mapping system, land where Cal Fire is responsible for wildland fire protection and generally located in unincorporated areas is classified as a State Responsibility Area (SRA). Where local fire protection agencies are responsible for wildfire protection, land is classified as a Local Responsibility Area (LRA). Cal Fire does not currently identify the project site as an SRA.

In addition, the County has mapped areas that are susceptible to wildland fires. The Fire Hazard mapping is derived from areas designated in high fire hazard areas in the General Plan and locations derived from the California Department of Forestry, U.S. Forest Service, and the County Fire Department. According to Policy Plan Map HZ-5 Fire Hazard Severity Zones, the Project site is not located within in or near lands classified as very high fire hazard severity zones.

**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>
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- a) **Less Than Significant Impact With Mitigation Incorporated.** In instances where significant impacts have been identified, Mitigation Measures CR-1, CR-2, and TCR-1 are required to reduce impacts to less than significant levels. Therefore, Project does not have impacts which would have the potential to 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, 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.
- b) **Less Than Significant Impact With Mitigation Incorporated.** The Project would result in potentially significant project-specific impacts to cultural resources,

paleontological resources, noise, and tribal cultural resources. In instances where these impacts have been identified, Mitigation Measures CR-1, CR-2, GEO-1, NOI-1, (assuming other construction activities take place simultaneously with the proposed project) and TCR-1 are required to reduce impacts to less than significant levels. In addition, future development in the surrounding area may effect these resources as well. However, implementation of the mitigation measures outlined in this document, and other CEQA documents for development projects in the area, will help reduce potential impacts to less than significant levels or to the maximum extent feasible. Therefore, Project does not have impacts that are cumulatively considerable.

- c) **Less Than Significant Impact With Mitigation Incorporated.** The Project would result in potentially significant project-specific impacts to noise. Mitigation Measures NOI-1 is required to reduce impacts to less than significant levels. Therefore, the Project does not have impacts which will cause substantial adverse effects on human beings, either directly or indirectly

## **MITIGATION MEASURES.**

(Any mitigation measures which are not 'self-monitoring' shall have a Mitigation Monitoring and Reporting Program prepared and adopted at the time of project approval)

**Mitigation Measure CR-1: Treatment of Previously Unidentified Cultural Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:**

***"If previously unidentified cultural resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:***

- 1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.***
- 2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable cultural storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant cultural resources is not complete until such curation into an established repository has been fully completed and documented.***
- 3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to cultural resources."***

**Mitigation Measure CR-2: Treatment of Potential Tribal Cultural Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:**

***"If unidentified cultural resources are unearthed during construction activities, the following actions shall be undertaken:***

- 1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be***

**provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.**

- 2. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.**
- 3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.”**

**Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources.** Prior to the issuance of a grading permit, the following note shall be included on the grading plans:

**“If previously unidentified paleontological resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:**

- 1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.**
- 2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontological storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant paleontological resources is not complete until such curation into an established repository has been fully completed and documented.**
- 3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.”**



**Mitigation Measure NOI-1: Construction Noise.** *Prior to the issuance of a grading permit and building permit, the following note shall be placed on the grading plans and building plans.*

***“a. During the project site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with the manufactures standards.***

***b. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.***

***c. The construction contractor shall limit all construction-related activities that would result in high noise levels between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday excluding holidays.***

***d. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.***

***e. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.”***

**Mitigation Measure TCR-1: Tribal Cultural Resources.**

***1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.***

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

**GENERAL REFERENCES**

Cal Recycle, Solid Waste Information System (SWIS),  
<https://www2.calrecycle.ca.gov/SWFacilities/Directory/>

California Department of Transportation. *Caltrans Scenic Highway Corridor Map*.  
[http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm)

California Energy Commission, *Electricity Consumption by County*, 2018  
<http://ecdms.energy.ca.gov/elecbycounty.aspx>

Census 2000 Urbanized Area Maps. <https://www.census.gov/geo/maps-data/maps/ua2kmaps.html>.

County of San Bernardino, Countywide Plan. Adopted July 2020.  
[http://countywideplan.com/wp-content/uploads/2020/08/CWP\\_PolicyPlan\\_PubHrngDraft\\_HardCopy\\_2020\\_July.pdf](http://countywideplan.com/wp-content/uploads/2020/08/CWP_PolicyPlan_PubHrngDraft_HardCopy_2020_July.pdf)

County of San Bernardino, Countywide Plan Draft EIR. Prepared June 2019.  
[http://countywideplan.com/wp-content/uploads/2019/06/Ch\\_000\\_TITLE-PAGE.pdf](http://countywideplan.com/wp-content/uploads/2019/06/Ch_000_TITLE-PAGE.pdf)

County of San Bernardino. 2007. *County of San Bernardino 2007 Development Code*.  
<http://cms.sbcounty.gov/lus/Planning/DevelopmentCode.aspx>

County of San Bernardino Greenhouse Gas Emissions Reduction Plan, September 2011,  
[www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf](http://www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGFull.pdf)

County of San Bernardino Hazard Overlay Map FH28B (Fontana).  
<http://cms.sbcounty.gov/lus/Planning/ZoningOverlayMaps/HazardMaps.aspx>

South Coast Air Quality Management District, Final 2016 Air Quality Management  
Plan [www.aqmd.gov](http://www.aqmd.gov)

State of California, Department of Conservation, Division of Land Resource Protection, Farmland  
Mapping and Monitoring Program.

## **PROJECT-SPECIFIC REFERENCES**

### **Appendices: (Under Separate Cover or on Compact Disk)**

- A. CalEEMod Data Sheets, March 8, 2021.
- B. Cultural Historical Resources Information System (CHRIS), South Central Coast Information Center, March 3, 2021.

# EXHIBIT B

## Findings

## PROJECT FINDINGS

The applicant requests:

- Policy Plan Amendment to change the Land Use Category designation from MDR (Medium Density Residential) to LI (Limited Industrial).
- Zoning Amendment to change the Land Use Zoning District from RM (Multiple Residential) to IC (Community Industrial).
- Conditional Use Permit to construct two warehouse/fabrication buildings of 16,831 sq. ft. and 15,613 sq. ft. on separate parcels totaling 1.8 acres (collectively the Project).

### **FINDINGS: POLICY PLAN/ZONING AMENDMENT**

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 86.12.060,<sup>1</sup> and supporting facts for the Policy Plan and Zoning Amendment:

1. **The proposed amendment is internally consistent with all other provisions of the respective plan, the Policy Plan or an applicable specific plan** as it is consistent with the following goals and policies:

#### **Policy Plan**

##### **Policy LU-2.1 Compatibility with existing uses:**

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

##### Consistency

The Project site is within an area that has a mixed development pattern and has undergone a transition with the expansion of industrial related uses. The block between Mulberry and Calabash Avenues along Arrow Route has a variety of land uses, including industrial, commercial, and both multiple family residential and single family residential land uses. The adjoining two parcels to the west undertook a similar land use change in May 2017 with the approval of a General Plan Amendment/Zone Amendment from RM to IC. The County Development Code contains criteria for new industrial development adjacent to residential land uses, including building setbacks and landscaping. The proposed Project has met those requirements and also oriented the traffic pattern and activity areas to occur within the interior of the site away from adjoining residential uses.

##### **Policy LU-2.4 Land Use Map consistency**

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<sup>1</sup> All reference to the "General Plan" within these findings have been updated to refer to the new terminology associated with the recent adoption of Countywide Plan, Policy Plan, and the accounting of a two-map system requiring both a Policy Plan and Zoning Amendment.

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

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Consistency

The proposed Project includes a Policy Plan Amendment from MDR to LI and a Zoning Amendment from RM to IC. This land use change will provide compatibility with the adjoining land uses to the west and south. Conforming residential land uses exist to the east and the Project design is compatible with the County's Development Code criteria for industrial uses adjacent to residential land uses. The proposed Project has also oriented the traffic pattern and activity areas to occur within the interior of the site away from adjoining residential uses.

**Policy LU-2.12 Office and industrial development in the Valley region**

We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.

Consistency

The proposed Project is an industrial use that would provide opportunity for increased local employment opportunities and promote a countywide jobs-housing balance.

2. **The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County** because the amendment facilitates a Project that has incorporated appropriate conditions of approval and mitigation measures to protect public health and enhance safety, while providing increased economic opportunities, yet ensuring adequate environmental protection for the existing environment.
3. **The proposed policy plan and land use zoning district change is in the public interest, there will be a community benefit, and other existing and allowed uses will not be compromised.** The proposed Policy Plan and Zoning Amendment reflects an ongoing land use transition in the project area that provides a variety of land uses, primarily industrial, thereby providing an opportunity to achieve a better jobs-housing balance.
4. **The proposed policy plan and land use zoning district change will provide a reasonable and logical extension of the existing land use pattern in the surrounding area.** The proposed Policy Plan Amendment to LI and Zoning Amendment to IC represents an extension of the existing land use category and zoning district to the west and south. Limited Industrial also exists in the adjoining block to the east on the south side of Arrow Route, between Calabash and Banana Avenues.

5. **The proposed policy plan and land use zoning district change does not conflict with provisions of the Development Code** because the Project site conforms to the size and location criteria specified for the LI/IC land use category and zoning district and will conform to the development standards and other applicable land use regulations of the IC zoning district.
6. **The proposed policy plan and land use zoning district change will not have a substantial adverse effect on surrounding property.** The Project site represents an extension of the industrial land use pattern to the west and south. The proposed use for the Project site is also conditioned to adhere to the Development Code requirements regarding noise, odor, lighting and use requirements, along with the identified mitigation measures contained in the Initial Study/Mitigated Negative Declaration that will mitigate environmental impacts to adjacent uses. The Project design is such that the potential adverse effects from vehicle trips and grading activities and their resulting operational noise, air emissions, and odors would not adversely affect nearby residences.
7. **The affected site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle (e.g., fire and medical) access and public services and utilities (e.g., fire protection, police protection, potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.), to ensure that the proposed or anticipated uses and/or development will not endanger, jeopardize, or otherwise constitute a hazard to the property or improvements in the vicinity in which the property is located.** The Project has been evaluated and conditioned to provide a safe and accessible site for the proposed operation. Fire and police protection will be provided by the San Bernardino County Fire Protection District and the San Bernardino County Sheriff's Department and appropriate emergency vehicle access has been incorporated into the site design. Water and sewer service is to be provided by Fontana Water Company and an on-site septic system approved by County Environmental Health. The County has evaluated all aspects of the Project and determined that the Project does not constitute a hazard to neighboring properties.

**FINDINGS: CONDITIONAL USE PERMIT**

The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040 and supporting facts for the Project's Conditional Use Permit

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** because the subject property is of adequate size and configuration to accommodate the proposed use and permit all proposed structures and activity areas to meet required setbacks, provide an adequate number of on-site parking spaces, allow for required vehicle maneuvering, and provide adequate landscape areas and features consistent with the requirements of the Development Code for the proposed land use.
2. **The site for the proposed use has adequate access** because Arrow Route is a paved roadway that provides physical access to the Project site, and the proposed conditions of approval will require additional road improvements to ensure safe pedestrian access and vehicular transit across the street.

- 3. **The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance** because the proposed Project is designed to provide for operational activities within the interior portion of the project site with the proposed buildings buffering adjoining land uses to minimize noise and light. In addition, the conditions of approval ensure that the Project will conform to countywide performance standards, including those for noise and vibration, to reduce potential impacts to the nearby residences.
- 4. **The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the County Policy Plan**, as enumerated in the Policy Plan Amendment Findings.

**General Plan**

**Policy LU-2.1 Compatibility with existing uses**

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Applicability

The Project site is within an area that has a mixed development pattern and has undergone a transition with the expansion of industrial related uses. The block between Mulberry and Calabash Avenues along Arrow Route has a variety of land uses, including industrial, commercial, and both multiple family residential and single family residential land uses. The adjoining two parcels to the west undertook a similar land use change in May 2017 with the approval of a General Plan Amendment/Zone Change from RM to IC. The County Development Code contains criteria for new industrial development adjacent to residential land uses, including building setbacks and landscaping. The proposed Project has met those requirements and also oriented the traffic pattern and activity areas to occur within the interior of the site away from adjoining residential uses.

**Policy LU-2.4 Land Use Map consistency**

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

We require that new development is located, scaled, buffered, and designed to minimize negative impacts on existing conforming uses and adjacent neighborhoods. We also require that new residential developments are located, scaled, buffered, and designed so as to not hinder the viability and continuity of existing conforming nonresidential development.

Applicability

The proposed Project includes a General Plan Amendment from MDR to LI and a Zone Change from RM to IC. This land use change will provide compatibility with the adjoining land uses to the west

and south. Conforming residential land uses exist to the east and the Project design is compatible with the County's Development Code criteria for industrial uses adjacent to residential land uses. The proposed Project has met those requirements and also oriented the traffic pattern and activity areas to occur within the interior of the site away from adjoining residential uses.

**Policy LU-2.12 Office and industrial development in the Valley region**

We encourage office and industrial uses in the unincorporated Valley region in order to promote a countywide jobs-housing balance.

Applicability

The proposed Project is an industrial use that would provide for the opportunity for increased local employment opportunities and promote a countywide jobs-housing balance.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed Project without significantly lowering service levels.** The developer will be required to construct appropriate road improvements, provide adequate water and septic facilities, and extend adequate utilities to the property, in accordance with the conditions of approval.
6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare** because the conditions include mitigation measures to reduce impacts to the environment, including cultural resources, paleontological, and noise. In addition, the conditions will ensure the Project will meet the adopted countywide performance standards.
7. **The design of the site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities** because the proposed building design would permit installation of solar facilities on the roof, depending upon its feasibility to incorporate this feature into the project.

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**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 Conditions of Approval and 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 C

## Conditions of Approval



# Conditions of Approval

Record: PROJ-2020-00220

The following conditions of approval have been imposed for the project identified below. The applicant/developer shall complete all conditions of approval stipulated in the approval letter.

Conditions of Approval are organized by project phase, then by status, and finally by department imposing the condition.

On-going conditions must be complied with at all times. For assistance interpreting the content of this document, please contact the Land Use Services Department Planning Division.

Contact information is provided at the end of this document for follow-up on individual conditions.

## Informational

1. Project Approval Description (CUP): This Conditional Use Permit is conditionally approved to establish two separate fabrication and warehouse structures of 16,831 sq. ft. and 15,613 sq. ft. on two separate parcels, that includes a Policy Plan Amendment and Zone Change from MDR to LI and RM to IC, respectively, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). 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.
2. Project Location: The Project site is located 13815 and 13835 Arrow Route, Fontana, CA, 92407.

## **County Fire - Community Safety**

3. Additional Requirements: In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office. 1. Indicate the Riser Rooms on Plans per Standard F-4 and F-5 2. Deferred Submittal required for Sprinklers and Alarms 3. Show location of closest public hydrant to the project 4. Indicate the 26' fire access on the plans and show the dimension on the Turnaround per Standard A-1
4. Standard F-5 DESIGN, INSTALLATION AND MAINTENANCE OF FIRE ALARM SYSTEMS: This standard applies to all new installations and modifications of existing fire alarm systems, within new construction as well as building additions and tenant improvements within existing buildings. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 72 or the California Fire Code.
5. Standard B-1 PREMISE AND BUILDING IDENTIFICATION AND ADDRESSING: This standard applies to the marking of all buildings with address numbers for identification.



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6. 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.
7. Standard A-3 GATES AND OTHER OBSTRUCTIONS TO FIRE DEPARTMENT ACCESS: This standard shall apply to all obstructions, access control devices, traffic calming devices, or other similar systems within any roadways that serve as fire access in all new or existing residential, commercial, and industrial development. This standard does not apply to obstructions within parking aisles that do not serve as fire apparatus access roads.
8. Standard A-1 FIRE APPARATUS ACCESS ROAD DESIGN, CONSTRUCTION AND MAINTENANCE:
  - a. 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.
9. Standard F-4 POST INDICATOR VALVES AND FIRE DEPARTMENT CONNECTIONS: This standard, in conjunction with the latest edition of NFPA 13, NFPA 13R and NFPA 24, shall apply to the design and installation of, and the modification to, all new and existing fire sprinkler systems in commercial and industrial buildings and multi-family dwellings. This standard and its interpretation shall take NOT precedent where there is any conflict with NFPA standards.
10. Standard F-1 FIRE SPRINKLER SYSTEMS IN COMMERCIAL AND INDUSTRIAL BUILDINGS: This standard, in conjunction with the latest edition of NFPA 13, shall apply to the design and installation of, and the modification to, all fire sprinkler systems in commercial and industrial occupancies. This standard and its interpretation is not intended to be applied or enforced where there is any conflict with NFPA 13 or the California Fire Code.

## Land Use Services - Land Development

11. 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.
12. 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.
13. 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.
14. 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.
15. 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.

## On-going

### Land Use Services - Planning

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



# Conditions of Approval

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17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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)
23. 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.
24. 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.
25. 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.
26. Additional Permits: The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use.



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27. 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.
  - 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.
28. 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.
29. Project Account: The Project account number is PROJ-2020-00220. 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 \$2,000.00 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.
30. Expiration: This project permit approval shall expire and become void if it is not "exercised" within 36 months 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.



## Conditions of Approval

31. **Continuous Maintenance:** The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
  - b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance.
  - c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
  - d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
  - e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
  - f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
  - g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
  - j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
  - k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires 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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## Public Health- Environmental Health Services

32. 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.
33. 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.
34. Septic System Maintenance: The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a EHS permitted pumper. For information, please call EHS/Wastewater Section at: 1-800-442-2283.

## Prior to Land Disturbance

### Land Use Services - Building and Safety

35. 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.
36. 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.
37. Wall Plans: Submit plans and obtain separate building permits for any required retaining walls.

### Land Use Services - Land Development

38. 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.
39. 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>)
40. 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 1.47 acres and the fee shall be \$6,475.35.
41. On-site Flows: On-site flows need to be directed to the nearest drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
42. 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.
43. 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](http://www.swrcb.ca.gov)



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44. Grading Plans: Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and 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.
45. FEMA Flood Zone: The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8635J dated 9/26/2014. 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.
46. Drainage Improvements: A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

## Land Use Services - Planning

47. 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 and implement the following when possible: - training operators to use equipment more efficiently. - 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.
48. Diesel Regulations: The operator shall comply with all existing and future California Air Resources Board and South Coast Air Quality Management District (SCAQMD) regulations related to diesel-fueled trucks, which among others may include: (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. 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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49. Air Quality: Although the Project does not exceed South Coast Air Quality Management District (SCAQMD) thresholds, the Project proponent is required to comply with all applicable rules and regulations as the SCAQMD Basin 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 Mojave Desert 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.
50. Tribal Conditions:
- A. Cultural Resource (CUL) Mitigation Measure CR-1. Prior to the issuance of a grading permit, the following note shall be included on the grading plans: If previously unidentified cultural resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:
1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.
  2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable cultural storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant cultural resources is not complete until such curation into an established repository has been fully completed and documented.
  3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to cultural resources."
- B. Cultural Resource (CUL) Mitigation Measure CR-2: Treatment of Potential Tribal Cultural Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:
1. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.



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2. If significant precontact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

3. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

C. Tribal Cultural Resources (TCR) Mitigation Measures:

1. The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

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

51. Mitigation Measure NOI-1: Construction Noise. Prior to the issuance of a grading permit and building permit, the following note shall be placed on the grading plans and building plans.

a. During the project site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with the manufactures standards.

b. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

c. The construction contractor shall limit all construction-related activities that would result in high noise levels between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday excluding holidays.

d. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.

e. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.”

52. Mitigation Measure GEO-1: Treatment of Previously Unidentified Paleontological Resources. Prior to the issuance of a grading permit, the following note shall be included on the grading plans:

If previously unidentified paleontological resources are unearthed during construction activities, construction work in the immediate area of the find shall be halted and directed away from the discovery until a qualified Paleontologist assesses the significance of the resource. The County of San Bernardino Land Use Services Department shall make the necessary plans for treatment of the find(s) and for the evaluation and mitigation of impacts if the finds are found to be historically significant according to CEQA (CEQA Guidelines Section 15064.5 (a)). The plan shall include, but not be limited to:

1. Preparation of recovered specimens to a point of identification and permanent preservation including washing of sediments to recover small invertebrates and vertebrates.

2. Identification and curation of specimens into an established, accredited museum repository with permanent retrievable paleontological storage. The paleontologist must have a written repository agreement in hand prior to the initiation of mitigation activities. Mitigation of adverse impact to significant paleontological resources is not complete until such curation into an established repository has been fully completed and documented.



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3. Preparation of a report of findings with an appended itemized inventory of specimens. The report and inventory, when submitted to the County Land Use Services Department-Current Planning along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.

## **Public Health- Environmental Health Services**

53. 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**

- 54. Turnaround: Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District areas, there are additional requirements.
- 55. Water System: Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using California Fire Code. The Fire Flow for this project shall be:   1500   GPM for a   2   hour duration at 20 psi residual operating pressure.
- 56. 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.
- 57. Fire Flow Test: Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.
- 58. Building Plans: Building plans shall be submitted to the Fire Department for review and approval.

### **Land Use Services - Building and Safety**

- 59. 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.
- 60. 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**

- 61. 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.



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62. 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 \$5.12 per square foot for Industrial Use, which includes the 16,831 square foot building and the 15,613 square foot building per the site plan dated January 4, 2021. Therefore, the estimated Regional Transportation Fees for the Project is \$166,113.28. The current Regional Transportation Development Mitigation Plan can be found at the following website: <http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>
63. Slope Tests: Slope stability tests are required for road cuts or road fills per recommendations of the Geotechnical Engineer to the satisfaction of County Public Works.
64. Street Gradients: Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
65. 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.
66. Street Type Entrance: Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
67. Slope Easements: Slope rights shall be dedicated, where necessary.
68. Soils Testing: Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
69. 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.
70. Construction Permits: Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
71. 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
72. Road Dedication/Improvements: The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California.  
Arrow Route (Major Highway - 104')
  - Road Dedication. A 22-foot grant of easement is required to provide a half-width right-of-way of 52 feet.
  - Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
  - Sidewalks. Design sidewalks per County Standard 109 Type "B".
  - Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.



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## Land Use Services - Planning

73. Signs: All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards: a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable. b. All sign lighting shall not exceed 0.5 foot-candle. c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety. d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.

## Public Health- Environmental Health Services

74. Sewage Disposal: Method of sewage disposal shall be City of Fontana Muni Agency, or, if not available, EHS approved onsite wastewater treatment system (OWTS).
75. 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.
76. 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.
77. 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.
78. 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.
79. 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.
80. 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.
81. Water Purveyor: Water purveyor shall be Fontana WC or EHS approved.



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## Prior to Final Inspection

### County Fire - Community Safety

82. Fire Alarm - Automatic: An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
83. Fire Sprinkler-NFPA #13: An automatic fire sprinkler system complying with NFPA 13 and the Fire Department standards is required. The applicant shall hire an approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
84. Key Box: An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
85. Fire Extinguishers: Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.

## Prior to Occupancy

### Land Use Services - Land Development

86. WQMP Improvements: All required WQMP improvements shall be completed by the applicant, inspected and approved by County Public Works. An electronic file of the final and approved WQMP shall be submitted to Land Development Division, Drainage Section.
87. 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.
88. LDD Requirements: All LDD requirements shall be completed by the applicant prior to occupancy.
89. 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.
90. Structural Section Testing: A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.
91. Road Improvements: All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.



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## Land Use Services – Planning

92. 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).
93. Screen Rooftop: All roof top mechanical equipment is to be screened from ground vistas.
94. 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.
95. Installation of Improvements: All required on-site improvements shall be installed per approved plans.
96. 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-3030-00220.
97. 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.
98. Reciprocal Access and Drainage Agreement: Applicant and/or property owner shall record a reciprocal access agreement to provide legal and physical access to both parcels. In addition, an agreement shall be recorded to provide for use of drainage facilities installed on Assessor Parcel Number 0230-091-04 by both parcel 0230-091-04 and 0230-091-05. This facility shall be continuously maintained for this purpose.
99. 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.



# Conditions of Approval

**Record:** PROJ-2020-00220

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.

<b>Department/Agency</b>	<b>Office/Division</b>	<b>Phone Number</b>
Land Use Services Dept.	San Bernardino Govt. Center	(909) 387-8311
(All Divisions)	High Desert Govt. Center	(760) 995-8140
Web Site	<a href="http://cms.sbcounty.gov/lus/Home.aspx">http://cms.sbcounty.gov/lus/Home.aspx</a>	
County Fire	San Bernardino Govt. Center	(909) 387-8400
(Community Safety)	High Desert Govt. Center	(760) 995-8190
Web Site	<a href="https://www.sbcounty.gov/sbcfire.org/">https://www.sbcounty.gov/sbcfire.org/</a>	
County Fire	Hazardous Materials	(909) 386-8401
Dept. of Public Works	Flood Control	(909) 387-7995
	Solid Waste Management	(909) 386-8701
	Surveyor	(909) 387-8149
	Traffic	(909) 387-8186
Web Site	<a href="http://cms.sbcounty.gov/dpw/Home.aspx">http://cms.sbcounty.gov/dpw/Home.aspx</a>	
Dept. of Public Health	Environmental Health Services	(800) 442-2283
Web Site	<a href="https://wp.sbcounty.gov/dph/programs/ehs/">https://wp.sbcounty.gov/dph/programs/ehs/</a>	
Local Agency Formation Commission (LAFCO)		(909) 388-0480
Web Site	<a href="http://www.sbclafco.org/">http://www.sbclafco.org/</a>	
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 D

## Letter of Intent

# Letter of Intent

Applicant: Stewart Development LLC Date: Nov. 03.2020  
Mailing Address: 1920 W. Eleventh St.  
Upland CA 91786 Primary Contact: Gloria Loofbourrow  
Phone Number: 909-946-6729 909-377-2375  
Business Name: Lord Constructors APN(s): 0230-091-04  
1920 W. Eleventh St. Upland. 0230-091-05

If needed, you may attach additional documents to provide more detailed information.

## Brief description of proposed use:

Lot 1 - 0.88 acre site. Construct a 15,631 sq/ft Office and Service Bldg.  
APN. 0230-091-04 Office 1<sup>st</sup> floor will be 1,200 sq/ft  
office 2<sup>nd</sup> floor will be 1,200 sq/ft.  
Fabrication Warehouse area 14,431 sq/ft.

Lot 2 - 0.84 acre site: Construct a 14,413 sq/ft office and Service area Bldg.  
APN 0230-091-05 1<sup>st</sup> floor office 1,200 sq/ft  
2<sup>nd</sup> floor storage 1,200 sq/ft  
Fabrication/Warehouse area 13,213 sq/ft.

## Brief Description of proposed location and surrounding properties as they currently exist:

West - Zone I.C Existing Office / Warehouse  
North - Zone R.M Existing House  
East - Zone R.M Existing House  
South - Zone IC Existing Steel Fabrication Yard

## Logistics (Truck trips, hours of business, parking, number of employees, etc.):

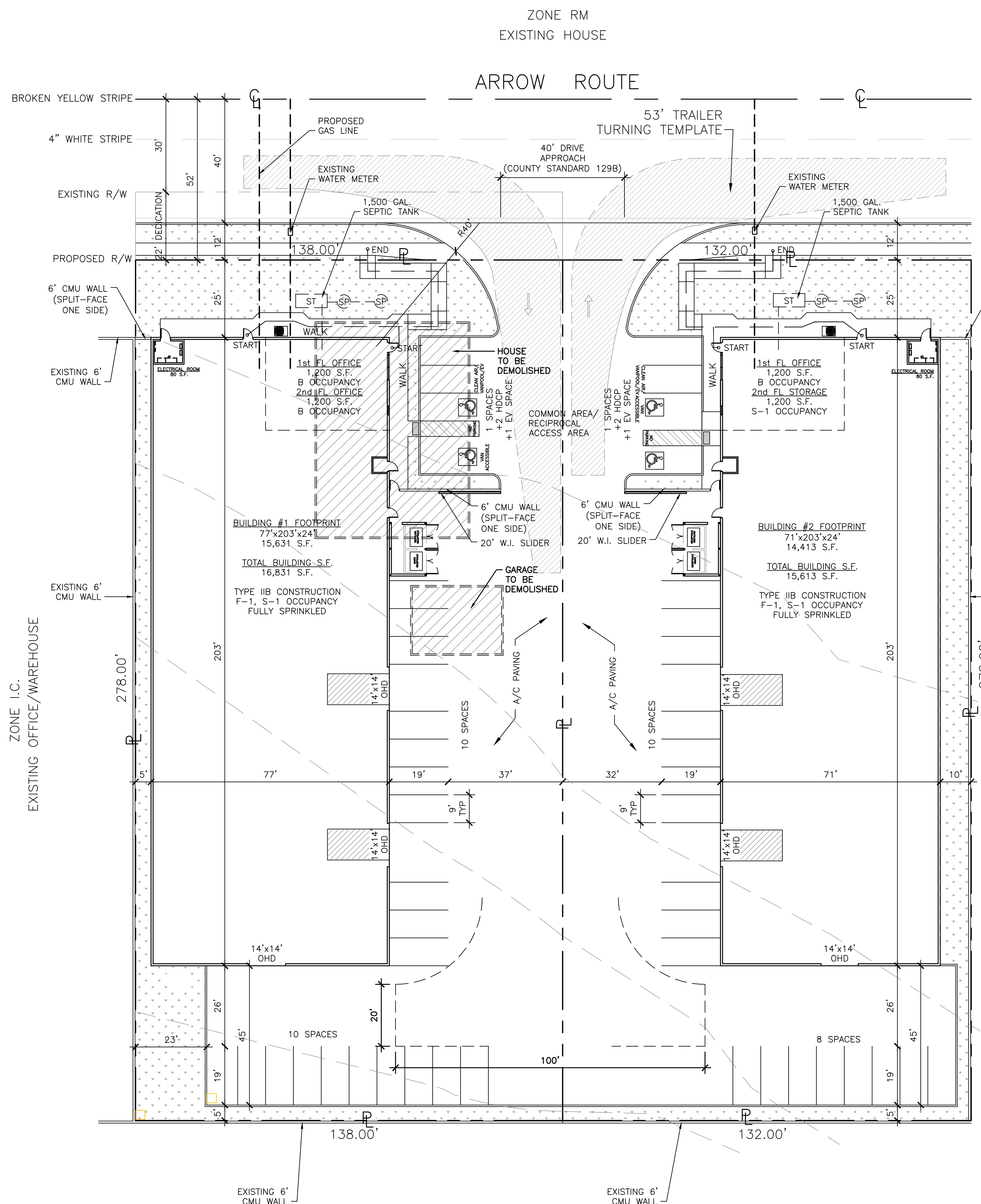
- NO Logistics - NO 18 Wheelers.
- Business Hours: 8am - 5pm M-F.
- Lot 1 Parkings 21 spaces
- Lot 2 Parking 20 spaces
- # of Employees: 5 office - 12 shop/warehouse.

## Goals and Objectives:

General Plan Amendment / Zone change / CUP for -  
office, manufacture / warehouse.

# EXHIBIT E

## Site Plan



**APPLICANT:** STEWART DEVELOPMENT, LLC.  
1920 W. ELEVENTH STREET  
UPLAND, CA 91786  
PHONE: 909-946-6729  
FAX: 909-946-3626

**CONTACT:** LORD CONSTRUCTORS, INC.  
1920 W. ELEVENTH STREET  
UPLAND, CA 91786  
PHONE: 909-946-6729  
FAX: 909-946-3626

**APN #:** 0230-091-04  
0230-091-05

**BUILDING CODE DATA**

OCCUPANCY NO. OF STORIES: B,S-1,F-1 STORAGE/WAREHOUSE-1 OFFICE-2 (STORAGE 2ND FLOOR)

TYPE OF CONSTRUCTION: IIB

SPRINKLERS: YES

**SUMMARY/ PARCEL #1**

LAND AREA LOT	38,364 S.F. (0.88 ACRES)
BUILDING FOOTPRINT	15,631 S.F.
F.A.R. (Based on Footprints)	40%
AC PAVING	17,129 S.F. 45%
LANDSCAPE AREA	5,604 S.F. 15%
BUILDING HEIGHT	24'-0"
EXISTING ZONING	RM
PROPOSED ZONING	IC

**PARKING REQUIREMENTS (PARCEL #1)**

**BUILDING AREA:**

OFFICE 1st FLOOR	1,200 S.F.
OFFICE 2nd FLOOR	1,200 S.F.
STORAGE/MANUFACTURING	14,431 S.F.
<b>TOTAL</b>	<b>16,831 S.F.</b>

**PARKING REQUIRED BUILDING:**

OFFICE 1st FLOOR (1200/250)	4.8 SPACES
OFFICE 2nd FLOOR (1200/250)	4.8 SPACES
STORAGE/MANUFACTURING (14431/1000)	14.4 SPACES
<b>TOTAL</b>	<b>24 SPACES</b>

**PARKING PROVIDED:**

HANDICAP	2 SPACES
EV ONLY	1 SPACE
STANDARD	21 SPACES
<b>TOTAL</b>	<b>24 SPACES</b>

**LOADING ZONES:** 2 SPACES

**LEGAL DESCRIPTION: (APN 0230-091-04)**  
LOT 274 OF TRACT NO. 2102, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 31, PAGES 11 TO 15, INCLUSIVE OF MAPS, RECORDS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

**LEGAL DESCRIPTION: (APN 0230-091-05)**  
THE EASTERLY 192 FEET OF LOT 274, FONTANA ARROW ROUTE TRACT NO. 2102, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 31, PAGES 11 THRU 15 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

- NOTE:**
- NO PROTECTED OR ENDANGERED TREES EXIST ON SITE
  - NO SIGNAGE PROPOSED
  - NO HILLY TERRAIN OR DRAINAGE PROBLEMS EXIST.
  - NO IMPORT OR EXPORT PROPOSED. (BALANCED LOTS)
  - NO STRUCTURES WITHIN 20' OF PROPERTY LINE
  - SITE LIGHTING SHALL BE WALL PACKS LOCATED ON THE BUILDING
  - ALL STREET IMPROVEMENTS SHALL BE DONE AT THE SAME TIME. THERE WILL BE NO PHASING OF STREET IMPROVEMENTS.
  - THE SIDEWALK SHALL BE STD. 109 TYPE "B" WITH A PARKWAY
- WQMP NOTES:**
- MAXIMIZED ROOF DRAINAGE TO LANDSCAPE
  - DOWNSPOUTS DISCHARGE ONTO PAVED SURFACE AND ROUTED TO UNDERGROUND INFILTRATION SYSTEM
  - ULTIMATELY ALL ON SITE WATER IS COLLECTED AND TREATED IN UNDERGROUND INFILTRATION SYSTEM

- FIRE DEPARTMENT NOTES:**
- ALL CONSTRUCTION MUST COMPLY WITH ALL APPROPRIATE FIRE PROTECTION INSTALLATION STANDARDS AS ADOPTED BY THE SAN BERNARDINO COUNTY FIRE DEPARTMENT.
  - ALL REQUIRED FIRE SPRINKLER, FIRE HYDRANT, FIRE MAIN, AND FIRE ALARM SYSTEM INSTALLATIONS NECESSITATED BY THIS CONSTRUCTION MUST BE MADE UNDER SEPARATE DETAILED FIRE PROTECTION PLANS APPROVED BY THE FIRE DEPARTMENT PRIOR TO INSTALLATION.
  - KNOX BOX TO BE PROVIDED AND INSTALLED IN ACCORDANCE WITH SBCOFD STANDARD 902.4.
  - NO HIGH PILE STORAGE OR RACK SYSTEM TO BE PRESENT UNLESS PLANS AND LETTER PRESENTED TO FIRE DEPARTMENT PRIOR TO INTRODUCTION OF MATERIALS INTO BUILDING.
  - NO FLAMMABLE LIQUIDS OR HAZARDOUS MATERIALS TO BE PRESENT PRIOR TO A LETTER IDENTIFYING THE MATERIALS TO BE STORED AND/OR USED TO FIRE DEPARTMENT FOR REVIEW.
  - PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED IN ACCORDANCE WITH CALIFORNIA FIRE CODE AND 19 C.C.R.

**WATER:** FONTANA WATER P.O. BOX 987 FONTANA, CA 92334 909-822-2201

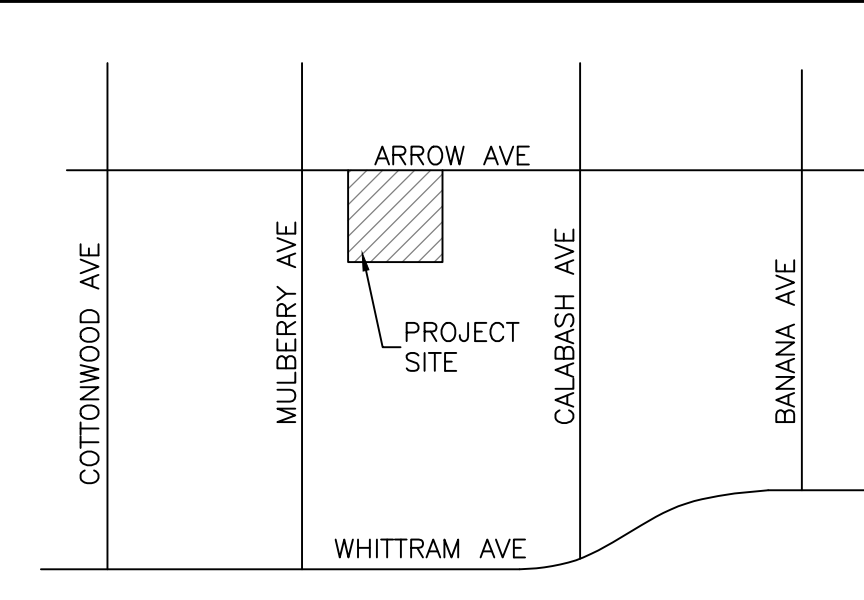
**ELECTRIC:** SOUTHERN CALIFORNIA EDISON 7951 REDWOOD AVENUE FONTANA, CA 92335 909-875-6420

**GAS:** SOUTHERN CALIFORNIA GAS 1050 OVERLAND COURT SAN DIMAS, CA 91773 909-592-3311

**TELEPHONE:** PACIFIC TELEPHONE CO. 3939 E. CORONADO ANAHEIM, CA 92807 714-666-5509

**CABLE T.V.:** NONE

**SEWER:** SEPTIC TANK-1500 GAL. SEEPAGE PIT- (1) 6'x25'



**SCOPE OF WORK**  
NEW CONSTRUCTION ON TWO LOTS.

LOT #1, 0.88 ACRE SITE, OFFICE AND SERVICE BUILDING (15,631 S.F.), 1,200 S.F. 1ST FLOOR OFFICE, 1,200 S.F. 2ND FLOOR OFFICE WITH A 14,431 S.F. FABRICATION/WAREHOUSE AREA.

LOT #2, 0.84 ACRE SITE, OFFICE AND SERVICE BUILDING (14,413 S.F.), 1,200 S.F. 1ST FLOOR OFFICE, 1,200 S.F. 2ND FLOOR STORAGE, WITH A 13,213 S.F. FABRICATION/WAREHOUSE AREA.

SITE WORK SHALL INCLUDE GRADING, PAVING, LANDSCAPE, PARKING, TRAILER PARKING, SITE WALLS, WROUGHT IRON FENCING, TRASH ENCLOSURE, ETC.

**SITE PLAN**  
SCALE: 1" = 20'

**LORD CONSTRUCTORS, INC.**  
1920 West Eleventh Street  
Upland, California 91786

SMALL PRINT: DESIGN-BUILD DRAWING SET IS THE PROPERTY OF LORD CONSTRUCTORS FOR THE SOLE PURPOSE OF THE CONSTRUCTION BY LORD CONSTRUCTORS, INC.

**Van Dam Engineering**  
P.O. BOX 1769  
Upland, California 91785

SMALL PRINT: DESIGN-BUILD DRAWING SET IS THE PROPERTY OF VAN DAM ENGINEERING FOR THE SOLE PURPOSE OF THE CONSTRUCTION BY VAN DAM ENGINEERING, INC.

**DESIGN PLANS FOR:**  
**STEWART DEVELOPMENT LLC**  
**ARROW-CALABASH**  
13815, 13835 ARROW ROUTE  
FONTANA, CA 92335

**DRAWING TITLE:**  
**SITE PLAN**  
SCALE: 1" = 20'

Date: 3/23/2021  
Drawn By: DH  
Job:  
Job No.: L-893  
Sheet: **A0.1**  
of Sheets