



LAND USE SERVICES DEPARTMENT PLANNING COMMISSION STAFF REPORT

HEARING DATE: September 21, 2023

AGENDA ITEM #2

Project Description

Vicinity Map

| | |
|---|---|
| APN: | 0256-031-07, 08, 09, 10, 17, 18, and 19 |
| Applicant: | Duke Realty |
| Community/ Supervisory District: | Bloomington 5 TH Supervisorial District |
| Location: | Southeast corner of Slover and Alder Avenues |
| Project No: | PROJ-2021-00081 |
| Staff: | Aron Liang, Planning Manager |
| Rep: | EPD Solutions |
| Proposal: | Conditional Use Permit to construct and operate a 259,481-square foot high-cube warehouse/distribution building with 5,000 square feet of office space on 13.23 acres. |



109 Hearing Notices Sent On: September 8, 2023

Report Prepared By: Aron Liang

SITE INFORMATION

Parcel Size: 13.23-acres
Terrain: The site is currently vacant and relatively flat
Vegetation: Vacant/non-native vegetation

Table 1 - SURROUNDING LAND DESCRIPTION:

| Area | Existing Land Use | Land Use Category | Zoning District |
|-------|---------------------------------|-------------------------------------|---|
| Site | Vacant | Limited Industrial (LI) | Community Industrial (IC) |
| North | Industrial and Residential uses | Limited Industrial (LI) | Community Industrial (IC) |
| South | Residential uses | Very Low Density Residential (VLDR) | Single Residential One Acre with Agriculture (RS-1-AA) |
| East | Industrial uses | Limited Industrial (LI) | Community Industrial (IC) |
| West | Residential uses | Very Low Density Residential (VLDR) | Single Residential One Acre with Agriculture (RS-1-AA) |

| | AGENCY | COMMENT |
|---------------------------|----------------------------|-----------------------------|
| City Sphere of Influence: | City of Rialto | No comments received |
| Water Service: | West Valley Water District | Will Serve Letter Submitted |
| Sewer Service: | Septic system | EHS Approval |

STAFF RECOMMENDATION: That the Planning Commission **RECOMMEND** that the Board of Supervisors **CERTIFY** the Environmental Impact Report; **ADOPT** the CEQA Findings and the Mitigation Monitoring and Reporting Program; **ADOPT** the Findings as contained in the Staff Report, **APPROVE** the Conditional Use Permit, subject to the Conditions of Approval, and **DIRECT** the Clerk of the Board to File and Post a Notice of Determination.¹

1. This is a recommendation item to the Board of Supervisors pursuant to Section 86.05.010 of the Development Code.

Figure 1 – VICINITY MAP



Figure 2 – COUNTYWIDE PLAN/POLICY PLAN LAND USE DESIGNATION

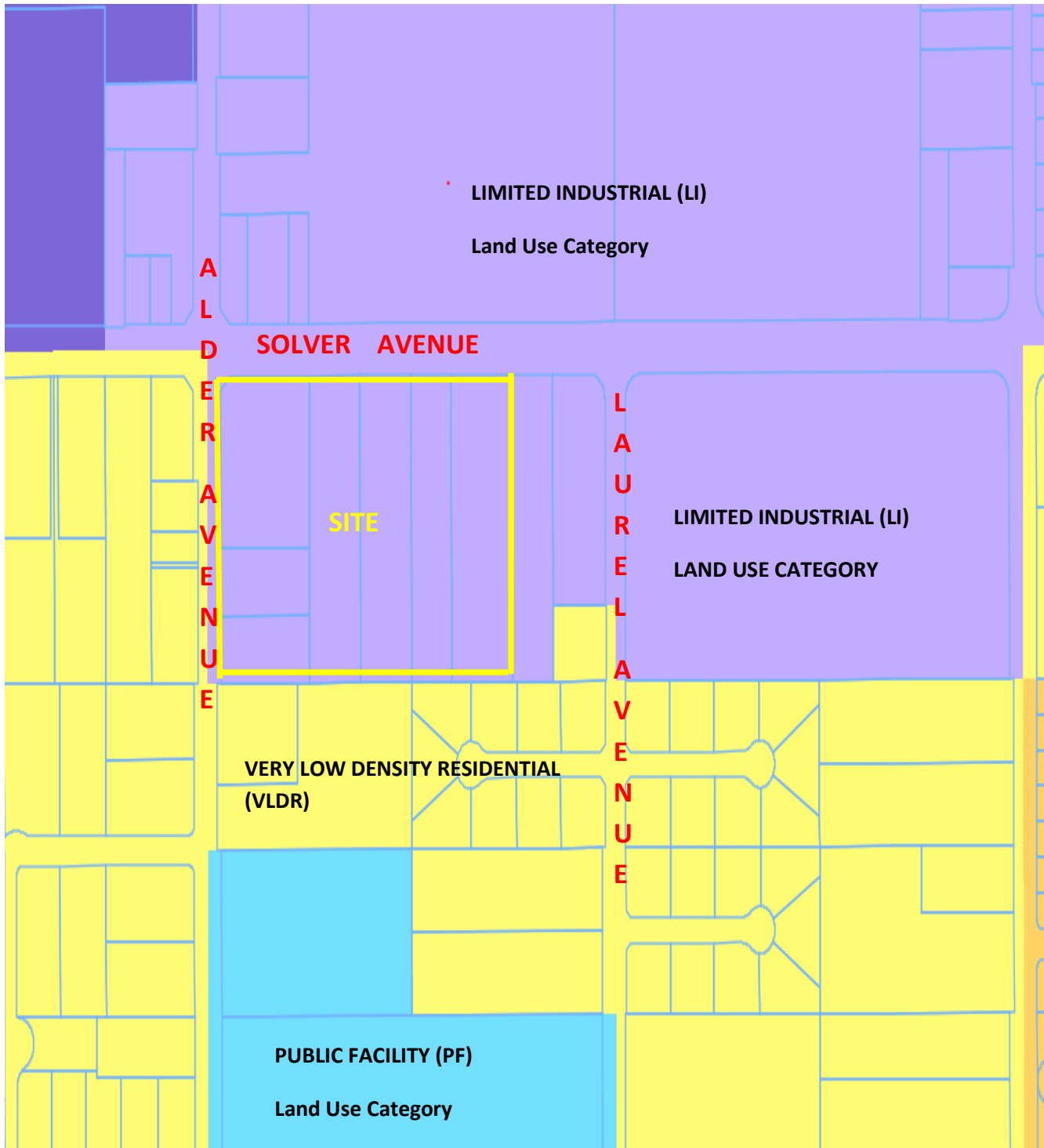


Figure 3 – ZONING MAP DESIGNATIONS

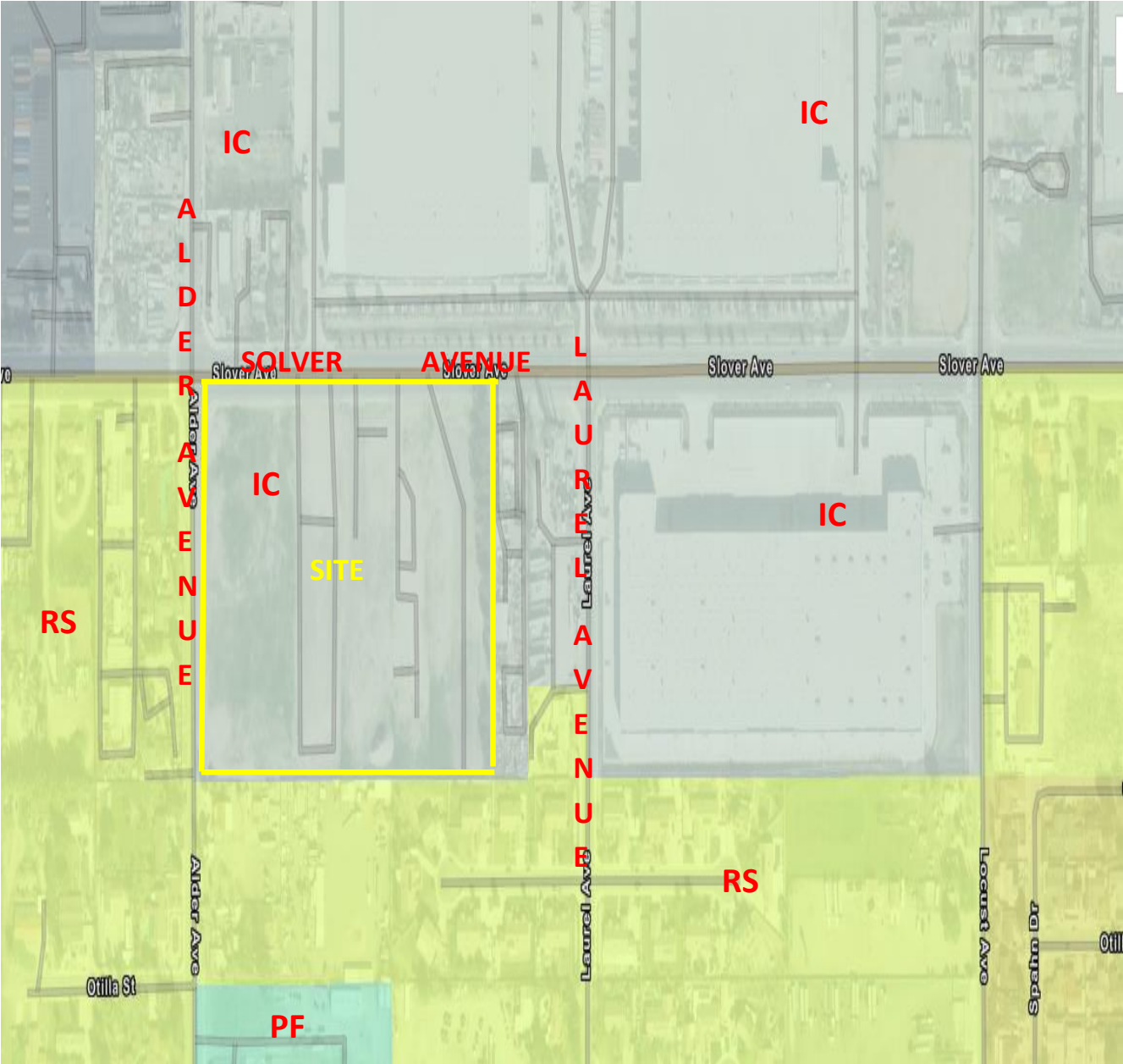


Figure 4 – SITE AERIAL MAP

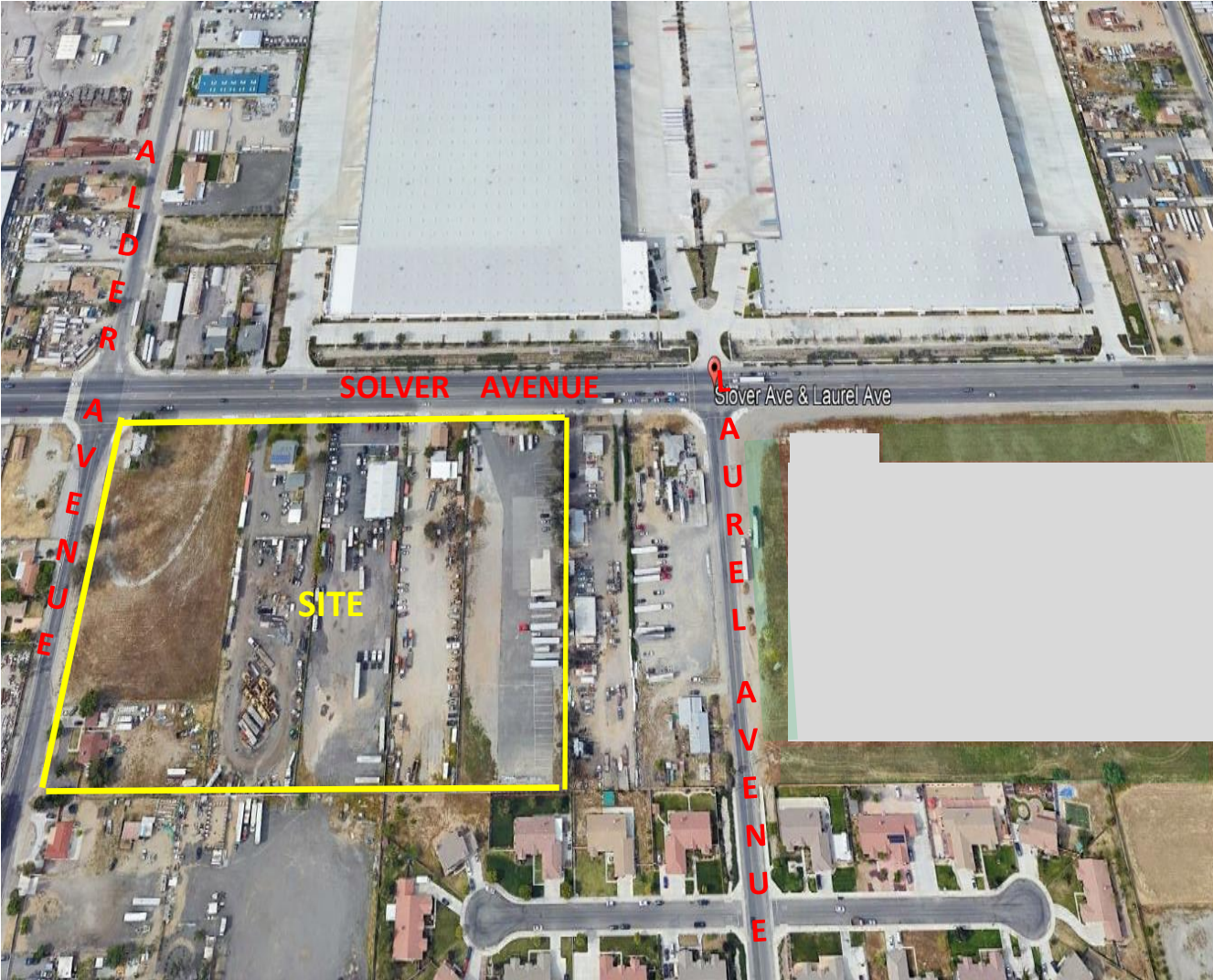


Figure 5 - PROPOSED SITE PLAN

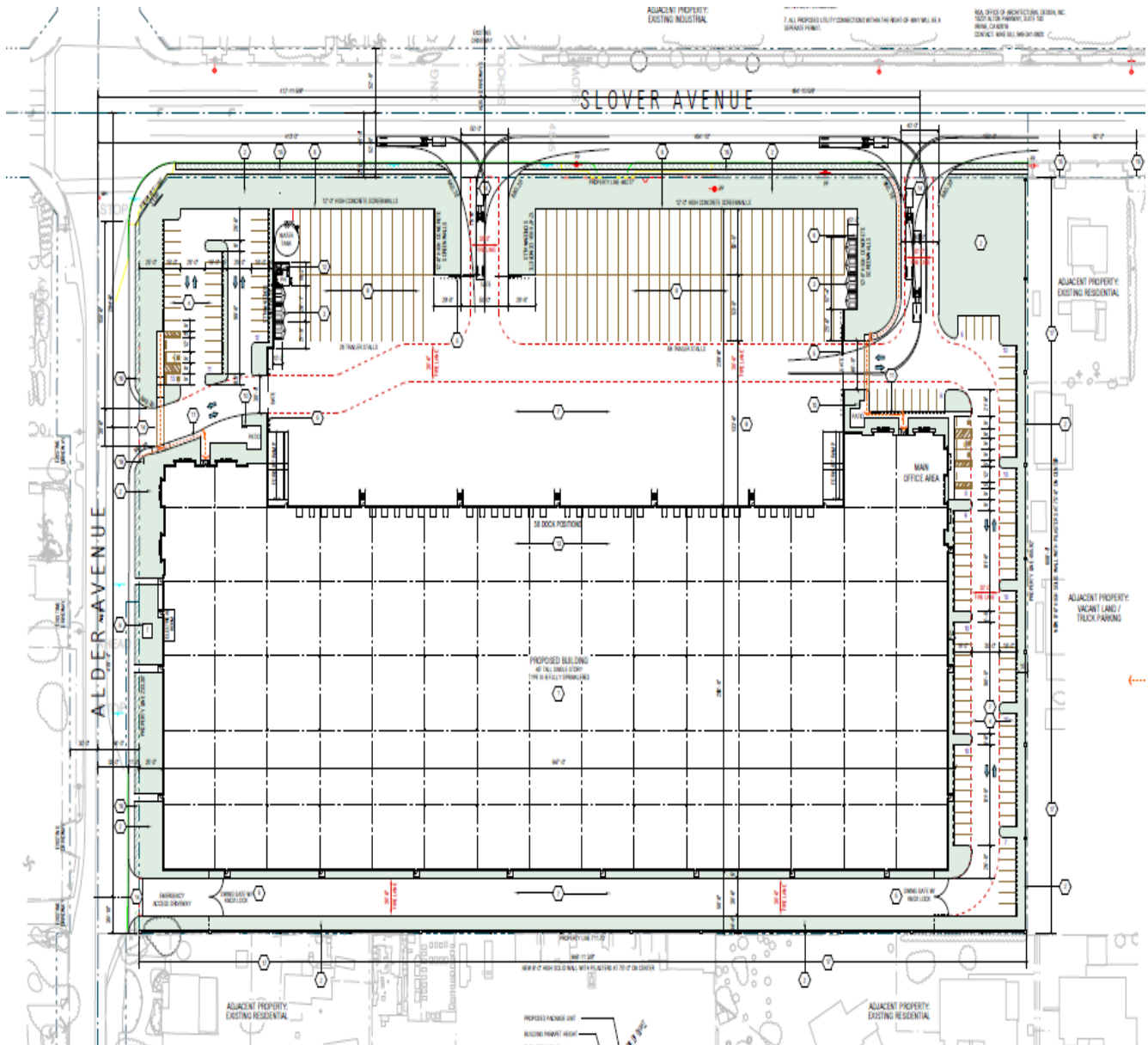
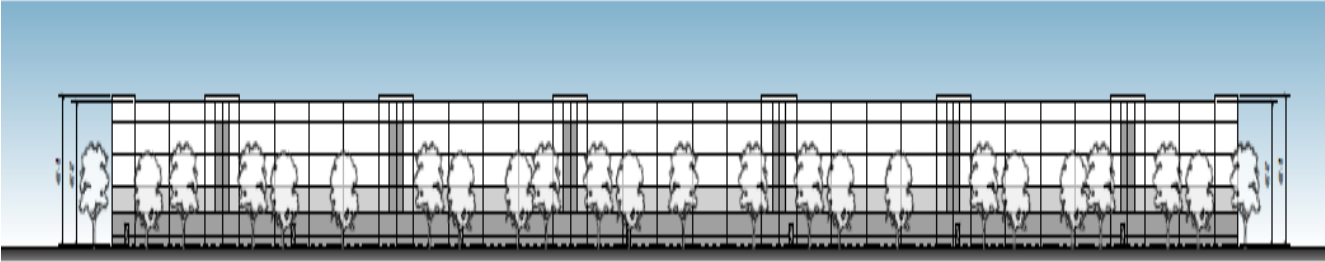
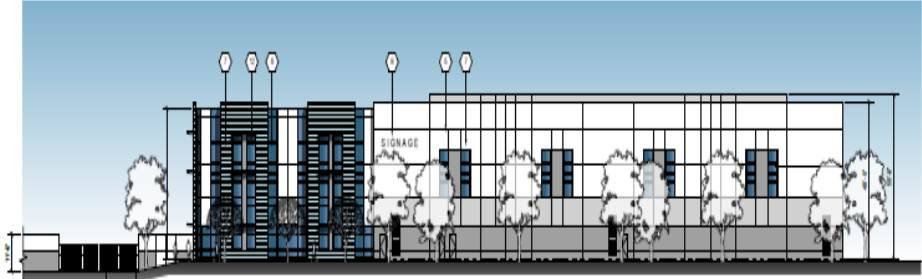
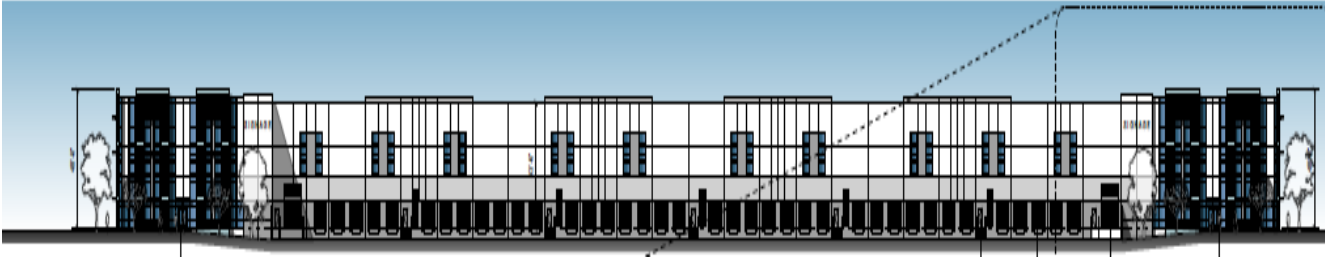
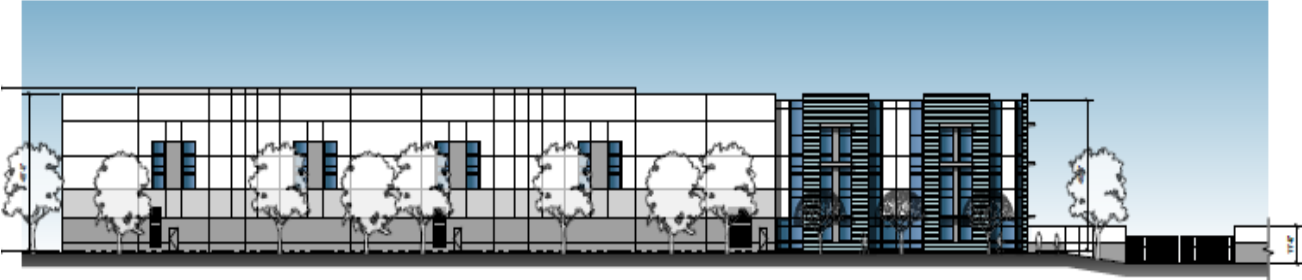


Figure 6 - CONCEPTUAL LANDSCAPE PLAN



Figure 7 - CONCEPTUAL BUILDING ELEVATIONS



Site Photos

Photo 1 - View of site looking west from Slover Avenue



Photo 2 - View of site looking south from Slover Avenue



Photo 3 - View of site looking southeast from Slover Avenue



Photo 4 - View of site looking east on Alder Avenue



Photo 5 - View of site looking south from Alder Avenue



Photo 6 - View of site looking north from Alder Avenue



PROJECT DESCRIPTION AND BACKGROUND:

The applicant requests approval of a Conditional Use Permit (CUP) to construct and operate a 259,481-square foot high-cube warehouse/distribution building with 5,000 square feet of office space (Project). Although the Planning Commission is designated as the initial review authority for a CUP and has the authority to approve, conditionally approve, or deny the Project subject to appeal rights, this item consists of a recommendation to the Board of Supervisors (Board) for final action pursuant to San Bernardino County Development Code (Development Code) Section 86.05.010 (Referral to Next Succeeding Review Authority). The Development Code authorizes a review authority, such as the Planning Commission, to refer a request for a land use decision to the review authority designated as the appeal body, in this case the Board. When the Planning Commission refers an item to the Board, it is required to make a recommendation on the land use application. Staff is recommending the Planning Commission refer the item to the Board because a component of the Project includes consideration of a Community Benefits Agreement (CBA), discussed further below, that requires Board action. Rather than piecemeal the consideration of the CBA and Project, the Planning Commission's referral will allow the Board to take final action on all components of the Project at a single hearing.

The Project site is approximately 13.23 acres located on the southeast corner of Slover and Alder Avenues in Bloomington within the Limited Industrial (LI) Land Use Category and Community Industrial (IC) Zoning District (Refer to Figures 2 and 3). The Project site consists of seven parcels (that will be required to be merged into a single lot) and is relatively flat, with slopes of less than two percent (Refer to Photos 1 – 6). The surrounding area is urbanized; developed with industrial uses to the north, and east (Refer to Figure 1). The scope of the proposed development will consist of site clearing, site preparation, appurtenant improvements, and construction of the proposed warehouse building with on-site parking and loading areas, circulation, landscaping and water quality management improvements. Off-site street improvements and on-site drainage improvements will also be required. The Project will include drought-tolerant landscaping around the Project perimeter, parking stalls and four commercial/industrial driveways (Refer to Figure 6). The truck loading and staging areas on the north side of the warehouse building will be screened by a 12-foot block screen wall. Access to the site for passenger cars, trucks, and other vehicles will be provided by four commercial/industrial driveways, with two on Slover Avenue, and two on Alder Avenue (one for passenger cars and the other for emergency vehicle access only) (Refer to Figure 5).

PROJECT ANALYSIS:

Site Planning: The Project is proposed on a speculative basis, with no tenant identified at this time. The building is designed as a concrete tilt-up with vertical lift, dock-high roll up doors. There will be a total of 38 dock doors on the northern side of the warehouse. The truck loading and staging areas on the north side of the warehouse building will be screened from public view from Slover Avenue with the combination of a drought-tolerant landscape setback area and 12-foot-high solid material (concrete) screen walls. The Project site plan (Exhibit A) provides adequate area to accommodate all parking, loading areas, access and circulation requirements needed to comply with County requirements.

Parking: Chapter 83.11, Section 83.11.040 of the Development Code requires a minimum of 114 parking spaces for this Project, and the proposed site plan exceeds that standard with 131 stalls.

Landscaping. The conceptual landscape plan provides 15% site coverage in drought-tolerant landscaping, with a variety of trees, groundcover and shrubs, in compliance with Development Code Section 83.10.060, Landscape Area Requirements. The Development Code only specifies a minimum number of trees in the parking area (one tree per 10 spaces). The Project exceeds this requirement and has ample tree planting in the perimeter landscaping, with a total of 223 trees.

Fencing/screening:

- A 12-foot-high solid screen wall with pilasters will be installed along the northerly property boundary.

- An 8-foot-high solid walls with pilasters will be installed along the easterly and southerly property boundaries.

Hours of Operation: The operator/tenant of the Project has not yet been identified, so the precise nature of the facility operation cannot be specified at this time. Technical studies performed for the environmental analysis assume a relatively intensive operation of seven days per week in two eight-hour shifts, with an estimated total of 50 employees.

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

Table 2: PROJECT CODE COMPLIANCE

| Project Component | Development Code Standard | | Project Plans |
|---------------------------------|---------------------------|-------------------------|----------------------|
| Warehouse Distribution Facility | CUP | | CUP |
| Parking | 114 | | 131 |
| Drive Aisles | 26' | | 30' |
| Landscaping | Trees | 12 trees in parking lot | 223 trees |
| | Minimum Landscaping | 15% | 15% (86,498 sq. ft.) |
| Building Setbacks | Front | 25' | 264' |
| | Street Side | 25' | 25' – Alder Avenue |
| | Rear | 25'' | 51' |
| Building Height | 75 feet maximum | | 48 feet |
| Floor Area Ratio | .45:1 | | .45:1 |

COMMUNITY OUTREACH:

A detailed summary of the community outreach for this Project includes the following:

- On December 1, 2021, the applicant held a community meeting with the Bloomington Municipal Advisory Council (MAC) to obtain input on the Project. The MAC inquired about a community benefits agreement for the Project (Refer to Exhibit B – Community Outreach Notices).
- On February 1, 2022, the applicant held a second community meeting with the MAC and present a conceptual community benefits agreement (Refer to Exhibit B – Community Outreach Notices).

PUBLIC COMMENTS:

On September 8, 2023, the Project notices were sent to surrounding property owners within 1,300 feet of the Project site. At the time of drafting this Staff Report, no comments were received.

CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE:

An Environmental Impact Report (EIR) has been completed in compliance with the California Environmental Quality Act, Public Resources Code §21000 et seq. (CEQA) (Exhibits C and E). The Notice of Preparation (NOP) for the Draft EIR requesting input from interested parties and submitted to the State Clearinghouse for distribution to State agencies on January 5, 2022. The Notice of Availability (NOA) was distributed to all agencies and published in the San Bernardino Sun beginning on June 30, 2022. The comment period ended on August 15, 2022; however, an extension of the review period was extended to August 22, 2022. The NOA was sent to governmental agencies, neighboring cities, as well as non-governmental agencies/interested parties. The NOA and Notice of Completion were mailed to the State Clearinghouse for distribution to State agencies. Notification was also submitted to local Native American Tribal Governments, in accordance with CEQA.

The Draft EIR identified potentially significant impacts of the Project and discussed numerous mitigation measures proposed to address impacts identified as significant. Mitigation measures presented in the Draft EIR have been included in the Mitigation Monitoring and Reporting Program (MMRP), which is attached as Exhibit E, and also incorporated by reference in the Conditions of Approval (Refer to Exhibit D). The project design features (PDF), and mitigation measures (MM) presented in the MMRP will reduce potentially significant impacts, which can be mitigated below a level of significance related to the following resource areas: Air Quality, Biological Resources, Cultural Resources, Tribal Cultural Resources, and Traffic/Transportation. The EIR concludes that any resulting impacts to the environment or the public can be mitigated to a level of less than significant; therefore, no Statement of Overriding Considerations is required. CEQA findings related to the Project are attached as Exhibit F.

Following are summaries of topics addressed in the EIR:

Air Quality: The Project air quality analysis shows that the Project will not exceed any air quality standard or contribute substantially to an existing or projected air quality violation because the proposed use would not exceed local and regional emissions thresholds during either demolition, site preparation, grading, or the combined building construction, paving, and architectural coatings phases as established by the South Coast Air Quality Management District (SCAQMD). A dust control plan will be required as a standard condition to regulate short-term construction activities that could create windblown dust. Painting activities will be restricted as needed to comply with SCAQMD standards.

Noise: A noise study was prepared to determine the potential impacts of Project-related noise on surrounding properties. The study found that Project construction associated with demolition, excavation, and grading and building activities would result in a temporary increase in noise levels in the Project vicinity. County noise regulations limit construction activities to the hours between 7:00 a.m. and 7:00 p.m., Monday through Saturday, excluding federal holidays. To minimize nuisance noise from construction activities, certain mitigation measures have been incorporated in the conditions of approval to enforce best management practices during construction (Refer to Exhibit D). Compliance with Project conditions of approval, impacts to temporary increase in noise levels would be less than significant.

Water Quality: A Preliminary Water Quality Management Plan (WQMP) has been approved by the Land Development Division of Land Use Services Department to comply with the requirements of the San Bernardino County National Pollutant Discharge Elimination System (NPDES) Area-wide Stormwater Program. The Project drainage system will collect storm water runoff in one on-site underground infiltration/retention chambers system, designed and sized to accept storm water flows for on-site percolation within the prescribed period of time to avoid the nuisance of standing water. Requirements for approval of the final WQMP have been incorporated in the Conditions of Approval.

Traffic/Transportation: The Project trip generation was evaluated using trip rates from the Institute of Transportation Engineers (ITE), Trip Generation, 11th Edition, 2021. The Project is estimated to generate 531 Passenger Car Equivalent (PCE) trips on a daily basis, with 30 PCE trips in the AM peak hour and 38 PCE trips in the PM peak hour. All intersections would operate at satisfactory LOS during

both AM and PM peak hours except for the intersection of Slover Avenue and Alder Avenue, which would operate at an unsatisfactory LOS F during the AM and PM peak hours.

Development of the Project would result in unsatisfactory LOS F at the intersection of Slover Avenue and Alder Avenue during both the Existing Plus Project and Opening Plus Project conditions. Due to high volume of traffic during both AM and PM peak hours, in the Opening Plus Project conditions, a traffic signal will be installed at the intersection, to mitigate the intersection to a less than significant traffic impact and also to improve Northbound/Southbound turning movement safety at the intersection. A fee program is also in place to fund improvements to the regional transportation system. The Project's obligation under this fee program, based on floor area, is estimated to be \$472,255.42.

Vehicle Miles Traveled (VMT): The San Bernardino County Transportation Impact Study (TIS) Guidelines (July 19, 2019) provide VMT analysis methodology, impact thresholds and screening thresholds to determine if projects would require VMT analysis. The TIS Guidelines provide criteria for projects that would be considered to have a less-than significant impact on VMT and therefore could be screened out from further analysis. Based on the review of the applicable VMT screening thresholds, 1) the project serves the local community and thereby has the potential to reduce VMT, 2) the project generates less than 110 daily vehicle trips (Low VMT Area), 3) the project is located within a Transit Priority Area, a Project VMT analysis was not required. The Project satisfies the Low VMT Area screening threshold; resulting in a less than a significant VMT impact, not considered to be significant.

Public Comments: A total of 26 written comment letters were received in response to the NOP for the Draft EIR from 1) Colton Joint Unified School District, 2) San Bernardino County Department of Public Works, 3) California Allied for a Responsible Economy, 4) Center for Community Action and Environmental Justice, 5) Concerned Neighbors of Bloomington, 6) Peoples Collective for Environmental Justice, 7) Blum Collins & Ho, LLP, 8) Adams Broadwell Joseph & Cardozo, and 9) 18 letters from individuals, which are attached collectively as Exhibit F, and generally relate to the following issues:

- Regulatory agency guidance regarding the consideration and analysis of impacts (air quality, health risks assessment, biological resources, traffic and pedestrian safety).
- Requests to be included on the circulation list for all Project notices, public review documents or public hearings.
- The overconcentration of industrial projects in Bloomington.
- Requests for early review of draft environmental documents prior to public circulation.
- Concern comments on hours of operation, external lighting, parking, traffic, and perimeter fencing.

The Final EIR (Exhibit E) includes all written correspondence received and written responses to all comments, with revisions to the Draft EIR as a result of comments and/or to address errors and omissions discovered subsequent to release of the Draft EIR.

COMMUNITY BENEFITS AGREEMENT:

The applicant has voluntarily committed to provide additional public benefits to the community of Bloomington as part of the Project. It's anticipated that a Community Benefits Agreement (CBA) will be offered by the applicant as part of the overall consideration of the Project by the Board. The CBA is expected to propose various public benefits that include, but are not limited to, an annual community enhancement fee for service enhancement activities exclusively for the Bloomington area, contribution to the Bloomington infrastructure improvement fund, and local hiring requirements.

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

1. **CERTIFY** the Environmental Impact Report (SCH No. 2021120526) (Exhibits C and E);
2. **ADOPT** the CEQA Findings of Fact (Exhibit F) and Mitigated Monitoring and Report Program (Exhibit E);
3. **ADOPT** the Findings for approval of the Conditional Use Permit (Exhibit G);
4. **APPROVE** the Conditional Use Permit for the construction and operation of a 259,481 square-foot high-cube warehouse/distribution building with 5,000 square feet of office space, subject to the Conditions of Approval (Exhibit D); and
5. **DIRECT** the Clerk of the Board of Supervisors to file and post the Notice of Determination (Exhibit H).

ATTACHMENTS:

EXHIBIT A: Site Plan

EXHIBIT B: Community Outreach Notices

EXHIBIT C: Draft Environmental Impact Report:

[http://www.sbcounty.gov/uploads/LUS/Environmental/DUKE_WAREHOUSE_SLOVER_ALDER_DEIR/Slover%20and%20Alder%20Compiled%20DEIR%20\(2\).pdf](http://www.sbcounty.gov/uploads/LUS/Environmental/DUKE_WAREHOUSE_SLOVER_ALDER_DEIR/Slover%20and%20Alder%20Compiled%20DEIR%20(2).pdf)

EXHIBIT D: Conditions of Approval

EXHIBIT E: Final Environmental Impact Report with Appendixes:

<http://www.sbcounty.gov/uploads/LUS/Environmental/Duke%20Warehouse%20at%20slover%20and%20alder/1.%20Final%20EIR%20with%20appendixes.pdf>

EXHIBIT F: CEQA Findings of Fact

EXHIBIT G: CUP Findings

EXHIBIT H: Notice of Determination

EXHIBIT A

Site Plan

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF A 259,376 S.F. BUILDING ON 13.23 ACRES. TWO OFFICE AREAS TOTALING 4,000 S.F. ARE PROVIDED. THE BUILDING WILL HAVE 38 TRUCK DOCK DOORS ON THE NORTH. ACCESS FOR THIS BUILDING WILL BE FROM TWO DRIVEWAYS FROM SLOVER AVENUE AND ALONG THE SOUTH PROVIDING CIRCULATION FOR EMERGENCY VEHICLES AROUND THE ENTIRE BUILDING. AUTO PARKING WILL BE PROVIDED ALONG THE EAST AND WEST, AS WELL AS IN THE TRUCK YARD ON THE NORTH. THE PRIMARY OCCUPANCY CLASSIFICATION FOR THIS USE WILL BE "S" OCCUPANCY.

GENERAL NOTES

- 1. THE PROPOSED PROJECT SHALL COMPLY WITH THE PROVISIONS OF THE COUNTY OF SAN BERNARDINO PLANNING...
2. A LANDSCAPING PLAN SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR APPROVAL PRIOR TO ISSUANCE OF BUILDING PERMITS AND SHALL BE IMPLEMENTED PRIOR TO OCCUPANCY.
3. THE PROJECT DOES NOT PROPOSE ANY TENANT SIGNAGE AT THIS TIME. SIGNAGE MAY BE SUBMITTED AT A LATER DATE.
4. THERE ARE NO PROTECTED OR ENDANGERED PLANTS ON SITE.
5. NO HILLY TERRAIN OR DRAINAGE PROBLEMS EXIST.
6. ALL SITE GATES WILL BE PROVIDED WITH A KNOX BOX PER COUNTY FIRE DEPARTMENT STANDARDS.
7. ALL PROPOSED UTILITY CONNECTIONS WITHIN THE RIGHT-OF-WAY WILL BE A SEPARATE PERMIT.

LAND OWNER

DUKE REALTY
200 SPECTRUM CENTER DRIVE, SUITE 1600
IRVINE, CA 92618
(949) 797-7045

APPLICANT

DUKE REALTY
200 SPECTRUM CENTER DRIVE, SUITE 1600
IRVINE, CA 92618
(949) 797-7045
ATTN: DJ ARELLANO

PLAN PREPARER

RDG, OFFICE OF ARCHITECTURAL DESIGN, INC.
15231 ALTON PARKWAY, SUITE 100
IRVINE, CA 92618
CONTACT: MIKE GILL 949-341-0920

ASSESSOR'S PARCEL NUMBERS

0256-031-17-0-000, 0256-031-07-0-000, 0256-031-08-0-000, 0256-031-18-0-000, 0256-031-19-0-000, 0256-031-09-0-000, 0256-031-10-0-000

LEGAL DESCRIPTION

PARCEL 7, 8, 9, 10, 17, 18 AND 19, PORTION OF LOT 462, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 11, PAGES 12, INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

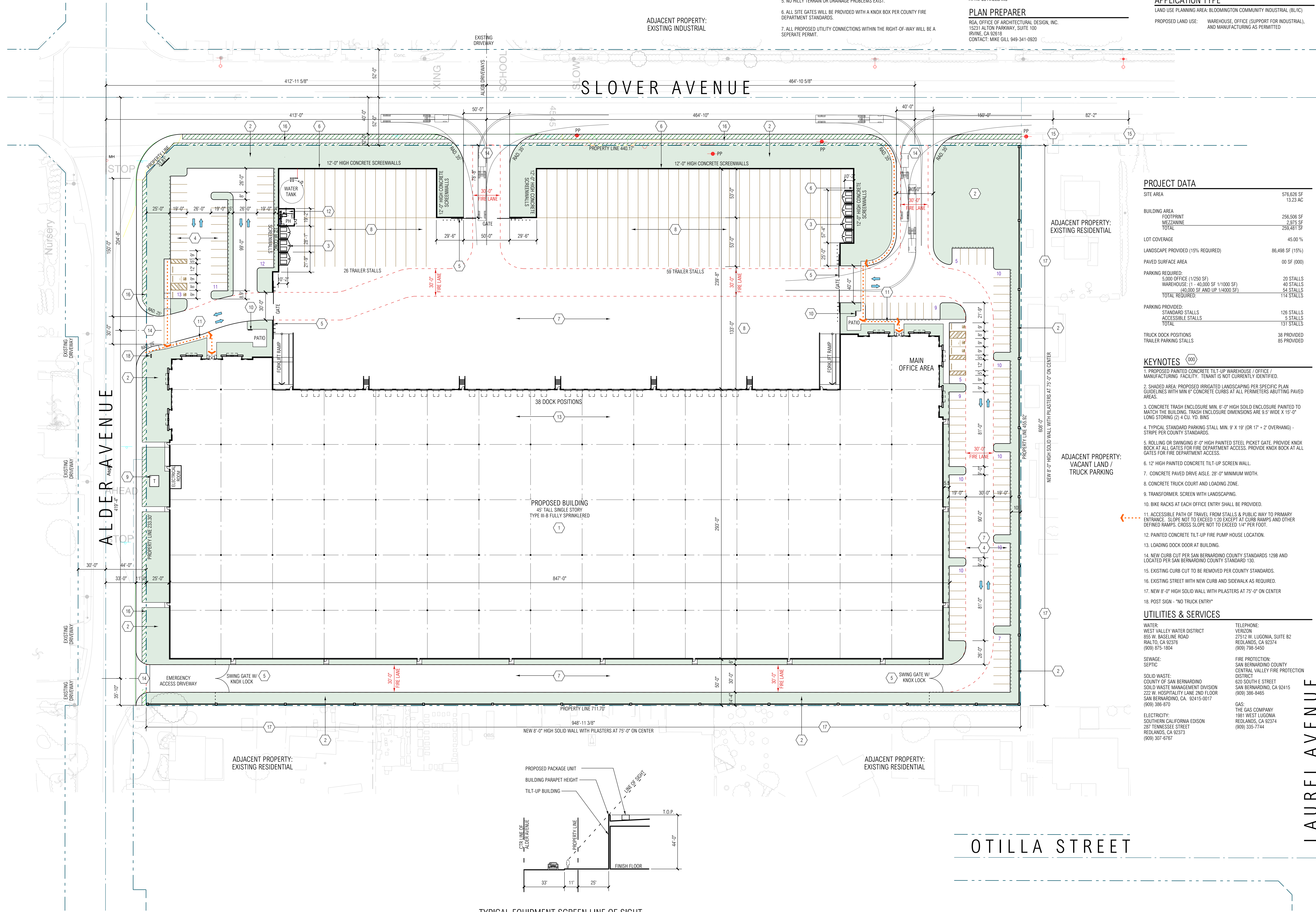
APPLICATION TYPE

LAND USE PLANNING AREA: BLOOMINGTON COMMUNITY INDUSTRIAL (BL/IC)
PROPOSED LAND USE: WAREHOUSE, OFFICE (SUPPORT FOR INDUSTRIAL), AND MANUFACTURING AS PERMITTED

ADJACENT PROPERTY: EXISTING INDUSTRIAL

ADJACENT PROPERTY: EXISTING RESIDENTIAL

ADJACENT PROPERTY: VACANT LAND / TRUCK PARKING



PROJECT DATA

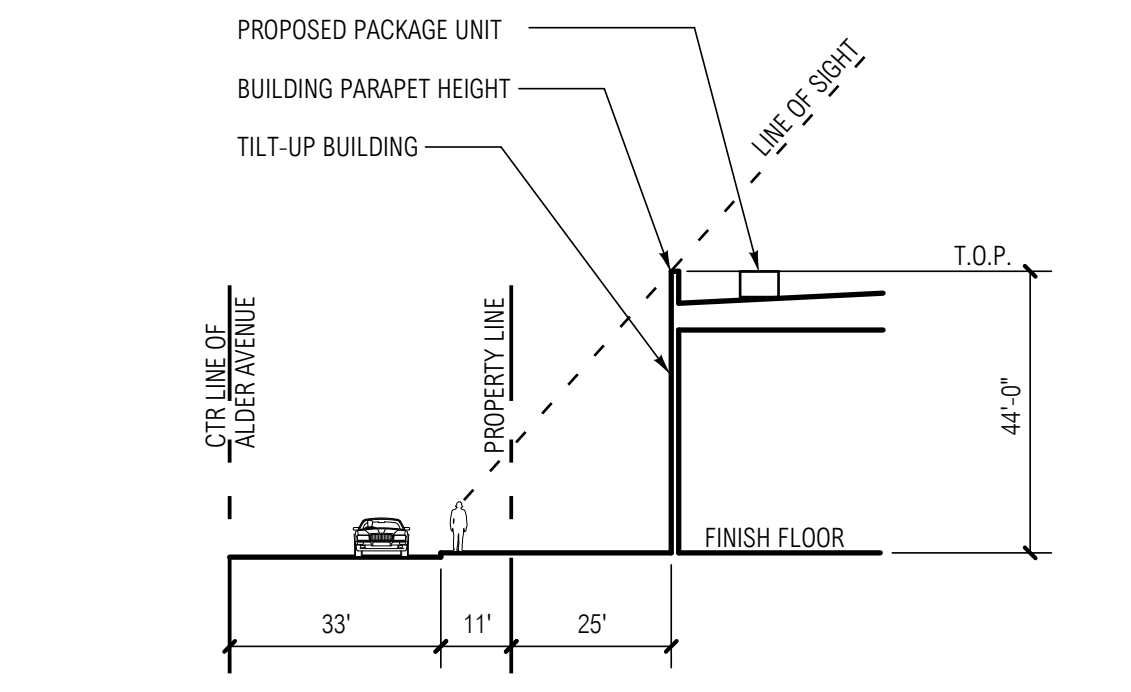
Table with 2 columns: Category and Value. Includes Site Area (576,626 SF), Building Area (259,376 SF), Lot Coverage (45.00%), and Parking Required (114 Stalls).

KEYNOTES

- 1. PROPOSED PAINTED CONCRETE TILT-UP WAREHOUSE / OFFICE / MANUFACTURING FACILITY. TENANT IS NOT CURRENTLY IDENTIFIED.
2. SHADED AREA- PROPOSED IRRIGATED LANDSCAPING PER SPECIFIC PLAN GUIDELINES WITH MIN 6" CONCRETE CURBS AT ALL PERIMETERS ADJUTING PAVED AREAS.
3. CONCRETE TRASH ENCLOSURE MIN. 6'-0" HIGH SOLID ENCLOSURE PAINTED TO MATCH THE BUILDING. TRASH ENCLOSURE DIMENSIONS ARE 9'-5" WIDE X 15'-0" LONG STORING (2) 4 CU. YD. BINS.
4. TYPICAL STANDARD PARKING STALL MIN. 9' X 19' (OR 17' X 2' OVERHANG) - STRIPE PER COUNTY STANDARDS.
5. ROLLING OR SWINGING 8'-0" HIGH PAINTED STEEL PICKET GATE. PROVIDE KNOX BOCK AT ALL GATES FOR FIRE DEPARTMENT ACCESS. PROVIDE KNOX BOCK AT ALL GATES FOR FIRE DEPARTMENT ACCESS.
6. 12' HIGH PAINTED CONCRETE TILT-UP SCREEN WALL.
7. CONCRETE PAVED DRIVE AISLE. 28'-0" MINIMUM WIDTH.
8. CONCRETE TRUCK COURT AND LOADING ZONE.
9. TRANSFORMER. SCREEN WITH LANDSCAPING.
10. BIKE RACKS AT EACH OFFICE ENTRY SHALL BE PROVIDED.
11. ACCESSIBLE PATH OF TRAVEL FROM STALLS & PUBLIC WAY TO PRIMARY ENTRANCE. SLOPE NOT TO EXCEED 1:20 EXCEPT AT CURB RAMPS AND OTHER DEFINED RAMPS. CROSS SLOPE NOT TO EXCEED 1/4" PER FOOT.
12. PAINTED CONCRETE TILT-UP FIRE PUMP HOUSE LOCATION.
13. LOADING DOCK DOOR AT BUILDING.
14. NEW CURB CUT PER SAN BERNARDINO COUNTY STANDARDS 129B AND LOCATED PER SAN BERNARDINO COUNTY STANDARD 130.
15. EXISTING CURB CUT TO BE REMOVED PER COUNTY STANDARDS.
16. EXISTING STREET WITH NEW CURB AND SIDEWALK AS REQUIRED.
17. NEW 8'-0" HIGH SOLID WALL WITH PILASTERS AT 75'-0" ON CENTER.
18. POST SIGN - "NO TRUCK ENTRY"

UTILITIES & SERVICES

WATER: WEST VALLEY WATER DISTRICT 855 W. BASELINE ROAD IRVINE, CA 92618 (909) 875-1804
SEWERAGE: SEPTIC
SOLID WASTE: COUNTY OF SAN BERNARDINO SOLID WASTE MANAGEMENT DIVISION 222 W. HOSPITALITY LANE 2ND FLOOR SAN BERNARDINO, CA 92415-0017 (909) 386-870
ELECTRICITY: SOUTHERN CALIFORNIA EDISON 287 TENNESSEE STREET REDLANDS, CA 92373 (909) 307-6767
TELEPHONE: VERIZON 27512 W. LUGONIA, SUITE B2 REDLANDS, CA 92374 (909) 798-5450
FIRE PROTECTION: SAN BERNARDINO COUNTY CENTRAL VALLEY FIRE PROTECTION DISTRICT 620 SOUTH E STREET SAN BERNARDINO, CA 92415 (909) 386-9465
GAS: THE GAS COMPANY 1981 WEST LUGONIA REDLANDS, CA 92374 (909) 335-7744



TYPICAL EQUIPMENT SCREEN LINE OF SIGHT SCALE 1" = 30'-0" NOTE: LINE OF SIGHT TAKEN FROM 6'-0" ABOVE FINISH GRADE

SITE PLAN SCALE: 1" = 40'-0"

Table with columns for CD, BID, FC, DD, SD, MARK, DATE, DESCRIPTION. Includes project details like RGA PROJECT NO: 20042.00 and OWNER PROJECT NO: 00000.00.

SLOVER / ALDER AVENUE DEVELOPMENT
00000 SLOVER AVENUE
BLOOMINGTON, CA

Duke REALTY logo and contact information: 200 SPECTRUM CENTER DRIVE SUITE 1600 IRVINE, CA 92618 949-797-7045 PH 909-576-0906 CELL

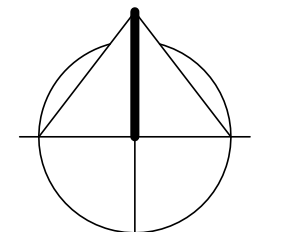
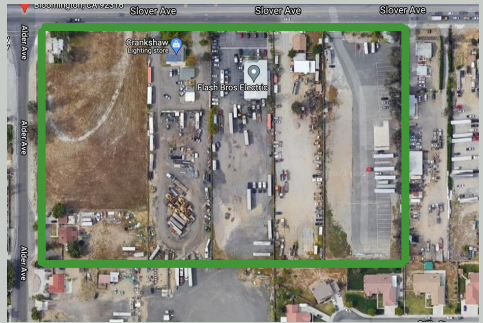
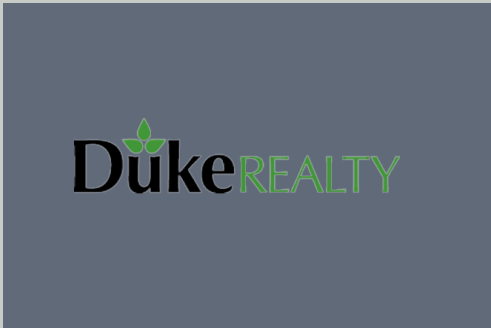


EXHIBIT B

Community Outreach Notices



S L O V E R B L O O M I N G T O N L O G I S T I C S



The **Slover Bloomington Logistics** is a proposed new building along the southeast corner of Slover Avenue and Alder Avenue in Bloomington.

Our project proposes an architecturally enhanced office and warehouse building that will eventually house a business offering good jobs for the area. The Slover Bloomington Logistics will include construction of parking, landscaping, signage, and utility improvements to serve the site.

The proposed building and use is consistent with the General Plan land use designation of Limited Industrial and is zoned Community Industrial.

W A N T T O L E A R N M O R E ?
J O I N U S A T T H E B L O O M I N G T O N M A C

DATE

December 1, 2021

PURPOSE OF MEETING

Provide an overview on the proposed Slover Bloomington Logistics development.

TIME

6:30 PM

LOCATION

CJUSD Board Room
18829 Orange St.
Bloomington, CA 92316

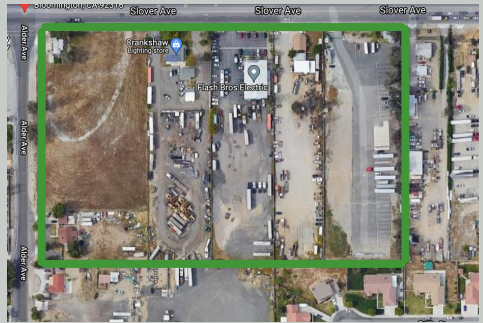
**LET'S
CONNECT**

We want to hear from you - email or call us at
sloverbloomingtonlogistics@gmail.com

949-794-1190

Hope to see you there!

DukeREALTY



S L O V E R B L O O M I N G T O N L O G I S T I C S



Slover Bloomington Logistics es un nuevo edificio propuesto a lo largo de la esquina sureste de Slover Avenue y Alder Avenue en Bloomington.

Nuestro proyecto propone un edificio de oficinas y almacenes arquitectónicamente mejorado que eventualmente albergará un negocio que ofrece buenos trabajos para el área. Slover Bloomington Logistics incluirá la construcción de estacionamiento, paisajismo, señalización y mejoras de servicios públicos para servir al sitio.

La edificación y uso propuestos es coherente con el Plan General de Ordenación del Territorio de Industrial Limitada y está zonificado como Industrial Comunitario.

¿ QUIERES SABER MÁS ?
Ú N A S E A N O S O T R O S E N E L
B L O O M I N G T O N M A C

FECHA

diciembre 1, 2021

PROPÓSITO DE LA JUNTA

Proporcionar una visión general sobre el desarrollo propuesto de Slover Bloomington Logistics.

HORA

6:30 PM

LOCACION

CJUSD Board Room
18829 Orange St.
Bloomington, CA 92316

CONECTÉMONOS

*Queremos saber de usted - envíenos un correo electrónico o llámenos a
sloverbloomingtonlogistics@gmail.com
949-794-1190
¡Espero verte allí!*

DukeREALTY

The Slover Bloomington Logistics is a proposed new building along the southeast corner of Slover Avenue and Alder Avenue in Bloomington. Our project proposes an architecturally enhanced office and logistics building that will eventually house a business offering good jobs for the area. The Slover Bloomington Logistics will include construction of parking, landscaping, signage, and utility improvements to serve the site. The proposed building and use is consistent with the General Plan land use designation of Limited Industrial and is zoned Community Industrial.

We look forward to hearing from you!

Email:
sloverbloomingtonlogistics@gmail.com



JOIN US AT THE BLOOMINGTON MAC TO LEARN MORE ABOUT SLOVER BLOOMINGTON LOGISTICS

DATE :
February 1, 2023

TIME
6:00 PM

PURPOSE OF MEETING:
Provide an overview on the proposed Slover Bloomington Logistics development.

LOCATION:
Ayala Park Community Center
17909 Marigold Ave.
Bloomington, CA 92316



El Slover Bloomington Logistics es un nuevo edificio propuesto a lo largo de la esquina sureste de Slover Avenue y Alder Avenue en Bloomington. Nuestro proyecto propone un edificio de oficinas y logística arquitectónicamente mejorado que eventualmente albergará un negocio que ofrece buenos empleos para el área. Slover Bloomington Logistics incluirá la construcción de estacionamiento, paisajismo, señalización y mejoras de servicios públicos para servir al sitio. El edificio y el uso propuestos son consistentes con la designación de uso de la tierra del Plan General de Industrial Limitado y está zonificado como Industrial Comunitario.

¡Esperamos tener noticias tuyas!

Correo electrónico
sloverbloomingtonlogistics@gmail.com

ÚNASE A NOSOTROS EN BLOOMINGTON MAC PARA OBTENER MÁS INFORMACIÓN SOBRE LOGÍSTICA DE SLOVER BLOOMINGTON



FECHA:
febrero 1, 2023

HORA:
18:00

PROPÓSITO DE LA REUNIÓN:

Proporcione una visión general sobre el desarrollo propuesto de Slover Bloomington Logistics.

UBICACIÓN:

Centro Comunitario Ayala Park
17909 Marigold Ave.
Bloomington, CA 92316

EXHIBIT C

Draft EIR Duke Warehouse at Slover/Alder Project

[http://www.sbcounty.gov/uploads/LUS/Environmental/DUKE_WAREHOUSE_SLOVER_ALDER_DEIR/Slover%20and%20Alder%20Compiled%20DEIR%20\(2\).pdf](http://www.sbcounty.gov/uploads/LUS/Environmental/DUKE_WAREHOUSE_SLOVER_ALDER_DEIR/Slover%20and%20Alder%20Compiled%20DEIR%20(2).pdf)

San Bernardino County Website:

<https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

EXHIBIT D

Conditions of Approval



Conditions of Approval

Record: PROJ-2021-00081
APN: 0256-031-07, 08, 09, 10, 17, 18 and 19

Planning Commission Date: September 21, 2023
Application Name: Conditional Use Permit

On-GOING AND OPERATIONAL CONDITIONS

LAND USE SERVICES – Planning Division

1. Project Description. This Conditional Use Permit approval is for the construction of a 259,481-square foot industrial warehouse with 5,000 square foot office space, on 13.23 acres in the Community Industrial (IC) Zoning District, in compliance with the San Bernardino County Code (SBCC), California Building Codes, San Bernardino County Fire Code, California Fire Code, the Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations and landscape plans).
2. Project Location. The Project site is located at the southeast corner of Slover Avenue and Alder Avenue, in the Community Industrial (IC) Zoning District.
3. Conditions of Approval: The developer shall provide a copy of the approved conditions and the site plan to every current and future commercial tenant, lessee, and any future property owner to facilitate compliance with these conditions of approval and continuous use requirements for the Project Site with APN: 0256-031-07, 08, 09, 10, 17, 18 and 19. Project Number: PROJ-2021-00081.
4. Indemnification. In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its “indemnities” (herein collectively the County’s elected officials, appointed officials [including Planning Commissioners], Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

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

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses. This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer’s indemnification obligation applies to the indemnitee’s “passive” negligence but does not apply to the indemnitee’s “sole” or “active” negligence” or “willful misconduct” within the meaning of Civil Code §2782.
5. Development Impact Fees: Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
6. 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.
7. 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.
8. Revisions: Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.



Conditions of Approval

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9. **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.
10. **Expiration.** This project permit approval shall expire and become void if it is not “exercised” within three years of the effective date of this approval, unless an extension of time is granted. The permit is deemed exercised when either
 - The permittee has commenced actual construction or alteration under a validly issued Building Permit, or
 - The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a Building Permit. [SBCC §86.06.060]

Occupancy of completed structures and operation of the approved exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs:

- Building and Safety does not issue construction permits for all or part of the project or the construction permits expire before the completion of the structure and the final inspection approval.
- The County determines the land use to be abandoned or non-conforming.
- The County determines that the land use is not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination.

PLEASE NOTE: This will be the **ONLY** notice given of the expiration date. The developer is responsible for initiation of any Extension of Time application

11. **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)
12. **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.
13. **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.
14. **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.
15. **Additional Permits:** The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: none. b. STATE: Regional Water Quality Control Board (RWQCB- Santa Ana Region. c. COUNTY: Land Use Services – Planning/Building and Safety/Code Enforcement/Land Development, County Fire, Environmental Health Services, and Public Works. d. REGIONAL: South Coast Air Quality Management District. e. LOCAL: City of Rialto.
16. **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



Conditions of Approval

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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.

17. **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.
18. **Project Account:** The Project account number is PROJ-2021-00081. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$1,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
19. **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 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.



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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.

20. Local Labor. The Developer and future operators of the Project shall make a good faith effort to employ residents of San Bernardino County for the construction and operation of the Project. Good faith efforts shall include but not be limited to utilizing local advertising and outreach for employee recruitment.

LAND USE SERVICES - Land Development – Drainage

21. Tributary Drainage: Adequate provisions should be made to intercept and conduct the tributary for off-site and on-site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
22. 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.
23. 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.
24. Continuous BMP Maintenance: The property owner/“developer” is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. Refer to approved WQMP maintenance section.
25. BMP Enforcement: In the event the property owner/“developer” (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or “developer”, including administrative costs, attorney’s fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

COUNTY FIRE DEPARTMENT – Community Safety Division

26. Access – 150+ feet. Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
27. 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.
28. Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein “Fire Department”. Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.
29. Permit Expiration. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.



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30. Sprinkler Installation Letter. The applicant shall submit a letter to the Fire Department agreeing and committing to installation of a fire protection system prior to the building inspection for drywall and insulation.

PUBLIC HEALTH– Environmental Health Services

31. 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.
32. Noise Levels: Noise level shall be maintained at or below County Standards, Development Code Section 83.01.080. For information, please call DEHS at 1-800-442-2283.
33. On-site Waste Treatment System. The septic system shall be maintained so as not to create a public nuisance and shall be serviced by a DEHS permitted pumper. For information, please call DEHS/Wastewater Section at: 1-800-442-2283.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management Division

34. Franchise Hauler Service Area – This project falls within a County Franchise Area. If subscribing for the collection and removal of construction and demolition waste from the project site, all developers, contractors, and subcontractors shall be required to receive services through the grantee holding a franchise agreement in the corresponding County Franchise Area (Burrtec Waste Industries).
35. Recycling Storage Capacity – The developer shall provide adequate space and storage bins for both refuse and recycling materials. This requirement is to assist the County in compliance with the recycling requirements of Assembly Bill 2176.
36. Mandatory Commercial Recycling – As of July 1, 2012, AB 341 (Enacted October 5, 2011) requires businesses defined to include a commercial or public entity that generate 4 or more cubic yards of solid waste per week or is a multi-family residential dwelling of 5 units or more to arrange for recycling services. The County is required to monitor commercial recycling and will require businesses to provide recycling information. This requirement is to assist the County in compliance with AB 341.
37. Mandatory Commercial Organics Recycling As of January 1, 2019, AB 1826 (Enacted October 2014) requires businesses that generate four (4) cubic yards of solid waste per week to recycle their organic waste. A business generating organic waste shall arrange for the recycling services in a manner that is consistent with state and local laws and requirements, including a local ordinance or local jurisdiction's franchise agreement, applicable to the collection, handling, or recycling of solid and organic waste or arrange for separate organic waste collection and recycling services, until the local ordinance or local jurisdiction's franchise agreement includes organic waste recycling services. A business that is a property owner may require a lessee or tenant of that property to source separate their organic waste to aid in compliance. **Additionally, all businesses that contract for gardening or landscaping services must stipulate that the contractor recycle the resulting gardening or landscaping waste.** Residential multifamily dwellings of five (5) or more units are required to recycle organics; however, they are not required to arrange for recycling services specifically for food waste. Applicant will be required to report to the County on efforts to recycle organics materials once operational.
38. Recycling and Organic Waste Collection Container Information – As of July 1, 2020, AB 827 (Enacted October 2, 2019) requires those MCR and MORE-covered businesses that sell products meant for immediate consumption and currently provide trash collection containers for their customers to provide recycling and/or organics collection containers adjacent to trash containers at front-of-house, except in restrooms. Full-service restaurants are exempt from these requirements as long as they provide containers for employees to separate post-consumer recyclables and organic waste purchased on the premise for customers.



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DEPARTMENT OF PUBLIC WORKS – Traffic Division

39. Single Tenant Occupancy. The site shall operate based on a single tenant to remain consistent with established traffic impacts. If, at any time, multiple tenants occupy and/or operate on the proposed site, the project shall no longer be considered to meet the definition of “High Cube” and a revised traffic study shall be conducted using the current Highway Capacity Manual methodology and the current ITE trip generation for “Warehouse”. The project will be subject to any increased mitigation measures including but not limited to direct impacts, fair share contributions, and Regional Transportation Fees.
40. Project vehicles shall not back up into the project site nor shall they back out onto the public roadway.
41. Access. The access point to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.
42. Signage. All required directional signage for traffic entering and exiting the site shall, including turning restrictions, be installed and continuously maintained outside the Public road right-of-way in good condition for both day and night time visibility.
43. Improvements at the intersection of Slover Avenue and Alder Avenue are subject to reimbursement from previously collected fair share fees for this intersection. The traffic signal at Slover Avenue and Alder Avenue has been identified as an intersection improvement. Currently, the estimated available amount for reimbursement to this intersection is \$47,193.00. Reimbursement is subject to the terms of the Fee Plan as well as any applicable laws and regulations. Reimbursement funding, in amounts determined to be available at time of eligibility, may be provided once the traffic signal has been constructed per approved plan, inspected and approved as fully operational, and the development project has final occupancy.

PRIOR TO GRADING/LAND DISTURBANCE

LAND USE SERVICES – Planning Division

44. AQ – Operational Standards. The developer shall implement the following air quality measures, during operation of the approved land use: All on-site equipment and vehicles (off-road/ on-road), shall comply with the following:
 - a) County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c)]. Signs shall be posted requiring all vehicle drivers and equipment operators to turn off engines when not in use. All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
 - b) On-site electrical power connections shall be provided.
 - c) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
 - d) The loading docks shall be posted with signs providing the telephone numbers of the building facilities manager and the California Air Resources Board to report violations.
45. AQ – Coating Restriction Plan. The developer shall submit for review and obtain approval from County Planning of a Coating Restriction Plan (CRP), consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a condition that the contractors adhere to the requirements of the CRP. The CRP measures shall be following implemented to the satisfaction of County Building and Safety:
 - a) Architectural coatings with Reactive Organic Compounds (ROC) shall not have content greater than 100 g/l.
 - b) Architectural coating volume shall not exceed the significance threshold for ROG, which is 75 lbs. /day and the combined daily ROC volume of architectural coatings and asphalt paving shall not exceed the significance threshold for ROC of 75 lbs. per day.
 - c) High-Volume, Low Pressure (HVLP) spray guns shall be used to apply coatings.
 - d) Precoated/natural colored building materials, water-based or low volatile organic compound (VOC) coatings shall be used, if practical.
 - e) Comply with SCAQMD Rule 1113 on the use or architectural coatings
46. AQ – Construction Standards. The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce vehicle and equipment emissions and other impacts to air quality by implementing the following measures and



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submitting documentation of compliance: The developer/construction contractors shall do the following:

- a) Provide documentation prior to beginning construction demonstrating that the project will comply with all SCAQMD regulations including 402, 403, 431.1, 431.2, 1113 and 1403.
 - b) Each contractor shall certify to the developer prior to construction-use that all equipment engines are properly maintained and have been tuned-up within last 6 months.
 - c) Each contractor shall minimize the use of diesel-powered vehicles and equipment through the use of electric, gasoline or CNG-powered equipment. All diesel engines shall have aqueous diesel filters and diesel particulate filters.
 - d) All gasoline-powered equipment shall have catalytic converters.
 - e) Provide onsite electrical power to encourage use of electric tools.
 - f) Minimize concurrent use of equipment through equipment phasing.
 - g) Provide traffic control during construction to reduce wait times.
 - h) Provide on-site food service for construction workers to reduce offsite trips.
 - i) Implement the County approved Dust Control Plan (DCP)
47. AQ – Dust Control Plan. The developer shall prepare, submit for review and obtain approval from County Planning of both a Dust Control Plan (DCP) consistent with SCAQMD guidelines and a signed letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP. The DCP shall include the following requirements:
- a) Exposed soil shall be kept continually moist to reduce fugitive dust during all grading and construction activities, through application of water sprayed a minimum of two times each day.
 - b) During high wind conditions (i.e., wind speeds exceeding 25 mph), areas with disturbed soil shall be watered hourly and activities on unpaved surfaces shall cease until wind speeds no longer exceed 25 mph.
 - c) Storage piles that are to be left in place for more than three working days shall be sprayed with a non-toxic soil binder, covered with plastic or revegetated.
 - d) Storm water control systems shall be installed to prevent off-site mud deposition.
 - e) All trucks hauling dirt away from the site shall be covered.
 - f) Construction vehicle tires shall be washed, prior to leaving the project site.
 - g) Rumble plates shall be installed at construction exits from dirt driveways.
 - h) Paved access driveways and streets shall be washed and swept daily when there are visible signs of dirt track-out.
 - i) Street sweeping shall be conducted daily when visible soil accumulations occur along site access roadways to remove dirt dropped or tracked-out by construction vehicles. Site access driveways and adjacent streets shall be washed daily, if there are visible signs of any dirt track-out at the conclusion of any workday and after street sweeping.
48. Comply with all applicable project design features PDF AQ-2 – AQ-8, and AQ-23.
49. Comply with all applicable project Mitigation Measure MM AQ-1: Tier 4 for diesel construction equipment rated standards and emission standards.
50. Comply with all applicable project Mitigation Measure MM BIO-1 for Nesting Birds.
51. Comply with all applicable Plan, Programs, and Policy PPP CUL-1 – CUL-3.
52. Comply with all applicable Mitigation Measure MM CUL-1 for Archaeological Monitoring of All Development.
53. Comply with all applicable Mitigation Measure MM GEO-1 for Paleontological Resources.
54. Comply with all applicable Plan, Programs, and Policy PPP HAZ-1 for SCAQMD Rule 1403.
55. Comply with all applicable Plan, Programs, and Policy PPP HAZ-2 for Lead.
56. Comply with all applicable PDF NOI-1 for construction noise plan.
57. Comply with all applicable Plan, Programs, and Policy PPP WQ-1 for NPDES/SWPPP in Hydrology and Water Quality.
58. Comply with all applicable Plan, Programs, and Policy PPP WQ-2 for WQMP.



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59. Comply with all applicable Plan, Programs, and Policy PPP WQ-1 for NPDES/SWPPP.
60. Comply with all applicable Plan, Programs, and Policy PPP WQ-2 for WQMP.
61. Comply with all applicable Mitigation Measures MM CUL1 for Archaeological Resources.
62. Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer's standards.
63. Construction contractors shall place all stationary construction equipment so that all emitted noise is generated toward the center of the site and away from the noise sensitive receivers nearest the Project site. Project Construction Contractors County of San Bernardino Land Use Services Department Prior to grading permit issuance
64. Construction contractors shall locate equipment staging areas on the Project site in locations that will create the greatest feasible distance between construction related noise sources and noise sensitive receivers nearest the Project site.
65. Construction contractors shall ensure that delivery trucks/haul trucks use designated truck route(s).

LAND USE SERVICES – Building and Safety Division

66. Wall Plans. Submit plans and obtain separate building permits for any required retaining walls.
67. Geotechnical Report. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits or land disturbance.
68. Demolition Permit. Obtain a demolition permit for any building/s or structures to be demolished. Underground structures must be broken in, backfilled and inspected before covering.

LAND USE SERVICES - Land Development – Drainage

69. 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.
70. FEMA Flood Zone. The project is located within Flood Zone X-Unshaded according to FEMA Panel Number 06071C8658H and 06071C8666H dated 08/28/2008. No elevation requirements. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
71. 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.
72. 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.
73. 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.



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74. 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.
75. 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>
76. WQMP Inspection. 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.

DEPARTMENT OF PUBLIC WORKS – Surveyor

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

PUBLIC HEALTH – Environmental Health Services

79. Vector Control Requirements. The project area has a high probability of containing vectors. A vector survey shall be conducted to determine the need for any required control programs. A vector clearance application shall be submitted to the appropriate Mosquito & Vector Control Program. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

PRIOR TO ISSUANCE OF BUILDING PERMIT

LAND USE SERVICES – Planning Division

80. Landscape and Irrigation Plan. Landscape and Irrigation Plans shall be prepared in conformance with Chapter 83.10, Landscaping Standards, of the County Development Code, as well as the Blooming Community Plan requirements. The developer shall submit a landscape and irrigation plan to County Planning via the EZOP system, link: [EZ Online Permitting \(sbcounty.gov\)](http://EZ Online Permitting (sbcounty.gov))
81. Lighting Plans. The developer shall submit for review and approval to County Planning a photometric study demonstrating that the project light does not spill onto the adjacent properties, or public streets. Lighting fixtures shall be oriented and focused to the onsite location intended for illumination (e.g. walkways). Lighting shall be shielded away from adjacent sensitive uses, including the adjacent residential development, to minimize light spillover. The glare from any luminous source, including on-site lighting, shall not exceed 0.5 foot-candle at the property line. This shall be done to the satisfaction of County Planning, in coordination with County Building and Safety.
82. 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



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Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.

- 83. Lot Merger. Parcels 0256-031-07, 08, 09, 10, 17, 18 and 19 shall have been merged prior Building Permit Issuance.
- 84. Comply with all applicable project design features PDF AQ-13 – AQ 16, AQ-19 and AQ-20.
- 85. Comply with all applicable Mitigation Measures MM TCR-1 – TCR-2 for Native American Monitoring of Ground Disturbing Activities.
- 86. Reduction Measures/Requirements. The Project shall incorporate the following GHG Reduction Measures/Requirements as indicated below:

- GHG Reduction Measure R2E7 – Commercial/Industrial Energy Efficiency Development
 - Windows – Greatly Enhanced Window Insulation (12 Points)
 - Enhanced Cool Roof – (14 points)
 - Air Infiltration – Air barrier applied to exterior walls (12 points)
 - Air Infiltration – Blower Door HERS (10 points)
 - Thermal Storage of Building – Modest Thermal Mass (4 points)
 - Heating/Cooling Distribution System – Enhanced Duct Insulation (10 points)
 - Heating/Cooling Distribution System – Distribution loss reduction (14 points)
 - Daylighting – All peripheral rooms within building (1 points)
 - Appliances – Star commercial refrigerator (4 points)
- GHG Reductio Measure R2E9 and R2E10 New Commercial/Industrial Renewable Energy:
 - Solar Ready Roofs (sturdy roof and electric hookups) (2 points) (Need to include Solar Roofs)
- GHG Reductio Measure R2WC1: R2WC-1 – Capita Water Use Reduction:
 - Water Efficient Landscaping – only moderate water using plants (3 points)
 - Water Efficient irrigation Systems – Weather based irrigation control systems (5 points)
 - Recycled Water – Recycled water connection (5 points)
 - Potable Water/showers – Water efficient showerheads (3 points)
 - Toilets – Water Efficient toilets/urinals (1.5gpm) and Waterless urinals (3 points)
 - Faucets – Water efficient faucets (3 points)
- GHG Reductio Measure R2T2: Employment Based Trip and VMT Reduction Policy:
 - Employee Bicycle/Pedestrian Programs – Bike lockers and secure racks (1 point)
- GHG Reduction Measure R2T5 – Renewable Fuel/Low Emissions Vehicles (EV Charging Stations)
 - Electric Vehicles – Provide 10 public charging stations for use by electric vehicles.

LAND USE SERVICES – Building and Safety Division

- 87. 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.
- 88. Temporary Use Permit. A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

LAND USE SERVICES - Land Development – Roads



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89. 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.

Slover Avenue (Major Highway – 104')

- Street Improvements. Design curb and gutter with match up paving 40 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type “C”.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B and located per San Bernardino County Standard 130.

Alder Avenue (Secondary Highway - 88')

- Road Dedication. A varied width foot grant of easement is required to provide a half-width right-of-way of 44 feet.
- Street Improvements. Design curb and gutter with match up paving 32 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type “C”.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B and located per San Bernardino County Standard 130.

90. Road Standards and Design. All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Road Standards of San Bernardino County and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element.

91. Utilities. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction. Any such utility shall be relocated as necessary without cost to the County.

92. 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.

93. Regional Transportation Fee. This project falls within the Regional Transportation Development Mitigation Fee Plan Area for the Rialto Subarea. The Regional Transportation Development Mitigation Plan Fee (Plan Fee) shall be paid to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$1.82 per square foot for Industrial Use/High Cube which includes the 259,481 square foot building.

Therefore, the estimated Regional Transportation Fees for the Project is \$472,255.42. The current Regional Transportation Development Mitigation Plan can be found at the following website:

<https://dpw.sbcounty.gov/transportation/transportation-planning/>

PUBLIC HEALTH– Environmental Health Services

94. Water Purveyor. Water purveyor shall be West Valley Water District or EHS approved.

95. 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



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water (industrial and/or domestic). Evidence, such as a well certification, shall be submitted to EHS for approval.

96. **Sewage Disposal.** Method of sewage disposal shall be sewer service provided by City of Rialto or an EHS approved onsite wastewater treatment system (OWTS) that conforms to the Local Agency Management Program (LAMP).
97. **New On-site Waste Treatment System.** If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions:
 - a. A soil percolation report shall be submitted to EHS for review and approval. For information, please contact the Wastewater Section at (800) 442-2283.
 - B. An Alternative Treatment System, if applicable, shall be required.
98. **Existing On-site Waste Treatment System.** Existing onsite wastewater treatment system can be used if applicant provides an EHS approved certification that indicates the system functions properly, meets code, has the capacity required for the proposed project, and meets LAMP requirements.
99. **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
100. **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.
101. **Demolition.** All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any premises. For information, contact EHS Mosquito & Vector Control Program at (800) 442-2283 or West Valley Mosquito & Vector at (909) 635-0307.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management Division

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

COUNTY FIRE DEPARTMENT – Community Safety Division

103. **Building plans.** Building plans shall be submitted to the Fire Department for review and approval.
104. **Combustible Protection.** Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
105. **Fire Fee.** The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.
106. **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



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purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.

107. Haz-Mat Approval. The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.
108. Primary Access Paved. Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, including width, vertical clearance and turnouts.
109. Secondary Access Paved. Prior to building permits being issued to any new structure, the secondary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions including width, vertical clearance and turnouts.
110. Street Sign. This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
111. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Road surface shall meet the approval of the Fire Chief prior to installation. All roads shall be designed to 85% compaction and/or paving and hold the weight of Fire Apparatus at a minimum of 80K pounds.
112. 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.
113. 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: 4,000 GPM for a four hour duration at 20 psi residual operating pressure. Fire Flow is based on a 259,481 sq.ft. structure.
114. Water System Large Commercial. A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. The applicant is required to provide a minimum of one new six (6) inch fire hydrant assembly with one (1) two and one half (2 1/2) inch and two (2) four (4) inch outlet. All fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than one hundred fifty (150) feet from any portion of a structure.

DEPARTMENT OF PUBLIC WORKS – Traffic Division

115. Improvements: The applicant shall design their street improvement plans to include the following:
 - Alder Avenue Driveway
 - The driveway shall be restricted to passenger vehicles only. The driveway shall have a “No Truck Access” sign visible to vehicles entering and exiting the site. The sign shall be placed within the property line at the driveway and the owner is responsible for maintaining the sign.
 - Traffic Signal Plan. An approved traffic signal plan is required for Slover Avenue at Alder Avenue.

DEPARTMENT OF PUBLIC WORKS – Special Districts



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- 116. This project lies within the district boundary of County Service Area 70, Zone SL-1. Due to your projected use of the property, street lighting may be required. If required, please provide the street lighting plans, plan check fees, and (3) three-year advanced energy charges to the Special Districts Department for review and approval. Development plans are to be submitted to the San Bernardino County DPW – Special Districts at 222 W. Hospitality Lane, 2nd Floor, San Bernardino, CA 92415-0450. For additional information on street light plans, please call Streetlighting Section at (909) 386-8821.

PRIOR TO ISSUANCE OF FINAL INSPECTION/OCCUPANCY

LAND USE SERVICES – Planning

- 117. 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).
- 118. Fencing. The applicant/developer shall construct a 12-foot block wall along the northernly property boundary with pilasters at every 75 feet, and an 8-foot block wall along the southerly and westerly property boundaries with pilasters at every 75 feet.
- 119. 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.
- 120. Installation of Improvements: All required on-site improvements shall be installed per approved plans.
- 121. 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- 2021-00081.
- 122. Comply with all applicable project design features PDF AQ-1, AQ-9 – AQ-12, AQ-17 – AQ-18, AQ-21 – AQ-22, AQ-24 and AQ-25.
- 123. Project MOU for Public Benefits. The Memorandum of Understanding (MOU) regarding the Public Benefit Contributions shall have been recorded with the San Bernardino County Assessor-Recorder-County Clerk.

LAND USE SERVICES - Building and Safety Division

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

LAND USE SERVICES - Land Development – Drainage

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

LAND USE SERVICES - Land Development – Roads



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127. LDD Requirements: All LDD requirements shall be completed by the applicant prior to occupancy.
128. Road Improvements. All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.
129. 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.
130. 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.

DEPARTMENT OF PUBLIC WORKS - Solid Waste Management Division

131. Construction Waste Management Plan (CDWMP) Part 2 –The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 65% of total weight or volume of all construction waste. The developer MUST provide ALL receipts and/or backup documentation for actual disposal/diversion of project waste.

COUNTY FIRE DEPARTMENT – Community Safety Division

132. Above Ground Storage Tank. The applicant shall submit an Application for an Above Ground Storage Tank detailed plans to the San Bernardino County Fire Department for review and approval prior to any installation on-site. The required Fees shall be paid at time of plan submittal.
133. Access. The development shall have a minimum of THREE points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.
134. Combustible Vegetation. Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less.
135. Commercial Large Facility Addressing. Commercial and industrial developments in excess of 100,000 sq. ft. shall have the street address installed on the building with numbers that are a minimum twelve (12) inches in height and with a one and one half (1 ½) inch stroke. The street address shall be visible from the street. During the hours of darkness, the numbers shall be electrically illuminated (internal or external). Where the building is two hundred (200) feet or more from the roadway, additional non-illuminated contrasting six (6) inch numbers shall be displayed at the property access entrances.
136. Fire Alarm – Manual. A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
137. 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.



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- 138. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
- 139. Fire Lanes. The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.
- 140. High-Piled Storage. The applicant shall submit an application for high-piled storage (internal storage over 12' in height), detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S-2, commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal.
- 141. Fire Sprinkler-NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit 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.
- 142. Hydrant Marking. Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.
- 143. Inspection by the Fire Department. Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".
- 144. Material Identification Placards. The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.
- 145. Override Switch. Where an automatic electric security gate is used, an approved Fire Department override switch (Knox ®) is required.
- 146. Roof Certification. A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
- 147. Smoke and Heat Removal. Mechanical smoke removal systems shall be provided for building protected by EFSR sprinkler systems as required by the Chief. The mechanical smoke removal systems shall meet the requirements of CFC and SBCOFD Standards.

PUBLIC HEALTH– Environmental Health Services

- 148. New Alternative Treatment System Permit. An Alternative Treatment System annual permit shall be required. For information, contact EHS at: (800) 442-2283.

DEPARTMENT OF PUBLIC WORKS – Traffic Division

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



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APN: 0256-031-07, 08, 09, 10, 17, 18 and 19

Planning Commission Date: September 21, 2023
Application Name: Conditional Use Permit

END OF CONDITIONS

DRAFT

EXHIBIT E

Final EIR Duke Warehouse at Slover/Alder Project

[Final EIR with Appendixes.pdf \(sbcounty.gov\)](#)

San Bernardino County Website:

<https://lus.sbcounty.gov/planning-home/environmental/valley-region/>

EXHIBIT F

CEQA Findings of Fact

EXHIBIT H

**FINDINGS AND FACTS IN SUPPORT OF FINDINGS
FOR THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
DUKE WAREHOUSE AT SLOVER AND ALDER PROJECT
SAN BERNARDINO COUNTY, CALIFORNIA
STATE CLEARINGHOUSE NO. 2021120526**

1. INTRODUCTION

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

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

CEQA Guidelines Section 15093 further provides:

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

Having received, reviewed and considered the Draft Environmental Impact Report (Draft EIR) and the Final Environmental Impact Report (FEIR) for the Duke Warehouse at Slover and Alder Project, SCH No. 2021120526 (collectively, the EIR), as well as all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (Findings) are hereby adopted by the County of San Bernardino (County) in its capacity as the CEQA Lead Agency.

These Findings set forth the environmental basis for the discretionary actions to be undertaken by the County for the development of the Project. These actions include the approval of the Conditional Use Permit (CUP). This action is referred to herein as the Project.

A. Document Format

These Findings have been organized into the following sections:

Section 1 provides an introduction to these Findings.

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

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

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

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

reduced to less than significant levels through adherence to project design features and regulatory requirements, these findings specify how those impacts were reduced to an acceptable level.

Section 6 sets forth findings regarding growth inducement.

Section 7 sets forth findings regarding irreversible environmental changes. **Section 8** sets forth findings regarding alternatives to the proposed Project.

B. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the County's actions related to the Project are located at the County of San Bernardino, Land Use Services Department, Planning Division, 385 North Arrowhead Avenue, First Floor, San Bernardino, CA 92415-0187. The County of San Bernardino is the custodian of the administrative record for the Project.

2. PROJECT SUMMARY

A. Project Location

The Project site is comprised of 13.23 acres of partially developed and disturbed land (APNs: 0256-031-07 through -10, and 0256-031-17 through -19) in the unincorporated community of Bloomington in San Bernardino County. The site is bounded by Slover Avenue to the north and by Alder Avenue to the west, and is currently developed with two single-family residential structures and three commercial/industrial buildings.

The Project area is located within the community of Bloomington in San Bernardino County borders all other sides of the Project site. The City of Montclair is approximately 0.25 mile to the north. Regional access is provided via Interstate 1- (I-10) and the Sierra Avenue interchange. Local access is provided by Slover Avenue and Alder Avenue.

B. Project Description

The applicant, Duke Realty, has submitted applications to the County of San Bernardino for a Conditional Use Permit (CUP) for the Project referred to as the Duke Warehouse at Slover and Alder Project. The CUP would allow for warehousing and distribution (logistics) uses. The Project would demolish existing residential and commercial structures to develop a new 259,481-square-foot high-cube warehouse/distribution building.

Building and Architecture. The proposed Project consists of a warehousing/distribution building with an outdoor truck court that would occupy approximately the northern third of the site. The Project building would have a roof height of 48 feet and would be 50 feet tall at the top parapet. The building would have 5,000 square feet of office space, a 2,975 square foot mezzanine, and 38 dock doors along the north side of the building, facing Slover Avenue. Lot coverage would equate to 45 percent of the 12.23-acre Project site.

Circulation and Street Improvements. Vehicle access to the site would be from four new driveways, as shown in Figure 3-4, Conceptual Site Plan. Two new driveways along Slover Avenue and two new driveways along Alder Avenue would provide truck and vehicle access to the site. Street improvements include installation of curb, gutter, and sidewalk on Slover Avenue and Alder Avenue along the Project frontage.

Parking. The Project would provide a total of 131 parking spaces, including 126 standard-size stalls and 5 accessible spaces. Automobile parking would be located in the northwestern corner of the Project site and along the eastern/northeastern area of the Project site. The Project also includes bicycle racks at each pedestrian entrance.

Landscaping and Walls. Landscaping would be planted along the east, west and south perimeter of the warehouse/logistics building and throughout the parking areas. Concrete screen walls 12 feet in height would enclose the truck court in the northern portion of the Project site and screen views into the Project site from Slover Avenue, Alder Avenue, and adjacent uses.

Infrastructure. The proposed Project would install onsite water lines that would connect to the existing 24- inch water line in Slover Avenue or the existing 20-inch water line in Alder Avenue. A new gravity line installed as part of the proposed Project would carry sewage flows to the northeast portion of the Project site and connect to a proposed 3,000-gallon septic tank and seepage pit approximately 25 feet below surface elevation. The project would install an onsite drainage system that would convey drainage flows through a curb and gutters system to a subsurface chamber infiltration system.

Required Approvals:

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

- Certification of the Final EIR
- Adoption of a Mitigation Monitoring and Reporting Program
- Conditional Use Permit

C. Statement of Project Objectives

The following objectives have been identified in order to aid decision makers in their review of the proposed Project and its associated environmental impacts.

- To make efficient use of the property in the Bloomington Community by adding to its potential for employment-generating uses.
- To attract new business and employment to San Bernardino County and thereby promote economic growth.
- To reduce the need for members of the local workforce to commute outside the Project vicinity to work.
- To develop an underutilized property with a high-cube industrial warehouse building near available infrastructure, including roads and utilities, to help meet demand for logistics business in the Inland Empire.
- To build an industrial warehouse project consistent with the San Bernardino Countywide Plan Land Use designation and San Bernardino Development Code regulations.
- To provide a Project designed to orient operational activities away from adjacent sensitive land uses to the south.
- Develop a project that does not contribute to surface and groundwater quality degradation by treating surface and stormwater flows.

3. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The Final EIR (FEIR) includes the Draft Environmental Impact Report (Draft EIR) dated June 2022, written comments on the Draft EIR that were received during the public review period, written responses to those comments, and changes to the Draft EIR. In conformance with CEQA and the State CEQA Guidelines, the County of San Bernardino conducted an extensive environmental review of the Duke Warehouse at Slover and Alder Project, including the following:

- Completion of the Notice of Preparation (NOP), which was released for an initial 30-day public review period from December 22, 2021, through January 21, 2022. The NOP was posted at the San Bernardino County Clerk office on December 21, 2021. The notice was mailed to reviewing agencies and to county residents and owners within a 300-foot radius from the Project Site. Copies of the NOP were made available for public review on the County's website at: <http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>.
- Completion of a scoping process, in which the public was invited by the County to participate. The scoping meeting for the EIR was held virtually on Thursday, January 6, 2022, at 6:00 PM through Zoom, accessed through the following link: <http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>.
- Preparation of a Draft EIR by the County, which was made available for a 54-day public review period (June 30, 2022 – August 22, 2022). The Draft EIR consisted of the analysis of the Duke Warehouse at Slover and Alder Project and appendices, including the NOP and responses to the NOP. The Notice of Availability (NOA) for the Draft EIR was sent to all property owners and occupants within a 300-foot radius from the Project site, all persons, agencies and organizations on the interest list interested persons, posted to the State Clearinghouse website for distribution to public agencies, and published in the San Bernardino County Sun. The NOA was posted at the San Bernardino County Land Use Services Department's office on June 30, 2022. Copies of the Draft EIR were made available for public review at County of San Bernardino Land Use Services Department Office, Bloomington Branch Library, and it was available for download via the County's website at <http://cms.sbcounty.gov/lus/Planning/Environmental/Valley.aspx>.
- Preparation of a Final EIR, including the Comments and Responses to Comments on the Draft EIR, occurred. The Final EIR/Response to Comments contains comments on the Draft EIR, responses to those comments, revisions to the Draft EIR, and appended documents. The Final EIR Response to Comments was released for a 10-day agency review period prior to certification of the Final EIR on XX, 2022.
- Public hearings were held for the proposed Project, including a Planning Commission hearing and a Board of Supervisors Hearing.
 - A notice of the Planning Commission hearing for the Project was mailed on September 8, 2023 to all property owners of record within a 300-foot radius from the Project site and all individuals that requested to be notified, and posted at the site and at the San Bernardino County Land Use Services Department's office, as required by established public hearing posting procedures. A notice of the Planning Commission hearing was also published in the San Bernardino County Sun on September 10, 2023.
 - A notice of the Board of Supervisors hearing for the Project was mailed on XX, 2022 to all property owners of record within a 300-foot radius from the Project site and all individuals that requested to be notified. A notice for the Board of Supervisors hearing was posted at the site and at the San Bernardino County Land Use Services

Department's office as required by established public hearing posting procedures. Additionally, notice for the Board of Supervisors hearing was published in the San Bernardino County Sun on XX, 2023.

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

- The NOP and all other public notices issued by the County in conjunction with the proposed Project;
- The Final EIR (includes Draft EIR) for the proposed Project;
- All written comments submitted by agencies and members of the public during the public review comment periods on the Draft EIR;
- All responses to written comments submitted by agencies and members of the public during the public review comment period on the Draft EIR;
- The Mitigation Monitoring and Reporting Program (MMRP);
- The reports and technical memoranda included or referenced in the Response to Comments of the Final EIR;
- All documents, studies, EIRs, or other materials incorporated by reference in the Draft EIR and Final EIR;
- The Ordinances and Resolutions adopted by the County in connection with the proposed Project, and all documents incorporated by reference therein;
- Matters of common knowledge to the County, including but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these Findings; and
- Any other relevant materials required to be in the record of proceedings by Public Resources Code Section 21167.6(e).

The documents and other material that constitute the record of proceedings on which these findings are based are located at the County of San Bernardino Land Use Services Department Office at 385 North Arrowhead Avenue, 1st Floor, San Bernardino, CA 92415. The custodian for these documents is the County of San Bernardino. This information is provided in compliance with Public Resources Code Section 21081.6(a)(2) and 14 California Code Regulations Section 15091(e).

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

Based upon the NOP and a review of the Project by the County, the County determined that the Project would have no impact or a less than significant impact on the following environmental topic areas and that no further, detailed analysis of these topics was required in the EIR:

- Agriculture & Forestry Resources
- Mineral Resources
- Population and Housing
- Public Services
- Wildfire

The evidence in support of the finding that the Project will not have a significant impact on these environmental topic areas are set forth in Section 2.3 of the Draft EIR which is incorporated by reference.

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

Aesthetics

Impact Finding: The Project would not have a substantial adverse effect on a scenic vista (Draft EIR Page 5.1-5).

Facts in Support of Findings: Scenic resources in the Project area include the San Bernardino and San Gabriel Mountains to the north and Jurupa Hills to the south. The Project site is not located within these scenic resource areas, and the Project would not contribute to their prominence under existing conditions. Therefore, Project implementation would not directly diminish their scenic qualities, and direct impacts on scenic vistas are less than significant.

Impact Finding: The Project would not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway (Draft EIR Page 5.1-5).

Facts in Support of Findings: There are no state- or county-designated scenic highways in Bloomington and the Project site does not contain scenic resources, including trees or rock outcroppings. The closest designated state scenic highway is a segment of Route 55 in Orange County, approximately 23 miles southwest of Bloomington. The closest eligible state scenic highway is a segment of I-10 in the City of Redlands, approximately 11 miles east of Bloomington. The closest County-designated scenic route is a segment of Lytle Creek Road, north of I-15, approximately 8 miles north of Bloomington. The Project site is not visible from any of these scenic highways. Therefore, Project development and operation would not substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway. Thus, no impacts would occur.

Impact Finding: The Project would not conflict with applicable zoning and other regulations governing scenic quality (Draft EIR Page 5.1-5).

Facts in Support of Finding: The County of San Bernardino Land Use Services Department has reviewed the proposed Project and determined that it is consistent with the San Bernardino County Development Code design regulations. The Project site has a General Plan land use designation of Limited Industrial (LI) and a zoning designation of Community Industrial (IC). The General Plan LI land use category is intended to provide suitable locations for light or limited industrial activities where operations are entirely enclosed in a structure, and limited exterior storage is fully screened from public view. In addition, the LI land use category is intended to provide suitable locations for employee-intensive uses such as research and development,

technology centers, corporate offices, clean industry, and supporting retail uses. The San Bernardino County Development Code allows warehousing and distribution uses in the Community Industrial zoning district, subject to an approved Conditional Use Permit (CUP). The Project is consistent with the development standards of the IC zoning district. Therefore, the Project would not conflict with zoning and regulations, and impacts would be less than significant.

Impact Finding: The Project would not create a new source of substantial light or glare that would adversely affect day and nighttime views in the area (Draft EIR Page 5.1-8).

Facts in Support of Finding:

Construction

Section 83.01.090 of the San Bernardino County Development Code limits construction between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday and excludes construction on Sundays and federal holidays. Thus, most construction activity would occur during daytime hours and use of nighttime lighting would be limited. Any nighttime lighting used during construction would be required to be directed downward. Construction of the Project would not include any materials that would generate offsite glare that could impact sensitive receptors. Therefore, impacts related to lighting and glare during construction would be less than significant.

Operation

Lighting: The Project site is currently partially developed with two single-family residences in the northwest and southwest corners and with commercial businesses in the central portion of the site. The remainder of the Project site is vacant and undeveloped. Thus, existing light and glare generated from the site is limited.

Once constructed and in operation, the high-cube warehouse would generate lighting from security lighting as well as headlights from vehicles and trucks traveling to and from the Project site. The Project would be consistent with the San Bernardino County Development Code and Countywide Plan requirements. County Development Code Section 83.07.030 (Glare and Outdoor Lighting – Valley Region) requires outdoor lighting of commercial or industrial land uses to 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.

Although nighttime lighting would increase with Project development, the additional lighting would be limited to safety, security, and (future) signage purposes and would be shielded and designed to be confined to the Project site through compliance with existing Development Code standards. Therefore, Project development would not result in substantial light that would adversely affect views of the area, and impacts related to lighting would be less than significant.

Glare: The Project would develop new buildings that would generally be constructed of concrete, typical of most warehouse/distribution buildings, but would have blue glass windows, painted concrete, and painted metal doors. The glass windows would not dominate building elevations and are intended to bring daylight into the building as well as provide design treatments to the exterior building walls. The windows would be individually framed openings and would be extended or recessed to create more depth and shadow. The Project also includes perimeter

landscaping would reduce effects of light and glare by including trees. Therefore, the Project would result in less than significant impacts related to glare.

Air Quality:

Impact Finding: The Project would not conflict with or obstruct implementation of an applicable air quality plan (Draft EIR Page 5.2-29).

Facts in Support of Finding: The Project would redevelop the 13.23-acre Project site consistent with the land use and zoning designations, with an approximately 259,481 square foot high-cube warehouse/distribution building, inclusive of 5,000 square feet of office space, a 2,975 square foot mezzanine and dock-high doors along the north building wall. These proposed uses are consistent with both the allowable LI land use and IC zoning uses. Also, the IC zone allows a maximum FAR of 0.45. The proposed 259,481 square foot building on the 13.23-acre site would result in a FAR of 0.45, and is therefore consistent with the allowable building density of the Project site

Because of the proposed Project's consistency with the land use designation and zoning, the Project would also be consistent with the assumptions in the 2016 AQMP and the 2022 AQMP and would not conflict with SCAQMD's attainment plans. In addition, emissions generated by construction and operation of the proposed Project would not exceed thresholds as described in the analysis below, which are based on the AQMP and are designed to bring the Basin into attainment for the criteria pollutants for which it is in nonattainment. Therefore, because the Project does not exceed any of the thresholds it would not conflict with SCAQMD's goal of bringing the Basin into attainment for all criteria pollutants and, as such, is consistent with the AQMP. As a result, impacts related to conflict with the AQMP from the proposed Project would be less than significant.

Impact Finding: The Project would not result in a cumulatively considerable net increase of a criteria pollutant for which the project region is non-attainment under and applicable federal or state ambient air quality standard (Draft EIR Page 5.2-30).

Facts in Support of Finding:

Construction

Pollutant emissions associated with construction would be generated from the following construction activities: (1) demolition, grading, and excavation; (2) construction workers traveling to and from the Project site; (3) delivery and hauling of construction supplies to, and debris from, the Project site; (4) fuel combustion by onsite construction equipment; (5) building construction; application of architectural coatings; and paving. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. As shown in Draft EIR Tale 5.2-8, emissions resulting from construction would not exceed criteria pollutant thresholds. Therefore, impacts would be less than significant, and no mitigation measures are required.

Operation

Implementation of the proposed Project would result in long-term emissions of criteria air pollutants from area sources generated by the proposed high-cube warehouse building and

related vehicular emissions, landscaping, and use of consumer products. As shown in Draft EIR Table 5.2-9, the Project's operational activities would not exceed the numerical thresholds of significance established by the SCAQMD. Therefore, impacts would be less than significant.

Impact Finding: The Project would not expose sensitive receptors to substantial pollutant concentrations (Draft EIR Page 5.2-32 to 5.2-35)).

Facts in Support of Finding:

Localized Construction Air Quality Impacts – Draft EIR Table 5.2-10 identifies daily localized onsite emissions that are estimated to occur during construction of the Project. As shown in Draft EIR Table 5.2-10, emissions during the peak construction activity would not exceed the SCAQMD's localized significance thresholds, and impacts would be less than significant.

Construction Diesel Mobile Source Health Risk – A Construction Health Risk Assessment was prepared to evaluate the health risk impacts as a result of exposure to diesel particulate matter (DPM) as a result of heavy-duty diesel trucks, and equipment activities from Project construction. The land use with the greatest potential exposure to Project construction DPM source emissions is located at an existing residence approximately 29 feet south of the Project site. At the maximum incremental cancer risk attributable to Project construction, DPM source emissions are estimated to be 0.98 in one million, which is below SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity, and impacts would be less than significant.

Localized Operational Air Quality Impacts – Draft EIR Table 5.2-9 shows that emissions from operation of the proposed Project would not exceed SCAQMD's localized significance thresholds for any criteria pollutant at the nearest sensitive receptor. Therefore, implementation of the proposed Project would result in a less than significant impact related to localized operational emissions.

In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 (“*Friant Ranch*”), the California Supreme Court held that an EIR's air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As shown previously on Draft EIR Tables 5.2-6 and 5.2-7, the proposed Project would generate up to 50.74 lbs/day of NOx during construction and 18.17 lbs/day of NOx during operations. The VOC emissions would be a maximum of 23.02 lbs/day during construction and 7.03 lbs/day of during operations.

Therefore, the emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level. Notwithstanding, this evaluation does evaluate the Project's localized impacts to air quality for emissions of CO, NOx, PM₁₀, and PM_{2.5} by comparing the on-site emissions to the SCAQMD's applicable LST thresholds. In addition, a Mobile Source Health Risk Assessment was prepared, as detailed below, which details that the proposed Project would not result in emissions that exceed the SCAQMD's LSTs. Therefore, the proposed Project would not exceed the most stringent applicable federal or state ambient air quality standards for emissions of CO, NOx, PM₁₀, and PM_{2.5}.

Operational Diesel Mobile Source Health Risk – A Health Risk Analysis was prepared to evaluate the operational health risk impacts as a result of exposure to DPM as a result of heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site during operation of the proposed industrial uses. Draft EIR Table 5.2-12 shows that the cancer risk from the proposed Project's DPM emissions would be below the SCAQMD's threshold of 10 per million persons. Therefore, operation of the proposed Project would result in a less than significant impact related to the cancer risk from TAC emissions.

Impact Finding: The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (Draft EIR Page 5.2-35).

Facts in Support of Finding: The proposed Project is a warehouse/distribution use that does not involve the types of uses that would emit objectionable odors affecting a substantial number of people. Industrial land uses that emit odors typically involve manufacturing facilities, paint/coating operations, refineries, chemical manufacturing, and food manufacturing facilities. Currently, future tenants of the warehouse are unknown, however, if potential concerns related to odors are identified for future building uses, the County would require appropriate hazardous materials permitting and odor minimization plans or features in compliance with SCAQMD Rule 402.

During construction, emissions from construction equipment, architectural coatings, and paving activities may generate odors. However, these odors would be temporary and intermittent in nature and would not affect a substantial number of people. In addition, all Project-generated solid waste would be stored in covered containers and removed at regular intervals in compliance with solid waste regulations and would not generate objectionable odors. Therefore, impacts associated with other operation- and construction-generated emissions, such as odors, would be less than significant.

Biological Resources:

Impact Finding: The Project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Draft EIR Page 5.3-8).

Facts in Support of Finding: The General Biological Assessment did not identify special status plant or animal species on the Project site. In addition, no potentially suitable habitat for special status plant or animal species was identified onsite. Therefore, Project development and operation would not result in a substantial adverse effect, either directly or indirectly or through habitat modification, on any plant or animal species identified as a Threatened, Endangered, or Candidate species in local or regional plans, policies, or regulation or by the CDFW or USFWS and no impact would occur.

Impact Finding: The Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or

by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service (Draft EIR Page 5.3-8).

Facts in Support of Findings: The General Biological Assessment identified that the Project site does not contain any riparian habitat, jurisdictional streambed or wetland areas, or sensitive natural community identified by USFWS or CDFW. Thus, impacts to these resources would not occur from implementation of the proposed Project.

Impact Finding: The Project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (Draft EIR Page 5.3-8).

Facts in Support of Findings: According to the General Biological Assessment, the Project site does not contain any jurisdictional areas that would be subject to Section 404 of the Clean Water Act, and the proposed Project does not involve any hydrological interruption of any existing water resources. Thus, impacts to federally protected wetlands, as defined by Section 404 of the Clean Water Act, would not occur from implementation of the proposed Project.

Impact Finding: The Project would not conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan (Draft EIR Page 5.3-9).

Facts in Support of Findings: The Project site is within the proposed Upper Santa Ana River Habitat Conservation Plan (HCP). However, none of the specific activities/projects covered by the HCP are within or adjacent to the Project site. As such, the Project would not conflict with Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plan, and impacts would be less than significant.

Cultural Resources

Impact Finding: The Project would not cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5 (Draft EIR Page 5.4-6).

Facts in Support of Findings: The Project site is within the Semi-Tropic Land and Water Company subdivision. The Project site was developed as Lot 462 of the Semi-Tropic lands and was historically used for citrus groves, residential, and commercial offices. The Project site currently includes five buildings of historic age: 17713 Slover Avenue, 17761 Slover Avenue, 17811 Slover Avenue, 17847 Slover Avenue, and 10589 Alder Avenue. None of the five properties are listed on the National Register, California Register, the Office of Historic Preservation's Built Environment Resources Directory (BERD), or local registers. The Focused Cultural Resources Survey-Historic Resources Assessment (Draft EIR Appendix D2) describes that the Project site is not strongly associated with the Semi-Tropic Land and Water Company. None of the individual owners of the properties within the Project site were found in the historic record and, therefore, cannot be determined to be figured prominently in history.

The Focused Cultural Resources Survey-Historic Resources Assessment also identified that the Project site is not strongly associated with events that have made a significant contribution to the broad patterns of our national or state history or with significant persons in our past (NR/CR Criteria A,B/1,2). Additionally, due to past alterations to the subject properties, none of the onsite

structures embody the distinctive characteristics of a type, period, or represent the work of a master, or possess high artistic value (NR/CR C/3). Further, given the previous development history and the results of research, the residences on the site have not yielded, and are unlikely to yield, further information important in history or prehistory (NR/CR Criteria D/4).

On the local level, San Bernardino County Development Code Chapter 82.12, Cultural Resources Preservation (CP) Overlay includes regulations pertaining only to archaeological and historical resources designated at the state or federal level, and as a census-designated place (CDP), Bloomington does not have a local preservation ordinance with criteria for designation and does not maintain a local inventory. Therefore, the Focused Cultural Resources Survey-Historic Resources Assessment found the Project site and associated buildings ineligible for NR, CR, or Local historic designation. As a result, they are not considered historic resources under CEQA. Impacts would be less than significant, and no mitigation measures are required.

Regulatory Requirements:

PPP CUL-1. Cultural and paleontological resources are recognized as nonrenewable resources and receive protection under the PRC and CEQA.

Impact Finding: The Project would not disturb any human remains, including those interred outside of formal cemeteries. (Draft EIR Page 5.4-8).

Facts in Support of Findings: The Project site is not known to include any burial grounds, graveyards, or dedicated cemeteries. However, it is possible that human remains are buried outside of formal cemeteries. Therefore, should human remains be unearthed during grading and excavation activities, the Project would be required to comply with California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and CEQA Guidelines Section 15064.5, which provide guidance on the discovery of human remains and their treatment or disposition with appropriate dignity. Through mandatory compliance with these required regulations, impacts would be less than significant.

Regulatory Requirements:

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

PPP CUL-3. If human remains are discovered within a project site, disturbance of the site must stop until the coroner has investigated and made recommendations for the treatment and disposition of the human remains to the person responsible for the excavation, or to his or her authorized representative. If the coroner has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. (California Health and Safety Code Section 7050.5)

Energy

Impact Finding: The Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation (Draft EIR Page 5.5-4).

Facts in Support of Finding:

Construction

Construction activities related to the proposed Project and the associated infrastructure are not expected to result in demand for fuel greater on a per-unit-of-development basis than other development projects in Southern California. The energy analysis modeling for the proposed Project details that construction-related use of off-road equipment would utilize 71,940 gallons of fuel, as detailed in Draft EIR Table 5.5-1. Draft EIR Table 5.5-2 shows that construction workers, vendor trips, and haul trips would use approximately 60,987 gallons of fuel. Construction contractors are required to demonstrate compliance with applicable California Air Resources Board (CARB) regulations governing the accelerated retrofitting, repowering, or replacement of heavy-duty diesel on- and off-road equipment. In addition, compliance with existing CARB idling restrictions and the use of newer engines and equipment would reduce fuel combustion and energy consumption. Additionally, CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. Overall, construction activities would require limited energy consumption, would comply with all existing regulations, and would therefore not be expected to use large amounts of energy or fuel in a wasteful manner. Thus, impacts related to construction energy usage would be less than significant.

Operation

Once operational, the Project building would generate demand for electricity, natural gas, as well as gasoline for motor vehicle trips. Operational use of energy includes the heating, cooling, and lighting of buildings, water heating, operation of electrical systems and plug-in appliances within buildings, parking lot and outdoor lighting, and the transport of electricity, natural gas, and water to the areas where they would be consumed. This use of energy is typical for urban development, and no operational activities or land uses would occur that would result in extraordinary energy consumption.

It is anticipated that the proposed Project would utilize 183,256 gallons of petroleum per year, 682,647 kWh of electricity per year, and 521,557 kBtu of natural gas per year. Because this use of energy is typical for urban development, no operational activities or land uses would occur that would result in extraordinary energy consumption, and County permitting would assure that existing regulations related to energy efficiency and consumption, such as Title 24 regulations and CCR Title 13, Motor Vehicles, section 2449(d)(3) related to idling, would be implemented. Therefore, impacts related to operational energy consumption would be less than significant.

Impact Finding: The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency (Draft EIR Page 5.5-7).

Facts in Support of Finding: The proposed Project would be required to meet the CCR Title 24

energy efficiency standards in effect during permitting of the Project. The County's administration of the CCR Title 24 requirements includes review of design components and energy conservation measures that occurs during the permitting process, which ensures that all requirements are met. The Project would not conflict with the idling limits imposed by CCR Title 13, Motor Vehicles, section 2449(d)(3) Idling. Also, the Project would not conflict with or obstruct opportunities to use renewable energy, such as solar energy. The Project building would be solar ready. Although the Project building's future tenants are not currently known, and the use of solar panels is generally tailored to the electrical demands of the tenant, the building tenants would be able to install solar panels. Thus, the proposed Project would not obstruct use of renewable energy or energy efficiency. Overall, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Geology and Soils

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area of based on other substantial evidence of a known fault (Draft EIR Page 5.6-6).

Facts in Support of Finding: The Project site is not within an Alquist-Priolo Earthquake Fault Zone, and there are no known active faults within 500 feet of the site. The nearest active fault zone is the San Bernardino Section of the San Jacinto Fault Zone, which is 5.75 miles northeast of the Project site. Since no known faults exist within a mile of the Project site, and the site is not located within an Alquist-Priolo Earthquake Fault Zone, impacts related to rupture of a known earthquake fault would be unlikely to occur.

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking (Draft EIR Page 5.6-7).

Facts in Support of Finding: The Project site is within a seismically active region, with numerous faults capable of producing significant ground motions. Project development could subject people and structures to hazards from ground shaking. However, seismic shaking is a risk throughout Southern California, and the Project site is not at a greater risk of seismic activity or impacts as compared to other areas within the region.

The County of San Bernardino has adopted the CBC as part of the County Development Code Chapter 15, Section 4, which regulates all building and construction projects within the County and implements a minimum standard for building design and construction that includes specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition. All structures within unincorporated County areas are required to be built in compliance with the CBC. The Project would be required to adhere to the provisions of the CBC as part of the building plan check and development review process. Compliance with the requirements of the CBC for structural safety would reduce hazards from strong ground shaking. Because the Project would be required to be constructed in compliance with the CBC and the County Development Code, which would be verified through the County's plan check and permitting process, the Project would result in a less than significant impact related to strong seismic ground shaking.

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction (Draft EIR Page 5.6-7).

Facts in Support of Finding: According to the Geotechnical Investigation that was prepared by Southern California Geotechnical (Draft EIR Appendix E), none of the borings conducted for the geotechnical investigations encountered ground water. According to the California Department of Water Resources, the historical high groundwater table near the Project site is deeper than 240 feet below ground surface. Based on the Countywide Plan and the data collected from the Percolation Investigation, liquefaction is not a design concern for the Project site (PERC 2021). Notwithstanding, structures built in unincorporated County areas, including at the Project site, are required to be designed and constructed in compliance with the CBC, pursuant to the County Development Code. Compliance with the CBC would require proper construction of building footings and foundations so that structures would withstand the effects of potential ground movement, including liquefaction and settlement. Therefore, impacts from seismic-related ground failure, including liquefaction and settlement at the Project site would be less than significant.

Impact Finding: The Project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides (Draft EIR Page 5.6-8).

Facts in Support of Finding: According to the Countywide Plan Geologic Hazards Overlay Map and the Geotechnical Investigation completed for the Project site, the area in which the Project site is located is mapped as having a low susceptibility for landslides. No portion of the Project site is within an area mapped with landslide susceptibility, therefore impacts involving landslides are less than significant.

Impact Finding: The Project would not result in substantial soil erosion or the loss of topsoil (Draft EIR Page 5.6-8).

Facts in Support of Finding:

Construction

Construction of the Project has the potential to contribute to soil erosion and the loss of topsoil through grading and excavation activities. Upon compliance with the County Development Code, Regional Water Quality Control Board (RWQCB) requirements, and the BMPs in the SWPPP, potential construction impacts related to erosion and loss of topsoil at the Project site would be less than significant.

Operation

Once constructed, the developed areas within Project site would contain buildings, pavement, and landscaping. Some areas may contain exposed soils; however, these areas would be part of the landscaping that would be designed to limit erosion and the loss of topsoil. On-site drainage features would be installed as part of the proposed development, which would be designed to filter and slowly discharge stormwater into the off-site drainage system and further reduce the potential for stormwater to erode topsoil. Additionally, all developments in the County require a site-specific WQMP, which would ensure that the County Development Code, RWQCB requirements, and appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. As a result, potential impacts related to substantial soil erosion or loss of topsoil would be less than significant.

Impact Finding: The Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (Draft EIR Page 5.6-9).

Facts in Support of Finding: Due to the relatively flat topography of the Project site and the fact that subsurface soils consist of medium dense to dense sands and silty soils, the potential for lateral spreading at the site is low. Liquefaction potential is also considered low due to the depth of groundwater. As such, impacts related to lateral spreading and liquefaction would be less than significant.

Any potential impacts related to collapsible soils would be mitigated by standard geotechnical engineering practices. According to the geotechnical investigations, removal and recompaction of the existing fill soils could result in some soil shrinkage; due to settlement and the types of machinery used, minor ground subsidence of up to 0.1 foot (or 1.2 inches) can occur in the areas where soils were removed. According to the geotechnical study, the post construction settlements of the proposed structures would be within tolerable limits. Because the Project would be required to be constructed in compliance with the CBC and the County Development Code, which would be verified through the County's plan check and permitting process, the Project would result in a less than significant impact related to potential soil hazards.

Impact Finding: The Project would not be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994) and would not create substantial risks to life or property (Draft EIR Page 5.6-9).

Facts in Support of Finding: The Project site is underlain by silty sands with no appreciable clay content. The on-site materials have a low to non-expansive index. Therefore, no impacts related to expansive soils would occur.

Impact Finding: The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater (Draft EIR Page 5.6-9).

Facts in Support of Finding: The Project would be served by a septic system that includes one 3,000-gallon tank and one seepage pit extending to a depth of approximately 25 feet below existing surface grades. According to the Percolation Investigation prepared by Southern California Geotechnical (Draft EIR Appendix E), soil located within the Project site has a natural percolation rate of 9.4 gallons per square foot per day. San Bernardino County guidelines require a minimum percolation rate of 1.1 gallons per square foot per day and a maximum of 4.0 gallons per square foot per day. A design flow rate of 4.0 gallons per square foot per day was used in the design of the sewage disposal system in accordance with these guidelines. Therefore, potential impacts related to use of septic tanks or alternative wastewater disposal systems would be less than significant.

Greenhouse Gas Emissions

Impact Finding: The Project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (Draft EIR Page 5.7-9).

Facts in Support of Finding:

Construction

Implementation of the proposed Project would generate GHG emissions from construction activities, operational transportation, energy, waste disposal, and area sources (such as onsite equipment). For construction emissions, the SCAQMD recommends calculating the total GHG emissions for the construction activities, dividing it by a 30-year project life, then adding that number to the annual operational phase GHG emissions, which is done within this analysis.

Operation

Long-term operations of uses proposed by the Project would generate greenhouse gas emissions from the following primary sources: area source emissions, energy source emissions, mobile source emissions, water supply, treatment, and distribution, and solid waste. Draft EIR Table 5.7-1 shows the annual GHG emissions associated with construction and operation of the proposed Project would generate a net total of approximately 2,237.56 MTCO₂e/yr, which is below the County's screening threshold of 3,000 MTCO₂e/yr. Thus, impacts would be less than significant.

According to the County's 2021 GHG Emissions Reduction Plan Update, any project that is under the 3,000 MTCO₂e/yr screening threshold or adopts at least 100 points of GHG performance standards listed in the GHG Reduction Plan Screening Tables, would be consistent with the County's GHG Emissions Reduction Plan to reduce emissions to 40 percent below 2007 levels. Meeting this reduction would be consistent with the State's long-term goal to achieve statewide carbon neutrality (zero net emissions) by 2045, and therefore, would result in a less than significant impact related to GHG emissions.

Impact Finding: The Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Draft EIR Page 5.7-11).

Facts in Support of Finding: The Project would provide contemporary, energy-efficient/energy-conserving design features and operational procedures. The proposed Project would not interfere with the state's implementation of Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; or Executive Order S-3-05's target of reducing statewide GHG emissions to 80 percent below 1990 levels by 2050 because it does not interfere with implementation of the GHG reduction measures listed in CARB's 2007 Scoping Plan or CARB's Updated Scoping Plan (2017), as demonstrated in Draft EIR Tables 5.7-2 and 5.7-3.

Further, the proposed Project is consistent with AB 32 and SB 32 through implementation of measures that address GHG emissions related to building energy, solid waste management, wastewater, and water conveyance. Thus, the Project would be consistent with the State's requirements for GHG reductions. In addition, the County has included the efficient use of energy resources as a goal in the Countywide Plan Conservation Element. As detailed in Draft EIR Table 5.7-4, the Project would not conflict with the relevant Countywide Plan goals and policies related to GHGs.

The Project would be implemented in compliance with state energy standards provided in Title 24, in addition to provision of sustainable design features. The Project would not interfere with the state's implementation of Executive Order B-30-15 and SB 32's target of reducing statewide GHG emissions to 40 percent below 1990 levels by 2030; or Executive Order S-3-05's target of reducing statewide GHG emissions to 80 percent below 1990 levels by 2050 because it would be consistent with the CARB 2007 and 2017 Scoping Plans, which are intended to achieve the reduction targets

required by the state. In addition, the proposed Project would be consistent with the relevant County General Plan goal and policies. Thus, the proposed Project would not result in a conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs, and impacts would be less than significant.

Hazards and Hazardous Materials

Impact Finding: The Project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials (Draft EIR Page 5.8-14).

Facts in Support of Finding:

Construction

Construction activities would involve the routine transport, use, and disposal of hazardous materials such as paints, solvents, oils, grease, and caulking. In addition, hazardous materials would routinely be needed for fueling and servicing construction equipment on the site. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by federal and state regulations that are implemented by the County of San Bernardino during building permitting for construction activities. As a result, hazardous material impacts related to construction materials would be less than significant.

Additionally, asbestos-containing materials and lead-based paint may exist due to the date of construction of the existing buildings. Therefore, asbestos surveys and abatement would be required prior to demolition of the existing structures pursuant to the SCAQMD, Cal/OSHA, and the sections of the California Health and Safety Code. Compliance with these existing regulations, as ensured through the permitting process would reduce impacts related to routine transport and disposal of asbestos-containing materials and lead-based paint during construction activities to a less than significant level.

Operation

The future building occupants of the high-cube industrial warehouse/distribution building are not yet identified. Future uses on-site are assumed to be any of those uses permitted in the Community Industrial (IC) zone. Additionally, depending on the type of business, operations would require the use of various types and quantities of hazardous materials, including lubricants, solvents, cleaning agents, wastes, paints and related wastes, petroleum, wastewater, batteries, (lead acid, nickel cadmium, nickel, iron, carbonate), scrap metal, and used tires. These hazardous materials would be used, stored, and disposed of in accordance with applicable regulations and standards (such as CFR, Title 49, Chapter I; CCR, Title 8; CFR, Title 40, Part 263; and San Bernardino County Code Sections 23.0602 and 23.0107) that are enforced by the USEPA, USDOT, CalEPA, CalOSHA, DTSC, and County of San Bernardino.

Under California Health and Safety Code Section 25531 et seq., CalEPA requires businesses operating with a regulated substance that exceeds a specified threshold quantity to register with a managing local agency, known as the Certified Unified Program Agency (CUPA). In San Bernardino County, San Bernardino County Fire is the CUPA. If the operations of future tenants of the proposed warehouse facilities exceed established thresholds, CUPA permits will be required. The County requires businesses subject to any of the CUPA permits to file a Business Emergency/Contingency Plan, as outlined above in Section 5.9.2.4, Local Regulatory Setting.

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

Regulatory Requirements:

PPP HAZ-1: SCAQMD Rule 1403. Prior to issuance of a Demolition Permit, the Project Applicant/Developer shall submit verification to the County Building Division that an asbestos survey has been conducted at all existing buildings located on the Project site. If asbestos is found, the Project Applicant/Developer shall follow all procedural requirements and regulations of SCAQMD 1403. Rule 1403 regulations require the following actions be taken: notification of SCAQMD prior to construction activity, asbestos removal in accordance with prescribed procedures, placement of collected asbestos in leak-tight containers or wrapping, and proper disposal.

Impact Finding: The Project would not create a significant hazard to the public or the environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment (Draft EIR Page 5.8-15).

Facts in Support of Finding:

Construction

Accidental release: The use of BMPs during construction implemented as part of a Stormwater Pollution Prevention Plan (SWPPP) as required by the National Pollution Discharge Elimination System (NPDES) General Construction Permit (and included as PPP WQ-1) would minimize potential adverse effects to workers, the public, and the environment.

Asbestos-containing materials (ACMs): Asbestos abatement contractors must follow state regulations contained in California Code of Regulations Sections 1529, and 341.6 through 341.14 as implemented by SCAQMD Rule 1403 to ensure that ACMs removed during demolition or redevelopment of the existing buildings is transported and disposed of at an appropriate facility. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including ACMs.

Lead: Federal regulations to manage and control exposure to lead-based paint are described in Code of Federal Regulations Title 29, Section 1926.62, and State regulations related to lead are provided in the California Code of Regulations Title 8 Section 1532.1, as implemented by Cal-OSHA. These regulations cover the demolition, removal, cleanup, transportation, storage and disposal of lead-containing material. The regulations outline the permissible exposure limit, protective measures, monitoring and compliance to ensure the safety of construction workers exposed to lead-based materials. Cal/OSHA's Lead in Construction Standard requires project

applicants to develop and implement a lead compliance plan when lead-based paint would be disturbed during construction or demolition activities. The plan must describe activities that could emit lead, methods for complying with the standard, safe work practices, and a plan to protect workers from exposure to lead during construction activities. In addition, Cal/OSHA requires 24-hour notification if more than 100 square feet of lead-based paint would be disturbed. These requirements are included as PPP HAZ-2 to ensure that verification to the County that appropriate activities related to lead have occurred, which would reduce the potential impacts related to lead-based materials to a less than significant level.

Undocumented hazardous materials: The Phase I Environmental Site Assessment (ESA) describes that the site has a history of various uses that include truck storage and utilization of hazardous materials. As a result, there is the potential for undocumented spills and releases to have occurred during the operation of the previous uses, including the junkyard. However, the existing federal and state regulations related to hazardous materials and construction includes procedures to follow in the event hazardous materials are uncovered during construction activities. Implementation of existing regulations (Resource Conservation and Recovery Act, the Occupational Safety and Health Act, and the Hazardous Materials Transportation Act), impacts related to excavation including hazardous substances and materials would be less than significant.

Operation

Project development would involve warehousing/distribution uses that could use and store common hazardous materials such as paints, solvents, and cleaning products. Building mechanical systems and grounds and landscape maintenance could also use a variety of products formulated with hazardous materials, including fuels, cleaners, lubricants, adhesives, sealers, and pesticides/herbicides.

The extent and exposure of individuals to hazardous materials would be limited by the relatively small quantities of these materials that would be stored, used, and handled. Additionally, any business or facility which uses, generates, processes, produces, packages, treats, stores, emits, discharges, or disposes of hazardous material (or waste) would require a hazardous materials handler permit from the County of San Bernardino and would be required to prepare a Hazardous Materials Business Emergency Plan to minimize the effects and extent of a potential release of a hazardous material.

Through existing County of San Bernardino permitting and occupancy procedures, hazardous materials would be used and stored in accordance with applicable regulations and such uses would be required to comply with Federal and State laws to reduce potential consequences of hazardous materials accidents. In addition, a WQMP is required to be implemented for the Project (included as PPP WQ-2). The BMPs that would be implemented as part of the WQMP would protect human health and the environment should any accidental spills or releases of hazardous materials occur during Project operation. As a result, Project development and operation would not result in 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, and impacts would be less than significant.

Regulatory Requirements:

PPP HAZ-2: Lead. Prior to issuance of a Demolition Permit, the Project Applicant/Developer shall submit verification to the County Building Division that a lead-based paint survey has been conducted at all existing buildings located on the Project site. If lead-based paint is found, the Project Applicant/Developer shall follow all procedural requirements and regulations for proper removal and disposal of the lead-based paint. Cal-OSHA has established limits of exposure to lead contained in dusts and fumes. Specifically, CCR Title 8, Section 1532.1 provides for exposure limits, exposure monitoring, and respiratory protection, and mandates good working practices by workers exposed to lead.

PPP WQ-1: NPDES/SWPPP. Prior to issuance of a Demolition Permit or Grading Permit, the Project Applicant/Developer shall provide the County Building Division with evidence of compliance with the NPDES requirement to obtain a Construction Permit from the State Water Resource Control Board (SWRCB). The Permit requirement applies to grading and construction sites of one acre or larger. The Project Applicant/Developer shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.

PPP WQ-2: WQMP. Prior to issuance of a Grading Permit, a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Division. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMP) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

Impact Finding: The Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within 0.25 mile of an existing or proposed school (Draft EIR Page 5.8-17).

Facts in Support of Finding:

Construction

The Project site is located approximately 300 feet north of Bloomington High School. Project construction would involve the use and disposal of various hazardous materials. However, all storage, handling, use, and disposal of these materials are regulated by federal and state regulations that are implemented by the County of San Bernardino during construction permitting, such as those included as PPP HAZ-1 through PPP HAZ-5. In addition, the hazardous materials from potential asbestos and lead paints, solvents, oils, grease, and caulking would travel to and from the site from the I-10 freeway, via Slover Avenue, which is north of the Project site, the opposite direction of the school facilities. Smaller quantities of hazardous materials may be carried in smaller trucks that are not restricted to designated truck routes. However, the hazardous materials handled during construction of the Project would not travel past the school facilities and potential impacts to schools related to transport of hazardous materials would not occur.

Operation

The Project site is located approximately 300 feet north of Bloomington High School. The future building occupants of the warehouse/distribution building are not yet identified. However, Table 82-17, Allowed Land Uses and Planning Permit Requirements of the San Bernardino County Development Code prohibits “Hazardous Waste Operations” in the Community Industrial (IC) zone. When the request for an occupancy permit is made, the Planning Department would ensure that the proposed use of the building is not considered a “Hazardous Waste Operations.” The

proposed use would be evaluated to determine the type and quantity of hazardous materials (including hazardous waste) or extremely hazardous substances that would be handled, if any. If using, handling, or storing hazardous materials in quantities equal to or greater than the amounts identified below, a Hazardous Materials Business Emergency Plan is required by the County Fire Protection District. The Plan is intended to prevent or minimize the damage to public health and safety and the environment, from a release or threatened release of hazardous materials. It also satisfies community right-to-know laws by providing information regarding hazardous materials at facilities to emergency responders and to the general public.

Overall, compliance with existing regulations related to hazardous materials, which would be implemented during the County's permitting review, would reduce the potential for Project operations to pose a hazard to nearby schools to a less than significant level. In addition, any hazardous materials that are needed or transported for Project operation would travel regionally to and from the Project site from Interstate-10 freeway to Slover Avenue and enter the north side of the Project site, which is the opposite direction of the Bloomington High School campus. Thus, it is very unlikely that any hazardous materials would travel past the school facilities. Overall, potential impacts to schools from hazardous materials handled during Project operations would be less than significant.

Regulatory Requirements:

PPP HAZ-1: SCAQMD Rule 1403. As listed previously.

PPP HAZ-2: Lead. As listed previously.

PPP HAZ-3 Transportation of Hazardous Waste. Hazardous materials and hazardous wastes will be transported to and/or from the projects developed under the Countywide Plan in compliance with any applicable state and federal requirements, including the U.S. Department of Transportation regulations listed in the Code of Federal Regulations (CFR) (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; and the California Occupational Safety and Health Administration standards.

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

PPP HAZ-5 Removal of Hazardous Materials. The removal of hazardous materials, such as polychlorinated biphenyls (PCBs), mercury-containing light ballast, and mold, will be completed in accordance with applicable regulations pursuant to 40 CFR 761 (PCBs), 40 CFR 273 (mercury-containing light ballast), and 29 CFR 1926 (molds) by workers with the hazardous waste

operations and emergency response (HAZWOPER) training, as outlined in 29 CFR 1910.120 and 8 CCR 5192.

Impact Finding: The Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment (Draft EIR Page 5.8-19).

Facts in Support of Finding: The Phase I Environmental Site Assessment did not identify any nearby or surrounding area sites that are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and as a result, impacts related to hazards from being located on or adjacent to a hazardous materials site would not occur from Project development or operation.

Impact Finding: The Project would not result in a safety hazard or excessive noise for people residing or working in the Project area for a project area for a project located within an airport land use plan or, where such a plan has not been adopted, be within two miles of a public airport or public use airport (Draft EIR Page 5.8-19).

Facts in Support of Finding: The Project Site is approximately nine miles east of the Ontario International Airport and is not within the 60-65 dBA CNEL noise contour of the Ontario International Airport Land Use Compatibility Plan. The site is also outside of the established airport safety zones. Thus, Project would not result in a safety hazard or excessive noise for people residing or working in the area. As such, no impact would occur.

Impact Finding: The Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (Draft EIR Page 5.8-20).

Facts in Support of Finding:

Construction

Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the safe passage of persons and vehicles through/around any required temporary road restrictions in accordance with the requirements in the International Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9), which requires that prior to any activity that would encroach into a right-of-way, the area of encroachment be safeguarded through the installation of safety devices that would be specified by the County during the construction permitting process to ensure that construction activities would not physically interfere with emergency access in the site vicinity. Implementation of the Project through the County permitting process would reduce potential construction-related physical interference impacts to emergency access to a less than significant level.

Operation

The Project would include four driveways to provide vehicular access to the site: two off Slover Avenue and one off Alder Avenue. The driveways would provide adequate and safe circulation to, from, and through the Project site and would provide a variety of routes for emergency responders to access the Project site and surrounding areas.

During operation of the Project, the building tenant would be required to maintain adequate emergency access for emergency vehicles as required and verified by San Bernardino County Fire. Because the Project is required to comply with all applicable County codes, as will be verified by the County and San Bernardino County Fire during the development review and permitting process, potential impacts related to emergency evacuation or emergency response plans would be less than significant.

Impact Finding: The Project would not expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires (Draft EIR Page 5.8-20).

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

Regulatory Requirements:

PPP HAZ-10 San Bernardino County Fire Hazard Abatement (FHA) Program. The FHA program shall enforce the fire hazard requirements outlined in San Bernardino County Code Sections 23.0301 to 23.0319.

Hydrology and Water Quality

Impact Finding: The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (Draft EIR Page 5.9-8).

Facts in Support of Finding:

Construction

Water quality impacts during construction of the Project would be prevented through the requirements of the NPDES stormwater permit (NPDES Permit No. CAS618036 and RWQCB Order R8-2010-0036 for San Bernardino County), which establishes minimum stormwater management requirements and controls that are required to be implemented for construction of the proposed Project, including preparation of a SWPPP by a Qualified SWPPP Developer (QSD), which is included as PPP WQ-1. Adherence to the existing requirements and implementation of the appropriate BMPs that are required by the County's permitting process and included as PPP WQ-1, would ensure that potential water quality degradation associated with construction activities would be minimized, and impacts would be less than significant.

Operation

Proposed drainage improvements would include construction of onsite conveyance, including curbs and gutters and a subsurface storm drain. Flows would drain from the storm drain into a

proposed chamber infiltration system which would be designed to fully capture the site's design capture volume (50,160 cubic feet) per the County's permit requirements (85th percentile of a 24 hour storm event). During high intensity precipitation events, water would backup out of the chamber and into a proposed outlet in the southeast corner and discharge to the existing concrete channel connected to Otilia Street. Flows would be discharged into a drain inlet that would connect to the proposed subsurface chamber within the north portion of the site. The proposed chamber would have capacity to capture 100 percent of the site's design capture volume.

Implementation of the proposed Project would comply with BMPs pursuant to the County's NPDES requirements, and the County Code. The Project would be required to implement a WQMP pursuant to Chapter 83.15 of the San Bernardino County Code and included as PPP WQ-2. Post construction BMPs and LID included in the WQMP would avoid potential quality degradation of receiving waters resulting from proposed development. As part of the permitting approval process, construction plans would be required to demonstrate compliance with these regulations. Plans for grading, drainage, erosion control and water quality would be reviewed by the County Public Works Department prior to issuance of grading permits to ensure that the applicable and required LID BMPs are constructed during implementation of the Project.

Sewage disposal on the Project site currently is via septic systems. Leaks and/or septic system spills have the potential to contaminate groundwater. The Project would install a new septic system that would serve the Project. The County NPDES MS4 Permit requires implementation of control measures and procedures to prevent, respond to, contain and clean up all sewage and other spills from sources such as portable toilets and septic systems. The septic system would be reviewed by the County Public Health Environmental Health Services Department prior to Project approval to ensure adequate soil percolation properties and that the system complies with County requirements. Adherence to the existing regulations as implemented by the County Code would ensure that Project impacts related to degradation of water quality from operational activities would be less than significant.

Regulatory Requirements:

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

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

Impact Finding: The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the Basin (Draft EIR Page 5.9-11).

Facts in Support of Finding: The proposed Project would result in 495,300 square feet of impermeable surfaces, which would be an increase of 348,900 square feet from the existing 146,400 square feet of impervious surface area. The County MS4 permit requires that LID infiltration BMPs be used to capture and infiltrate the 85th percentile of a 24-hour precipitation event. The Preliminary WQMP (Draft EIR Appendix H) for the Project determined that the chamber would provide adequate infiltration for stormwater. In addition, vegetated landscaping has also been incorporated into the design to capture and infiltrate stormwater to recharge the basin. Therefore, compliance with the MS4 permit requirements, the County Code, and other applicable requirements implemented through the WQMP, which would be verified during the Project permitting process, would ensure that Project impacts related to groundwater depletion and recharge would be less than significant.

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site (Draft EIR Page 5.9-12).

Facts in Support of Finding:

Construction

The existing NPDES Construction General Permit, as included in the County's Code Chapter 35.01, and PPP WQ-1, requires preparation and implementation of a SWPPP by a Qualified SWPPP Developer for construction activities that disturb one-acre or more of soils. The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion and would list the required BMPs that are necessary to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities. With implementation of the existing construction regulations that would be verified by the County during the permitting approval process, impacts related to alteration of an existing drainage pattern during construction that could result in substantial erosion or siltation would be less than significant.

Operation

The nearest surface water is the Santa Ana River, located approximately four miles to the southeast of the Project site. The existing drainage pattern for the site and the general area is characterized by sheet flows that follow the slope to the south/southeast. High intensity flows continue southeast and are conveyed to Otilla Street via a concrete channel and under-sidewalk drain with an existing capacity of 11.4 cubic feet per second (cfs). Inlets and sub-surface storm drain pipes will be used to collect and convey runoff to two proposed underground infiltration systems located at the northern and eastern portions of the Project site. The chamber is sized to contain the entire design capture volume. During high intensity storm events, runoff would equalize in the storm drain pipe and backup into a proposed outlet in the southeast corner of the site. The runoff would discharge to an existing u-channel and underground sidewalk to Otilla Street roughly 150 feet south of the Project site. Therefore, the existing southerly drainage pattern is not maintained. However, times of concentration are preserved through the use of dual underground infiltration systems.

The Project would include implementation of BMPs designed to fully capture and infiltrate the Project's design capture volume, reducing offsite stormwater flows. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the County Department of Public Works to ensure that they meet the County's NPDES Permit and limit the potential for erosion and siltation. Therefore, impacts related to

alteration of a drainage pattern and erosion/siltation from operational activities would be less than significant.

Regulatory Requirements:

PPP WQ-1: NPDES/SWPPP. As listed previously.

PPP WQ-2: WQMP. As listed previously.

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (Draft EIR Page 5.9-13).

Facts in Support of Finding:

Construction

Implementation of the Project requires a SWPPP (included as PPP WQ-1) that would address site specific drainage issues related to construction of the Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities.

Operation

Installation of new storm water drainage facilities, including a subsurface infiltration chamber, pervious landscaped areas, and new storm drains would collect onsite flows. The use of the infiltration chamber and landscaping would regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. As determined by the Preliminary WQMP (Draft EIR Appendix H) and Preliminary Drainage Study (Draft EIR Appendix G), the proposed drainage improvements would adequately convey flows to the chamber and provide flood protection for the 100-year storm event via the two underground storm drain systems, Line- A and Line-B. The proposed Project would not impact flooding condition to upstream or downstream properties with the proposed chamber volume. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the County Department of Public Works to ensure that they meet the County NPDES Permit requirements and would not result in flood impacts.

The drainage facilities proposed for the Project have been sized to be consistent with the County MS4 permit requirements. Thus, implementation of the Project would not substantially increase the rate or amount of surface runoff, such that flooding would occur. Impacts would be less than significant.

Regulatory Requirements:

PPP WQ-1: NPDES/SWPPP. As listed previously.

PPP WQ-2: WQMP. As listed previously.

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (Draft EIR Page 5.9-14).

Facts in Support of Finding: The Project site would include development of approximately 495,300 square feet of impermeable surfaces, which would be an increase of 348,900 square feet compared to the existing 146,400 square feet of impervious surface area. Use of the proposed subsurface infiltration chamber would regulate the rate and velocity of stormwater flows and would control the amount of discharge into the off-site drainage system. In addition, the drainage facilities proposed for the Project have been sized to adequately accommodate the stormwater flows from the proposed development and are consistent with the County drainage plans and MS4 permit requirements. The proposed oversized infiltration system would accommodate existing stormwater infrastructure capacity by holding the entire design capture volume in the chamber and allow high flows to discharge from the site at a reduced flowrate. The existing southerly drainage pattern is not maintained; however, times of concentration are preserved through the use of dual underground infiltration systems. Therefore, impacts would be less than significant.

Impact Finding: The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows (Draft EIR Page 5.9-15).

Facts in Support of Finding:

Construction

The Project site generally slopes to the south/southeast. Implementation of the Project would alter the drainage patterns of the Project site; however, stormwater would be completely contained and infiltrated on site and would not result in changes to offsite drainage patterns or receiving water bodies. Implementation of the Project requires a SWPPP that would address site specific drainage issues related to construction of the Project and include BMPs to eliminate the potential of flooding or alteration of a drainage pattern during construction activities. Compliance with the County's NPDES Permit and a SWPPP, as verified by the County through the construction permitting process, would prevent construction-related impacts related to potential impediment or redirection of flood flows. Therefore, impacts would be less than significant.

Operation

Per the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Map (FIRM), the Project is within Zone X, an area determined to be outside of the 0.2 percent annual chance floodplain (Map Number 06071C8666H). The proposed Project would result in an increase in impervious areas. However, proposed onsite drainage infrastructure has capacity to retain 100 percent of the site's design capture volume. In addition, landscaped areas would accept runoff water from impervious surfaces. As determined by the Preliminary WQMP (Draft EIR Appendix H) and Preliminary Drainage Study (Draft EIR Appendix G), the proposed drainage improvements would adequately convey flows to the chamber and provide flood protection for the 100-year storm event via the two underground storm drain systems. As part of the permitting approval process, the proposed drainage and water quality design and engineering plans would be reviewed by the County Department of Public Works to ensure that they meet the County NPDES Permit and would not result in flood impacts. Thus, implementation of the Project would not substantially impede or redirect flood flows and impacts would be less than significant.

Impact Finding: The Project would not be located in flood hazard, tsunami, or seiche ones, and risk release of pollutants due to Project inundation (Draft EIR Page 5.6-16).

Facts in Support of Finding: According to the Flood Insurance Rate Map (FIRM), published by the Federal Emergency Management Agency (FEMA) (06071C8666H), the Project site is located in “Zone X”, which is an area located outside of the 100-year and 500-year flood plains.

Tsunamis are large waves that occur in coastal areas; therefore, since the County is not located in a coastal area, no impacts due to tsunamis would occur. Additionally, the Project site does not contain and is not adjacent to any water bodies that could seiche. The nearest body of water is Santa Ana River, approximately four miles to the southeast, which is not a contained body of water with seiche potential. Therefore, the Project would result in no impacts related to a flood hazard, tsunami, or seiche and release of pollutants due to Project inundation.

Impact Finding: The Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (Draft EIR Page 5.9-16).

Facts in Support of Finding: The proposed storm drain system is sized to adequately accommodate increased stormwater flows from the Project area and would maintain the existing drainage pattern of the site. Runoff would discharge into the onsite infiltration chamber, which would retain, slow, and/or filter the runoff before its discharge through new storm drain connections to the existing storm drain infrastructure.

The Bloomington community of unincorporated San Bernardino County is within the Santa Ana River Basin, Region 8, in the Middle Santa Ana River Watershed. The Water Quality Control Plan for this region was adopted in 1995 and gives direction on the beneficial uses of the state waters within Region 8, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the established standards. County Code Chapter 35.01 incorporates the requirements of the County’s NPDES Storm Water Permit, which would require proposed projects in the Project area to prepare a WQMP, included as PPP WQ-2. WQMPs are required to include BMPs for source control, pollution prevention, site design, and structural treatment control BMPs. As part of the permitting approval process, construction plans would be required to demonstrate compliance with these regulations to minimize the potential of the Project to result in a degradation of water quality. Plans for grading, drainage, erosion control and water quality would be reviewed by the County Public Works Department prior to issuance of grading permits to ensure compliance. The Chino Basin is adjudicated and therefore is not subject to a sustainable groundwater management plan. Thus, the Project would not conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Regulatory Requirements:

PPP WQ-2: WQMP. As listed previously.

Land Use and Planning

Impact Finding: The Project would not physically divide an established community (Draft EIR Page 5.10-4).

Facts in Support of Finding: The Project site is bounded to the north by Slover Avenue, to the south by single-family residences, to the east by several commercial/industrial buildings, and to the west by Alder Avenue. Truck traffic generated by the Project would access the Project site from Slover Avenue which is a designated local truck route that has access to I-10. The Project would be developed near the western border of the community of Bloomington and trucks would remain on designated truck routes to the north of the site which would not physically divide the community. In addition, as the Project would be developed in an area designated for industrial uses and that is adjacent to industrial uses to the west and east, its development would not physically divide any established community. Thus, impacts would be less than significant.

Impact Finding: The Project would not cause a significant environmental impact due to conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect (Draft EIR Page 5.10-5).

Facts in Support of Finding:

SCAG Regional Transportation Plan/Sustainable Communities Strategy Policies: SCAG's RTP/SCS policies focus largely on regional transportation and the efficiency of transportation, which are not directly applicable to the Project. As shown in Draft EIR Table 5.10-2, the Project would not conflict with the adopted RTP/SCS. Therefore, implementation of the Project would not result in conflict with SCAG policies, and impacts would not occur.

Countywide Plan Land Use Consistency: The Project is consistent with the Land Use designation of Limited Industrial (LI) and zoning designation of Community Industrial (IC). The proposed 259,481 square foot building on the 13.23-acre site would result in a FAR of 0.45, which is consistent the allowable FAR of 0.45 for the IC zone. The primary purpose of the LI designation is to provide suitable locations for light or limited industrial activities where operations are totally enclosed in a structure and limited exterior storage is fully screened from public view. The LI designation is intended to provide suitable locations for employee-intensive uses, such as research and development, technology centers, corporate offices, clean industry, and supporting retail uses. In addition, the LI designation is intended to provide employment opportunities for residents in the surrounding area. Therefore, the Project would not result in a land use inconsistency.

San Bernardino Countywide Plan Policies: The proposed Project has been prepared in conformance with the goals and policies of the County of San Bernardino Countywide Plan. Draft EIR Table 5.10-3 lists the General Plan policies that are applicable to the proposed Project. The table evaluates the Project's compliance with each policy. As described, the proposed Project would be consistent with all applicable General Plan policies.

Air Quality Management Plan: South Coast Air Quality Management District (SCAQMD) is responsible for preparing the air quality management plan (AQMP), which addresses federal and state CAA requirements. The AQMP details goals, policies, and programs for improving air quality in the Basin. As discussed in the air quality discussion, development of the Project would not conflict with the AQMP.

County of San Bernardino Greenhouse Gas Emissions Reduction Plan: The County of San Bernardino adopted a Greenhouse Gas Reduction Plan in September 2011, (updated in 2015), which provides guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects located within the unincorporated communities of San Bernardino County. As discussed in the greenhouse gas emissions discussion, development of the Project would not exceed the County's screening threshold of 3,000 MTCO_{2e}/yr, and thus would not conflict with the County's Greenhouse Gas Reduction Plan.

Santa Ana Regional Water Quality Control Board Water Quality Control Plan (Basin Plan): The Bloomington community of unincorporated San Bernardino County is within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). The RWQCB sets water quality standards for all ground and surface waters within its region through implementation of a Water Quality Control Plan (Basin Plan). The Basin Plan describes existing water quality conditions and establishes water quality goals and policies. As discussed in the hydrology and water quality discussion, development of the Project would not conflict with or obstruct implementation of any water quality control plan.

Noise

Impact Finding: The Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (Draft EIR Page 5.11-13).

Facts in Support of Finding:

Construction

Noise generated by construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that can reach high levels when combined. Construction is expected to occur in the following stages: demolition, excavation and grading, building construction, architectural coating, paving. Noise levels generated by heavy construction equipment range from approximately 74 dBA to 84 dBA at 50 feet from the noise source, as shown on Draft EIR Table 5.11-5. Through adherence to the limitation of allowable construction times provided in Section 83.01.080(g)(3) of the County Development Code, construction-related noise levels would not exceed any standards established in the Countywide Plan nor would construction activities create a substantial temporary increase in ambient noise levels from construction of the proposed Project.

As shown on Draft EIR Table 5.11-6, construction noise from the proposed Project at the nearby receiver locations (shown on Draft EIR Figure 5.11-2) would range from 51 to 70 dBA Leq, which would not exceed the 80 dba Leq daytime construction noise level threshold at receptor locations. Therefore, impacts related to construction noise would be less than significant. Although construction noise impacts would be less than the 80 dBA threshold, sensitive receptors adjacent to the Project site will be exposed to higher noise levels. To reduce construction impacts to the residential uses adjacent to the maximum extent feasible, the Project includes PDF NOI-1, Construction Noise Plan, which would be incorporated into the Project to require construction best management practices including adding notes to be included on grading plans and building plans related to noise. Project contractors shall be required to ensure compliance with the notes and permit periodic inspection of the construction site by County staff or its designee to confirm compliance.

Operation

Potential noise impacts associated with the operations of the proposed Project would be from project-generated vehicular traffic on the nearby roadways and from onsite activities. The proposed Project is anticipated to generate approximately 363 daily trips, 21 a.m. peak hour trips and 26 p.m. peak hour trips, most of which would take place along Slover Avenue. The proposed Project would result in a maximum increase of 3.2 percent in traffic volumes on Slover Avenue. The Project-related roadway noise increase would be negligible at Bloomington High School and Sensitive Receptors No. 1 and No. 2. Thus, impacts would be less than significant.

The operation of the proposed Project would generate onsite noise from truck operations, including truck loading/unloading activities, rooftop mechanical equipment, forklift activities, and automobile parking lot activities. County Development Code Section 83.01.080(c) limits the noise created from stationary sources, such as rooftop mechanical equipment, to 55 dBA between 7:00 a.m. and 10:00 p.m. and to 45 dBA between 10:00 p.m. and 7:00 a.m. County Development Code Section 83.01.080(d) limits the noise created from mobile noise sources, such as trucks, forklifts, and automobiles operating onsite to 60 dBA at the exterior of the nearest homes. Draft EIR Table 5.11-7 shows that the proposed Project's onsite operational noise from the anticipated noise sources would range from 23 dBA Leq to 49 dBA Leq and would not exceed the applicable noise standards for each stationary and mobile noise source. Therefore, operational onsite noise impacts would be less than significant.

Impact Finding: The Project would not result in generation of excessive groundborne vibration or groundborne noise levels (Draft EIR Page 5.11-16).

Facts in Support of Finding:

Construction

Based on the reference vibration levels provided by the FTA and the equipment that would be used for the proposed Project, a large bulldozer represents the peak source of vibration with a reference velocity of 0.089 in/sec PPV at 25 feet, as shown on Draft EIR Table 5.11-8. Based on typical propagation rates, the vibration level at the nearest offsite structure (30 feet away) would be 0.07 inch per second PPV, which is below the County's 0.2 inch per second PPV threshold. Therefore, impacts related to construction vibration would be less than significant.

Operation

Operation of the proposed Project would include heavy trucks for loading dock activities, deliveries, and moving trucks, and garbage trucks for solid waste disposal. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. However, typical vibration levels for the heavy truck activity at normal traffic speeds would be approximately 0.006 in/sec PPV, based on the FTA Transit Noise Impact and Vibration Assessment. Truck movements on site would be travelling at very low speed, so it is expected that truck vibration at nearby sensitive receivers would be less than the County Development Code vibration standard of 0.2 in/sec PPV, and therefore, would be less than significant.

Impact Finding: The Project is not located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, or within two miles of a public airport or public use airport and would not expose people residing or working in the project area to excessive noise levels (Draft EIR Page 5.11-17).

Facts in Support of Finding: The nearest airport is Flabob Airport, located approximately five miles south of the Project site. The Project site is also located well outside of the 60 dBA CNEL noise contours of Flabob Airport. Therefore, the Project site is not subject to excessive noise levels due to operations at the Flabob Airport. Thus, implementation of the proposed Project would not result in exposure to excessive noise for people residing or working in the area, and no impacts would occur.

Transportation

Impact Finding: The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (Draft EIR Page 5.12-4).

Facts in Support of Finding: Project street improvements include installation of curb, gutter, and sidewalk on Slover Avenue and Alder Avenue along the site frontage. Pedestrian access would be from the new sidewalks on Slover Avenue along the northern border of the project and Alder Avenue on the western border. The Slover Avenue and northwestern Alder Avenue driveways would provide direct access to the truck bays, building loading docks, and northwest parking lot within the Project site. The southeastern driveway on Alder Avenue would provide access to amenities within the northern portion of the Project site via a drive aisle that extends south, east, and north of the proposed building. Vehicular parking is available along the east of the proposed building that is accessible via the drive aisle. Proposed driveway access points are positioned to ensure safe and direct ingress/egress to and from key areas within the Project site and surrounding roadways.

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

Bicycle: The Project site and surrounding roadways do not currently support bicycle infrastructure. Slover Avenue and Alder Avenue are planned to have Class II bicycle facilities that would be constructed in the future adjacent to the Project site. The proposed Project would not conflict with plans to implement Class II facilities and impacts related to bicycle facilities would not occur.

Pedestrian Facilities: The Project includes sidewalk improvements along Slover Avenue and Alder Avenue to facilitate pedestrian access. Therefore, the Project would result in no impacts to pedestrian facilities.

As described in the Land Use and Planning discussion, the Project would be consistent with applicable policies in the SCAG RTP/SCS. Consistency is provided within Draft EIR Table 5.10-2, *Project Consistency with Applicable SCAG Regional Transportation Plan/Sustainable Communities Strategy*. Additionally, several policies from the Transportation and Mobility Element of the Countywide Plan would be applicable to the Project as discussed in Draft EIR Table 5.10-3, *Project Consistency with Applicable Countywide Plan Policies*. Therefore, the Project would be

consistent with all applicable programs, plans, ordinances, or policies addressing the circulation system and impacts would be less than significant.

Impact Finding: The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision B (Draft EIR 5.12-5).

Facts in Support of Finding: The San Bernardino County Transportation Impact Study Guidelines state that a project within a low-VMT generating area is considered to have a less than significant VMT impact and would not require further analysis of VMT. A low-VMT generating area is an area where the VMT/employee is not greater than four percent below the existing VMT per employee for the unincorporated County. Using the VMT Screening Tool, the VMT per employee in the Project zone is 16.3 which is 13.64 percent less than the unincorporated County VMT per employee of 18.9. Because the Project is located in a low-VMT generating area, the Project is presumed to have a less than significant impact on VMT, and no further VMT analysis is required.

Impact Finding: The Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (Draft EIR 5.12-7).

Facts in Support of Finding: The Project would redevelop the Project site with a new warehouse/distribution use. Primary access to the Project would be provided via two driveways on Slover Avenue. Additional vehicular access would be provided via two driveways on Alder Avenue. The Slover Avenue driveways extend from the center and northeast corner of the Project site. The Alder Avenue driveways extend from the northwest area and southwest corner of the Project site. Onsite traffic signing and striping would also be implemented in conjunction with detailed construction plans with implementation of the Project. Additionally, sight distance at each of the Project site's access points would be reviewed with respect to County standards at the time of final grading, landscape, and street improvement plan reviews. Proposed driveways and drive aisles would be consistent with County standards. Compliance with existing regulations would be ensured through the County's construction permitting process. As a result, impacts related to vehicular circulation design features would be less than significant.

Impact Finding: The Project would not result in adequate emergency access (Draft EIR 5.12-7).

Facts in Support of Finding:

Construction

The majority of the construction activities, including equipment and supply staging and storage, would occur within and adjacent to the Project site and would not restrict access of emergency vehicles to the Project site or adjacent areas. The curb improvements and installation of driveways that would be implemented during Project development could require the temporary closure of a travel lane, but full roadway closure and traffic detours are not anticipated. However, construction activities may temporarily restrict vehicular traffic. Therefore, construction activities would be required to implement measures to facilitate passage of persons and vehicles through/around any required temporary road restrictions and ensure safety of passage in accordance with County of San Bernardino requirements. Implementation of the Project through the City's permitting process

would reduce potential construction related emergency access impacts to a less than significant level.

Operation

The Project would be required to design and construct internal access in conformance with the County Development Code. The San Bernardino County Fire Protection District would review the development plans as part of the construction permitting process to ensure that emergency access is provided pursuant to the requirements of the Uniform Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9). Therefore, impacts would be less than significant. Additionally, during operation of the Project, building tenants would be required to maintain adequate emergency access for emergency vehicles as required and verified by the County and the San Bernardino Fire Protection District through permitting and inspections. Because the Project is required to comply with all applicable County codes, potential impacts related to inadequate emergency access would be less than significant.

Utilities and Service Systems

Impact Finding: The Project would not require or result in the relocation or construction of new water facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects (Draft EIR Page 5.14-4).

Facts in Support of Finding: The Project site is currently served by West Valley Water District's (WVWD) water infrastructure. The Project would connect to the existing 24-inch water main in Slover Avenue and the existing 20-inch main in Alder Avenue. No offsite water line extensions are required. The construction activities related to installation of onsite water infrastructure that would be needed to serve the proposed high-cube warehouse is included as part of the Project and would not result in any physical environmental effects beyond those identified throughout the EIR. For example, construction emissions for excavation and installation of the water infrastructure is included in Sections 5.2, *Air Quality* and 5.7, *Greenhouse Gas Emissions* of the Draft EIR. Therefore, the proposed Project would not result in the construction of new water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

Impact Finding: The Project would have sufficient water supplies available to serve the Project and reasonably foreseeable development during normal, dry, and multiple dry years (Draft EIR Page 5.14-5).

Facts in Support of Finding: Based on the water use assumptions by land use in the West Valley Water District (WVWD) Facilities Master Plan, the proposed Project would require approximately 44.5 AFY. The 2020 Urban Water Management Plan (UWMP) anticipates that WVWD's water supply will increase from 20,000 AF in 2020 to 34,229 AF in 2045 (increase of 14,229 AFY) and concluded that WVWD has an adequate water supply to meet all demands within its service area to 2045. Further, WVWD anticipates an increase in industrial demand from 623 AFY in 2020 to 909 AFY in 2045 and in total demand from 20,098 AFY to 29,764 AFY within the service area. The Project's additional demands of 44.5 AFY is consistent with the assumed increase in industrial demands in the UWMP; therefore, the Project's relatively small increase in water demand would not cause demand to exceed the 2040 projected industrial demands for WVWD.

In addition, according to the 2020 UWMP, WVWD has estimated that demand could increase 10 percent for irrigation purposes during a single dry year due to lack of rainfall. During a multiple dry year period, it is expected that conservation messaging and restrictions would lead to consumption dropping back down to normal year levels in the second dry year and falling a further 10 percent in the third dry year. The WVWD has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that would meet the projected demand associated with the Project, in addition to existing and planned future uses.

Based on the above, it is anticipated that existing and future water entitlements from groundwater, surface water, and purchased or imported water sources, plus recycling and conservation, would be sufficient to meet the Project's demand at buildout, in addition to forecast demand for WVWD's entire service area. Thus, impacts related to the need for new or expanded water supplies and entitlements would be less than significant.

Impact Finding: The Project would not require or result in the relocation or construction of new wastewater facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects (Draft EIR Page 5.14-7).

Facts in Support of Finding: The Project includes replacement of the existing septic tank as the Project area is not in the vicinity of existing sewer lines. Section 83.09.060 of the County Code allows for septic tanks to be installed when supporting engineering data is provided demonstrating feasibility of septic systems and wells. Because all wastewater would be treated onsite by the proposed septic system, the Project would not require capacity from a wastewater treatment provider or require or result in the relocation or expansion of off-site sewer lines. Therefore, no impacts related to existing off-site wastewater infrastructure would occur. Additionally, the proposed onsite septic system is included as part of the construction of the proposed project and would not result in any physical environmental effects beyond those identified in other analyses within the EIR.

Impact Finding: The Project would 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 (Draft EIR Page 5.14-7).

Facts in Support of Finding: The proposed Project would include a septic system and would not add demand to a wastewater treatment plant. Therefore, impacts related to wastewater treatment plant capacity would not occur.

Impact Finding: The Project would not require or result in the relocation or construction of new drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects (Draft EIR Page 5.14-9).

Facts in Support of Finding: The proposed drainage improvements would include construction of onsite conveyance, including curbs and gutters and a subsurface storm drain. Flows would drain from the storm drain into a proposed chamber infiltration system.

The installation of these drainage improvements are included as part of the proposed Project and the construction impacts of these drainage improvements have been analyzed as part of overall Project construction in other sections of the EIR analyses, and would not result in any physical

environmental effects beyond those previously identified. Therefore, impacts would be less than significant.

Impact Finding: The Project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (Draft EIR Page 5.14-11).

Facts in Support of Finding: Solid waste generated by the Project would be disposed of at the Mid-Valley Sanitary Landfill. The Mid-Valley Sanitary Landfill is permitted to accept 7,500 tons per day of solid waste and has a remaining capacity of 61,219,377 tons. In 2019, the average tonnage received was 3,056 tons. Thus, on average, the facility had additional capacity of 4,444 tons per day (Calrecycle 2021).

Construction

Demolition of the existing buildings would result in the generation of 773 tons of waste. Utilizing a construction waste factor of 3.89 pounds per square foot (EPA 1998), construction of the proposed Project would result in the generation of approximately 505 tons of waste during construction from packaging and discarded materials. However, the California Green Building Standards Code requires demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste. Thus, the demolition and construction solid waste that would be disposed of at the landfill would be approximately 35 percent of the waste generated. Therefore, demolition and construction activities would generate approximately 447 tons of waste, which could be accommodated by the Mid-Valley Sanitary Landfill.

Operation

Based on the Countywide Plan EIR solid waste generation factor of 0.0142 pounds per square foot per day, operation of the Project would generate approximately 672.4 tons per year, at least 75 percent of which is required by California law to be recycled, which would reduce the volume of landfilled solid waste to approximately 168.1 tons per year, or 3.2 tons per week. Therefore, solid waste generated by operational activities would be accommodated by the Mid-Valley Sanitary Landfill.

Impact Finding: The Project would comply with federal, state, and local statutes and regulations related to solid waste (Draft EIR Page 5.14-12).

Facts in Support of Finding: All solid waste-generating activities within the County are subject to the requirements set forth in the 2019 California Green Building Standards Code which require demolition and construction activities to recycle or reuse a minimum of 65 percent of the nonhazardous construction and demolition waste, and AB 341 which requires diversion of a minimum of 75 percent of operational solid waste. Implementation of the proposed Project would be consistent with all state regulations, as ensured through the County's development project permitting process. Therefore, the proposed Project would comply with all solid waste statutes and regulations and impacts would not occur.

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

The following potentially significant environmental impacts were analyzed in the Draft EIR and were determined to be less than significant with implementation of project design features,

compliance with existing laws, codes and statutes, regulatory requirements, and implementation of identified feasible mitigation measures. The County has found in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a) (1) that “Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment,” which is referred to herein as “Finding 1”.

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

Biological Resources

Impact Finding: The Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites (Draft EIR Page 5.3-9).

The County hereby makes Finding 1 and determines that this impact is less than significant with implementation of mitigation measures.

Facts in Support of Finding: No wildlife corridors exist on the Project site; however, the Project site contains ornamental trees that could be used by song birds or raptors protected under the Federal Migratory Bird Treaty Act and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code. Therefore, impacts related to nesting birds could occur if site development activities are during the avian breeding season (typically February 1 through September 15). Any activities that occur during the nesting/breeding season of birds protected by the federal Migratory Bird Treaty Act (MBTA), could result in a potentially significant impact if requirements of the MBTA are not followed. Implementation of Mitigation Measure BIO-1 would ensure MTBA compliance and would require a nesting bird survey to be conducted prior to the commencement of construction during nesting season, which would reduce potential impacts related to nesting avian species and native wildlife nursery sites to a less than significant level.

Mitigation Measures:

Mitigation Measure BIO-1: Migratory Bird Treaty Act. Prior to issuance of a Grading Permit, the Project Applicant/Developer shall provide evidence of intention to comply with the Federal Migratory Bird Treaty Act by including a note on the Grading Plans that states as follows:

- Project development ground disturbing and vegetation clearing activities should not occur during the bird nesting season of February 1 through September 15.
- If avoidance of ground disturbing and vegetation clearing activities cannot be implemented and these activities will occur during the bird nesting season, the Project Applicant/Developer shall employ a qualified biologist who will conduct pre-construction nesting bird surveys during the nesting bird season within 3 (three) days prior to vegetation removal and/or construction activities.
- If active nests are found during nesting bird surveys, the nests will be flagged and a 500-foot buffer for raptors and a 250-foot buffer for migratory song birds, and shall be installed

around the nests. The buffers shall remain in place until the young have fledged and the nest becomes unoccupied.

Impact Finding: The Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation ordinance. (Draft EIR Page 5.3-9).

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

Facts in Support of Finding: The Project site contains several scattered ornamental trees, including blue gum eucalyptus, jacaranda, Persian silk tree, Italian cypress, western white pine, Mexican fan palm, and Peruvian pepper tree. Should the County determine the trees on-site fall under jurisdiction of the San Bernardino County Plant Protection and Management Ordinance of the San Bernardino County Development Code, a permit allowing removal of the trees would be necessary. This permit would be issued in compliance with Chapter 88.01.050 (Tree or Plant Removal Requirements) as required by Mitigation Measure BIO-2. Therefore, the Project's potential to conflict with local policies or ordinances protecting biological resources would be less than significant with mitigation incorporated.

Mitigation Measure BIO-2: County Regulated Trees. A tree survey shall be conducted for the proposed Project prior to demolition and site clearance. The survey shall be conducted by an ISA-certified arborist to identify trees regulated under the Section 88.01.070 of the County's Code of Ordinances. If regulated trees will be impacted by the Project, a tree removal permit must be obtained prior to impacts.

Cultural Resources

Impact Finding: The Project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5 (Draft EIR Page 5.4-8).

The County hereby makes Finding 1 and determines that this impact is less than significant with implementation of mitigation measures.

Facts in Support of Finding: The records search that was completed for the Phase I Cultural and Paleontological Resources Assessment identified four prehistoric resources approximately 0.75- to 1-mile south of the Project site near the Jurupa Hills. The Phase I Cultural and Paleontological Resources Assessment (Draft EIR Appendix D1) determined that the potential for encountering significant cultural resources within the Project site is considered low to moderate. The proposed Project includes excavation of site soils to a depth of at least five feet below existing grade and to a depth of at least three feet below proposed pad grade. Because the proposed Project would disturb native soils (in addition to the artificial fill soils) that have a low to moderate potential for archaeological resources, excavation related to construction of the Project has the potential to impact unknown archaeological resources. As a result, Mitigation Measure CUL-1 is included which requires archaeological monitoring during all ground-disturbance activities, such as site preparation, demolition of historic structures, and grading up to three feet below surface, in order to quickly assess the potential for discoveries of archaeological resources during construction. Mitigation Measure CUL-1 also includes procedures in the event a potential resource is uncovered. Thus, with implementation of Mitigation Measure CUL-1, potential impacts related to archaeological resources would be reduced to a less than significant level.

Mitigation Measures:

Mitigation Measure CUL-1: Archaeological Monitoring of All Developments

- a) Prior to the issuance of a grading permit for the Project, the Applicant or construction contractor shall provide evidence to the County of San Bernardino that a qualified professional archeologist meeting the Secretary of Interior's PQS for Archaeology (as defined in the Code of Federal Regulations, 36 CFR Part 61) has been retained to conduct monitoring of grading activities to a depth of 3 feet below the existing grade. The archaeologist shall have the authority to redirect earthmoving activities in the event that suspected cultural resources are unearthed during construction activities.
- b) The archaeologist shall prepare a Cultural Resources Monitoring and Treatment Plan, which would be approved by the County and describe processes for archaeological and tribal monitoring and for handling incidental discovery of cultural resources for all ground-disturbing construction and preconstruction activities. The monitoring plan shall be provided to the San Manuel Band of Mission Indians and Gabrieleño Band of Mission Indians – Kizh Nation for review and comment, as detailed in MM TCR-2. Prior to the issuance of a grading permit, the Applicant or construction contractor shall provide evidence to the County of San Bernardino that all construction workers involved with grading and trenching operations have received training by the archaeologist to recognize archaeological resources, including tribal cultural resources, should such resources be unearthed during ground-disturbing construction activities. Pursuant to MM TCR-1, all Native American Tribal Representatives, including the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians – Kizh Nation, shall be allowed to attend the training session.
- c) The training of all construction workers involved with grading and trenching operations shall explain the importance and legal basis for the protection of significant archaeological resources. It will include a brief review of the cultural sensitivity of the construction area and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel involved with grading and trenching operations that begin work following the initial training session must take the training prior to beginning work; the archaeologist shall be available to provide the training on an as needed basis.
- d) In the event archaeological resources (artifacts or features) are encountered during ground-disturbing activities, the construction supervisor shall be required by his contract to immediately halt and redirect grading operations within a 50-foot radius of the discovery and seek identification and evaluation of the suspected resource by the archaeologist. This requirement shall be noted on all grading plans and the construction contractor shall be obligated to comply with the note.
- e) After the archaeologist makes his/her initial assessment of the nature of the find, the archaeologist shall notify the Native American Tribal Representatives—including the San Manuel Band of Mission Indians Cultural Resources Department and the Gabrieleño Band of Mission Indians – Kizh Nation—to provide Tribal input with regard to the significance

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

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

Geology and Soils

Impact Finding: The Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (Draft EIR Page 5.6-10).

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

Facts in Support of Finding:

According to the Phase I Cultural and Paleontological Resources Assessment (Draft EIR Appendix D1), the Project site is underlain by mostly young alluvial-fan deposits. No significant paleontological resources were identified within the Project site during the Phase I Assessment's locality search or the field survey. However, the deeper Quaternary alluvium has high potential to yield fossil localities and many fossils have been found from similar sediments near the Project.

The Project site has high sensitivity for underlying paleontological resources in older Quaternary sediments. Therefore, Mitigation Measure GEO-1, has been incorporated to ensure that potential impacts to paleontological resource will be reduced to a less than significant level.

Mitigation Measures:

Mitigation Measure GEO-1: Paleontological Resources. Prior to issuance of a Grading Permit, the Project Applicant/Developer shall submit a Paleontological Resource Management Program focused upon monitoring, salvaging, and curating any recovered fossils associated with the Project site to the Director of Planning for her/his approval. The Paleontological Resource Management Program shall provide procedures for implementing the following procedures:

- A trained and qualified paleontological monitor should perform monitoring of any excavations on the Project site that have the potential to impact paleontological resources. The monitor will have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources.
- The Project paleontologist may re-evaluate necessity for paleontological monitoring after examination of affected sediments during excavation with approval from the County of San Bernardino and Client representatives.
- Any potentially significant fossils observed shall be collected and recorded in conjunction with Best Management Practices and Society of Vertebrate Paleontology (SVP) professional standards.
- Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.
- A report documenting results of monitoring, including any salvage activities and significance of any fossils, will be prepared and submitted to the appropriate personnel.

Tribal Cultural Resources

Impact Finding: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) (Draft EIR Page 5.13-4).

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

Facts in Support of Finding: Based on literature review (i.e., records check and archival research) and pedestrian surveys, no prehistoric resource sites or isolates—including a historic tribal cultural resource (TCR)—as defined by PRC Section 5020.1(k) have been identified within the Project site. The Project site has been substantially disturbed by previous orchard, residential, and commercial uses. In addition, the site contains 2.5 to 4.5 feet of artificial fill materials. Therefore, it is unlikely that intact historic TCR, exist within the Project excavation depths, and any potential resources near the subsurface are likely to have been disturbed or destroyed.

Nevertheless, due to the Project's proposed soil-disturbing activities that could extend 5 feet bgs, it is possible that the development of the Project could disturb native soils that may inadvertently uncover archaeological resources. As a result, Mitigation Measure CULT-1 is included and requires archaeological monitoring during all ground-disturbance activities, such as site preparation, demolition of historic structures, and grading up to 3 feet below surface, in order to quickly assess the potential for discoveries of archaeological resources during construction. Mitigation Measure CULT-1 also includes procedures in the event a potential resource is uncovered, and to notify the consulting tribe(s) in order for them to determine if the discovery is a tribal cultural resource. In addition, Mitigation Measures TCR-1 and TCR-2 are included to provide for a Native American monitor during commencement of ground disturbing activities and procedures in the event potential resources are uncovered, which would ensure that potential impacts on the inadvertent discovery of tribal cultural resources are less than significant.

Mitigation Measures:

Mitigation Measure CUL-1: Archaeological Resources. As listed previously.

Mitigation Measure TCR-1: Native American Monitoring of Ground-Disturbing Activities

- a) The Project applicant shall retain a Native American monitor from (or approved by) the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians-Kizh Nation ("Tribes"). The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the Project, at all Project locations (i.e., both on-site and any off-site locations that are included in the Project description/definition and/or required in connection with the Project, such as public improvement work). "Ground-disturbing activity" includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. Monitors from the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians-Kizh Nation shall provide Native American monitoring services on a rotating basis.
- b) A copy of the executed monitoring agreement(s) shall be provided to the County of San Bernardino Land Use prior to the earlier of the commencement of any ground-disturbing activity for the Project, or the issuance of any permit necessary to commence a ground-disturbing activity.
- c) The Project Applicant/Developer shall provide the Tribe(s) with a minimum of 30 days advance written notice of the commencement of any Project ground-disturbing activity so that the Tribe(s) have sufficient time to secure and schedule a monitor for the Project.
- d) The Project Applicant/Developer shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a member of the Tribe(s) will inform and educate the Project's construction and managerial crew and staff members (including any Project subcontractors and consultants) about the tribal cultural resource mitigation measures and compliance obligations, as well as places of significance located on the Project site (if any), the appearance of potential tribal cultural resources, and other informational and operational guidance to aid in the Project's compliance with the tribal cultural resource mitigation measures. The Native American Tribe(s) shall be notified of and allowed to attend the pre-grading meeting with the County and Project construction contractors and/or monitor all Project mass grading and trenching activities. In the event that

suspected tribal cultural resources are unearthed, the Native American Tribe(s) shall have the authority to redirect earth moving activities in the affected area.

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

Mitigation Measure TCR-2: Potential Tribal Cultural Resource Discovery Procedures

- a) Upon the discovery of a tribal cultural resource, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Gabrieleño Band of Mission Indians-Kizh Nation and the San Manuel Band of Mission Indians Cultural Resources Departments shall be contacted regarding any cultural resources discovered during construction activities and be provided information regarding the nature of the find, so as to provide Tribal input with regard to significance and treatment. No Project construction activities shall resume in the surrounding 50 feet of the discovered tribal cultural resource unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered tribal cultural resource and surveyed the surrounding area.
- b) Should the find be deemed significant as defined by CEQA, a Cultural Resources Monitoring and Treatment Plan shall be prepared and implemented by the Project archaeologist, in coordination with the Mission Indians and Gabrieleño Band of Mission Indians-Kizh Nation and San Manuel Band of Mission Indians.
- c) The Tribe(s) will recover and retain all discovered tribal cultural resources in the form and/or manner the Tribe(s) deems appropriate in its discretion, per the Cultural Resources Monitoring and Treatment Plan, and for any purpose the Tribe(s) deems appropriate, including but not limited to, educational, cultural and/or historic purposes.

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

Impact Finding: The Project would not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, that considers the significance of the resource to a California Native American tribe (Draft EIR 5.13-4).

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

Facts in Support of Finding: As part of the AB 52 consultation processes, the County of San Bernardino contacted local Native American tribes. Of the seven tribes contacted, the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians-Kizh Nation responded with requests for formal consultation. The consultation occurred via email for both tribes. The Tribes indicated that the Project lies within the Serrano and Gabrieleño ancestral territory but did not provide specific information or substantial evidence indicating that potential tribal cultural resources could be within the Project site.

The San Manuel Band of Mission Indians requested that the County provide consultation with San Manuel Band of Mission Indians throughout the lifetime of the Project and to prescribe measures to mitigate inadvertent discoveries of tribal cultural resources unearthed by construction activities. California Health and Safety Code Section 7050.5 and CEQA Guidelines 15064.5(e) requires that if human remains are discovered, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation. If the coroner determines that the remains are those of a Native American, he or she shall contact the Native American Heritage Commission by telephone within 24 hours. Although consultation with the San Manuel Band of Mission Indians and the Gabrieleño Band of Mission Indians-Kizh Nation did not yield substantial evidence that listed or eligible TCRs—pursuant to criteria in PCR Section 5024.1(c)—are within the Project site, the County has considered the Tribe’s requests and has included required regulations and mitigation measures, included as Mitigation Measures TCR-1 and TCR-2 to ensure that potential impacts related to the inadvertent discovery of tribal cultural resources are less than significant.

Regulatory Requirements:

PPP TCR-2 Native American historical and cultural resources and sacred sites are protected under PRC Sections 5097.9 to 5097.991, which require that descendants be notified when Native

American human remains are discovered and provide for treatment and disposition of human remains and associated grave goods.

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

Mitigation Measures:

Mitigation Measure TCR-1: Native American Monitoring of Ground-Disturbing Activities.
As listed previously.

Mitigation Measure TCR-2: Potential Tribal Cultural Resource Discovery Procedures. As listed previously.

6. FINDINGS FOR GROWTH INDUCEMENT

Section 15126.2(d) of the State CEQA Guidelines requires the EIR to address the growth-inducing impact of the Project. Draft EIR Section 8 evaluates the potential for the Project to affect economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Employment Related Growth

The proposed Project would redevelop the industrially zoned Project site with a 259,481 square foot high-cube warehouse. Using SCAG's employment generation factor of 1,195 square feet of light industrial space per employee, Project operation would provide approximately 217 new employment opportunities, including jobs for employees of the logistics business, truck drivers, mechanics, and maintenance personnel. This employment growth would be a small percentage (1.16%), of SCAG-projected employment growth (18,700 new jobs) in unincorporated San Bernardino County between 2020 and 2035. Thus, Project-generated employment growth would be well within the SCAG projected employment growth.

In addition, the proposed warehouse/logistics use is consistent with the designated land uses in the San Bernardino County General Plan. Because SCAG's regional growth forecasts are based upon, among other things, land uses designated in land use plans, a project that is consistent with the land use designated in a General Plan would also be consistent with the SCAG growth projections. Thus, the new employment opportunities would be within the forecasted and planned growth of the County; and would be consistent a San Bernardino General Plan/Communitywide Plan to stimulate economic activity. As such, the Project would result in direct employment growth at a level already anticipated in regional projections; and thus, would be less than significant. Therefore, although the Project would establish new temporary and permanent employment opportunities and would stimulate economic activity, these jobs are planned for and would be less than significant. (Draft EIR Page 8-2).

Infrastructure Obstacles to Growth

The proposed Project would induce growth if it would provide public services or infrastructure with excess capacity to serve lands that would otherwise not be developable or to expand the development potential of redevelopment areas.

The proposed Project would install new onsite infrastructure systems and upon approvals, would connect to existing offsite systems that currently have capacity to serve the Project area. The new onsite infrastructure would not provide additional capacity beyond what is needed to serve the proposed Project. In addition, development of the proposed Project would not result in an expansion of overall capacity, or extension of major infrastructure. Therefore, infrastructure improvements would not result in significant growth inducing impacts. (Draft EIR Page 8-2 to 8-3).

Impacts of Growth

The Project would increase economic activity intended by the County of San Bernardino General Plan and would result in an improvement in the jobs-household ratio by providing employment within the largely residential Bloomington Community. The County of San Bernardino has unemployment rate of 5.5 percent (EDD, 2021), and most of the new jobs that would be created by the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the County and surrounding communities. Thus, due to the unemployment and the availability of a workforce, it is anticipated that 217 new jobs that would be generated from Project development and operation would be filled by persons residing in unincorporated County, including from Bloomington, and the surrounding areas and would not induce an unanticipated influx of new labor into the region or the need for additional housing. Thus, Project development and operation would not result in the need to develop additional business or services to serve the increased economic activities that would result from the Project. (Draft EIR Page 8-3).

7. FINDINGS FOR SIGNIFICANT IRREVERSIBLE EFFECTS

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

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

As outlined in Section 8.2 of the Draft EIR, the Project site would be committed to warehouse/logistics use once the proposed building is constructed. Secondary effects associated with this irreversible commitment of land resources (although such impacts are considered less than significant for purposes of CEQA) include:

- Changes in views from public vantage points and from adjacent residences associated with construction of the new building and associated development (see Draft EIR Section 5.1, *Aesthetics*).
- Increased traffic on area roadways (see Draft EIR Section 5.12, *Transportation*).

- Emissions of air pollutants associated with Project construction and operation (see Draft EIR Section 5.2, *Air Quality*).
- Consumption of non-renewable energy associated with Project development and operation due to use of trucks, lighting, heating and cooling systems, and the like (see Draft EIR Section 5.5, *Energy*).
- Increased ambient noise associated with an increase in activities and traffic associated with the Project (see Draft EIR Section 5.11, *Noise*).
- Project development as described in Section 3.0, *Project Description*, would require use of energy produced from non-renewable resources and construction materials.

In regard to energy usage from the Project, as demonstrated in the analyses contained in Draft EIR Section 5.5, *Energy*, the Project would not involve wasteful or unjustifiable use of non-renewable resources, and conservation efforts would be enforced during Project development and operation. The Project would incorporate energy-generating and conserving building design features, including those required by the California Building Code, California Energy Code Title 24, which specify green building standards for new developments.

8. FINDINGS REGARDING ALTERNATIVES

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

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

Rationale for Selecting Potentially Feasible Alternatives

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

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

Among the factors that may be taken into account when addressing the feasibility of alternatives (as described in the State CEQA Guidelines Section 15126.6(f)(1)) are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the Project proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative if its effects could not be reasonably identified and its implementation is remote or speculative.

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

Alternatives Considered and Rejected

Alternate Site Alternative: An alternate site for the proposed Project was eliminated from further consideration as there are no suitable alternative sites within the control of the Project applicant (or the County of San Bernardino Bloomington Community because much of the Project vicinity is built-out). In the event land could be purchased of suitable size and developmental characteristics, based on the known general conditions in the County, an alternative site would likely have similar, or greater, impacts to Biological Resources, Cultural Resources, Paleontological Resources, and/or Tribal Cultural Resources after mitigation as the Project. Given the size and nature of the proposed Project and Project Objectives, it would be impractical and infeasible to propose the Project on an alternate site in the Bloomington Community and result in lesser impacts. In particular, an alternative site within the Bloomington Community could have the same potential impacts to subsurface resources including archaeological; paleontological; and/or tribal cultural. Biological resources on an alternative site in the area also likely would have trees capable of providing shelter for nesting birds and thereby would have similar potential impacts as the Project. Therefore, analysis of an alternative site for the proposed Project is neither meaningful nor necessary, because the impacts resulting from the Project would not be avoided or substantially lessened by its implementation. Therefore, the Alternative Site Alternative was rejected from further consideration. (Draft EIR Page 7-3 to 7-4).

Alternatives Selected for Analyses

Alternative 1: No Project/No Build Alternative

Under this alternative, the proposed Project would not be approved, and no development would occur. The existing single-family residential uses and commercial uses would remain on the Project site. In accordance with the CEQA Guidelines, the No Project/No Build Alternative for a development Project on an identifiable property consists of the circumstance under which the Project does not proceed. Section 15126.6(e)(3)(B) of the CEQA Guidelines states that, “In certain instances, the no Project alternative means ‘no build’ wherein the existing environmental

setting is maintained.” In addition, the no Project alternative includes what would be reasonably expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services.

As the Project site consists of existing single-family residential and commercial uses, it is reasonable to assume that these uses would remain on the Project site. Thus, this alternative compares impacts of the proposed Project with the existing conditions onsite. Accordingly, Alternative 1: No Project/No Build provides a comparison between the environmental impacts of the proposed Project in contrast to the result from not approving, or denying, the proposed Project. Thus, this alternative is intended to meet the requirements of CEQA Guidelines Section 15126.6(e) for evaluation of a no Project alternative. (Draft EIR Page 7-4).

Ability to Reduce Impacts: The No Project/No Build Alternative would not result in any changes to the existing conditions and no development would occur. As a result, this alternative would not require any of the mitigation measures that are included in the proposed Project as identified in Chapter 5 of the Draft EIR. The No Project/No Build Alternative would eliminate less than significant impacts related to the topical sections analyzed in this EIR and would not necessitate identified Mitigation Measures related to Biological Resources, Cultural Resources, Paleontological Resources and Tribal Cultural Resources that would result in the identified impacts being reduced to a less than significant level under the Project. However, the No Project/No Build Alternative would not provide drainage improvements on the Project site and would not implement the County of San Bernardino General Plan land use designation, which are benefits of the Project. (Draft EIR Page 7-4 to 7-8).

Ability to Achieve Project Objectives: Implementation of the No Project/No Build Alternative would not implement development on the Project site, and none of the Project objectives would be achieved under this Alternative. The No Project/No Build Alternative would not implement a new warehouse/logistics building, redevelop the underutilized area to provide new employment needs that are compatible with surrounding land uses, and would not meet any other objectives listed in Draft EIR Table 7-2. (Draft EIR Page 7-8).

Finding: The County of San Bernardino finds that the No Project/No Build Alternative is infeasible based on several economic and social factors that do not meet Project Objectives. The No Project/No Development Alternative would not redevelop the Project site to construct a high-cube warehouse, would not facilitate high-quality development that is compatible with the existing land use designation of Limited Industrial and zoning designation of Community Industrial, and would not provide new employment opportunities to the community of Bloomington. The No Project/No Build Alternative fails to meet any of the Project objectives and is rejected on that basis. Thus, the Board of Supervisors rejects the No Project/No Build Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the No Project/No Build Alternative would not achieve any of the economic goals of the County with respect to redevelopment and re-utilization of the Project site; and (2) the No Project/No Build Alternative fails to meet any of the Project objectives.

Alternative 2: Reduced Development Footprint Alternative

Under this alternative, 6.6-acres of the 13.23 acre site would be developed with a 129,740 square foot warehouse/logistics building. A proportional reduction in the amount of surface parking area and commensurate number of parking spaces for vehicles and trucks also would occur in the

Reduced Development Footprint Alternative. This alternative assumes that access to the site would be similar to the Project with access from driveways on Slover Avenue and Alder Avenue with the removal of one driveway on Slover Avenue. (Draft EIR Page 7-8).

Ability to Reduce Impacts: The Reduced Development Footprint Alternative would reduce the total graded and developed area which would decrease the impacts related to biological and cultural resources. However, similar to the Project, this alternative would require mitigation measures to ensure impacts are less than significant. As with the Project, no significant and unavoidable impacts would result from implementation of this Alternative. Overall, the volume of impacts would be less with the Reduced Intensity Alternative in comparison to the Project. However, Mitigation for Biological Resources, Cultural (Archaeological) Resources, Paleontological Resources, and Tribal Cultural Resources would still be required to reduce the identified potentially significant impacts to less than significant levels. This Alternative would reduce potential impacts related to Air Quality, Energy, Transportation and Noise. However, similar to the Project, the impacts would remain less than significant. (Draft EIR Page 7-8 to 7-12).

Ability to Achieve Project Objectives: Implementation of the Reduced Development Footprint Alternative would meet the Project objectives, but some of them would not be met to the extent as would be achieved by the Project, as listed in Draft EIR Table 7-2. The Reduced Development Footprint Alternative would provide for development of a warehouse/logistics business use on 6.6-acres of the underutilized 13.23-acre Project site. Because the Reduced Intensity Alternative provides approximately 50 percent less of warehouse/logistics space than the Project, it would have the ability to attract less business activity and fewer employment opportunities to area residents. In addition, the smaller development would not fully develop an underutilized property and would not make as efficient use of the property as it would only develop 6.6-acres of the 13.23-acre Project site. (Draft EIR Page 7-12).

Finding: The County of San Bernardino finds that the Reduced Development Footprint Alternative is infeasible based on several economic and social factors. A key consideration for the County is to increase utilization of underutilized parcels and provide high quality employment opportunities. The Reduced Development Footprint Alternative would result in the construction of approximately 50 percent less of warehouse/logistics space than the Project. The volume of impacts would be less with the Reduced Intensity Alternative in comparison to the Project. However, mitigation measures for Biological Resources, Cultural (Archaeological) Resources, Paleontological Resources, and Tribal Cultural Resources would still be required to reduce potentially significant impacts to less than significant levels. This Alternative would reduce potential impacts related to Air Quality, Energy, Transportation and Noise. However, similar to the Project, the impacts would remain less than significant. This alternative would meet most of the Project objectives, but not to the same extent as the proposed Project. Thus, the Board of Supervisors rejects the Reduced Development Footprint Alternative on the following grounds, each of which provide a separate and independent basis for the rejection: (1) the Reduced Development Footprint Alternative reduces the utilization of the Project site by reducing the amount of development without eliminating the need for a similar level of mitigation and; (2) the Reduced Development Footprint Alternative fails to meet the Project objectives to the fullest extent.

Environmentally Superior Alternative

Section 15126.6(e)(2) of the CEQA Guidelines indicates that an analysis of alternatives to a proposed project shall identify an environmentally superior alternative among the alternatives

evaluated in an EIR. The CEQA Guidelines also state that should it be determined that the No Project Alternative is the environmentally superior alternative, the EIR shall identify another environmentally superior alternative among the remaining alternatives.

The Environmentally Superior Alternative (other than the No Project/No Build Alternative) is the Reduced Development Footprint Alternative, which would reduce the building size by approximately 50 percent to an approximate size of 129,740 square feet, with a reduction in parking area, removal of the eastern driveway on Slover Avenue, and parking spaces. Although some of the of less than significant impacts would be reduced under the Reduced Development Footprint Alternative in comparison to the proposed Project, this alternative would not eliminate any of the mitigation measures.

Regarding Project Objectives, the Reduced Development Footprint Alternative would result in less economic gain and fewer employment opportunities than the Project. This alternative would have the ability to attract less business activity and fewer employment opportunities to area residents. In addition, the smaller development would not fully develop an underutilized property. Fewer members of the local workforce would be able to obtain local employment. (Draft EIR Page 7-13 to 7-15).

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

EXHIBIT G

Findings

CONDITIONAL USE PERMIT FINDINGS: Conditional Use Permit (CUP) to construct and operate a 259,481-square foot high-cube warehouse/distribution building with 5,000 square feet of office space (Project), located at the southeast corner of Slover Avenue and Alder Avenue on 13.23 acres in the Industrial Limited (LI) Land Use Category and Community Industrial (IC) Zoning District (Project Site). The following are the required findings, per the San Bernardino County Development Code (Development Code) Section 85.06.040, and supporting facts for approval of the 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 spaces, setbacks, walls and fences, yards, and other required features pertaining to the application.** The Project Site is adequate in size and shape to accommodate the proposed 259,481 SF industrial warehouse building associated with the Project. All setbacks meet the requirements of the Development Code for the proposed land use and the existing zoning. The submitted plans shows adequate design, parking, landscaping, circulation, access, and setbacks and the Project is compatible with the existing development to the east and north.
- 2. The site for the proposed use has adequate access, which means that the site design incorporates appropriate street and highway characteristics to serve the proposed use.** The Project's site plan has been reviewed by the County's Land Use Services and Public Works departments and determined to have adequate access to the abutting roadways with the proposed and roadway improvements which must be constructed in connection with Project development. Additionally, a Traffic Impact Analysis (TIA) has been prepared for the Project and reviewed by the Department of Public Works, which has conditioned the Project for roadway improvements identified by the TIA. Access to the Project site is provided by three commercial/industrial driveways, with two located on Slover Avenue, and one on Alder Avenue, which will provide legal and physical access to the site and appropriate regional circulation mitigation has been required. On-site circulation drive aisles meet San Bernardino County Fire Protection District Standards.
- 3. The proposed use will not have a substantial adverse effect on abutting properties or the allowed use of the abutting properties, which means that the use will not generate excessive noise, traffic, vibration, lighting, glare, or other disturbance.** The Project is consistent with the land uses and development allowed in the Community Industrial (IC) Zoning District. The proposed industrial warehouse building and Project improvements have been designed to incorporate sufficient industrial performance standards and setbacks, and use building materials, colors and landscaping, including shades of white, and gray, with blue glazing on the windows facing Slover Avenue, that are complementary to the existing warehouse facilities to the east and north. The Project design includes a 25-foot landscape buffer and screen walls for screening truck, staging, and loading activities that further enhance the overall aesthetic quality of the development.
- 4. The proposed use and manner of development are consistent with the goals, maps, policies, and standards of the Countywide Plan and any applicable Community or Specific Plan.** A comprehensive analysis of the Project's consistency with the Countywide Plan is included within Table 5.10-3 of the Project's Environmental

Impact Report (EIR) and is incorporated herein by reference. The Project specifically implements the following goals and policies:

- **Policy LU-1.3. Fiscal sustainability.** When determining fiscal impacts, we consider initial capital investments, long-term operations and maintenance, desired levels of service for public facilities and services, capital reserves for replacement, and impacts to existing uses in incorporated and unincorporated areas.

Consistency: The Project proponent is required to construct and install all necessary improvements to serve the Project and maintain service levels in the community. The Project proponent is also required to pay all applicable development impact fees as well as property taxes to ensure long-term operations and maintenance of public facilities and services.

- **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.

Consistency: The Project is located in a corridor with other compatible industrial uses within the Limited Industrial (LI) Land Use Category, which provides sites for commercial/industrial trade, wholesaling and warehousing, contract/construction services, transportation services, open lot services, and similar and compatible uses. Considering features of the site design, the arrangement of land uses within the vicinity, and data included in the supporting studies, the Project is appropriately sited and compatible adjacent industrial uses to the east and north.

The Project will not conflict with any applicable adopted land use plan, policy, or regulation or an agency with jurisdiction over the Project. The Project, a warehouse and logistics center is compatible with the existing Community Industrial land use designation. The Project is compatible with the surrounding area and existing land uses, Countywide Plan land use designation and zoning. Although the Project requires a CUP for construction of a warehouse facility, it will not require a variance, zone change, policy plan amendment or creation of a new specific plan. The Project Site is accessed by Slover Avenue and Alder Avenue, that are paved County maintained public roads. Slover Avenue, which parallels Interstate 10 to the north, is designated as a major arterial and connects Bloomington to the City of Rialto and to the City of Fontana as the main arterial access. There are existing utilities onsite, and any new utilities connections proposed would not physically divide the project site from the surrounding community as electrical and natural gas lines would be subterranean. The Project provides additional industrial development opportunities in the Industrial Community zoning district consistent with the goals and policies above. The warehouse/distribution truck bay parking area would be screened from public views by a 12-foot tall wall; landscaping would include 24-inch box trees, docks are located on the north side of the building which provides a solid barrier for TAC emissions and noise, only emergency vehicle access is allowed adjacent to the residence to the south, and building elevations include blue glass windows

and insets on the south side of the Project Site closest to residences to interrupt the overall appearance of the building.

- **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 Project would develop an industrial warehouse facility that would bring short-term and long-term employment opportunities to the County and thereby promote jobs-housing balance.

- **Policy LU-4.3 Native or drought-tolerant landscaping.** We require new development, when outside of high and very high fire hazard severity zones, to install and maintain drought-tolerant landscaping and encourage the use of native species.

Consistency: This development would provide landscaping consisting of drought-tolerant California native trees, shrubs, accents, and groundcover within parking lots and surrounding the Project site, consistent with Policy LU-4.3.

- **Policy HZ-2.7 Truck delivery areas.** We encourage truck delivery areas to be located away from residential properties and require associated noise impacts to be mitigated.

Consistency: The Project has been designed to orient the truck delivery area away from residential properties to the south. In addition, as analyzed in Section 5.11 of the EIR, operational noise from truck delivery areas would be less than significant.

- **Policy TM-1.7 Fair share contributions.** We require new development to pay its fair share contribution toward off-site transportation improvements.

Consistency: The Project has been conditioned to pay development impact fees to contribute towards off-site transportation improvements.

- **Policy TM-3.1 VMT Reduction.** We promote new development that will reduce household and employment VMT relative to existing conditions.

Consistency: The Project is located in a low-VMT generating area, resulting in a less than a significant VMT impact, not considered to be significant.

5. **There is supporting infrastructure, existing or available, consistent with the intensity of the development, to accommodate the proposed Project without significantly lowering service levels.** The developer will be required to construct road improvements, as well as contribute to the Regional Transportation Mitigation Facilities Fee Plan to provide other needed improvements in the area. The use will not substantially interfere with the present or future ability to use solar energy systems.

6. **The lawful conditions stated in the approval are deemed reasonable and necessary to protect the overall public health, safety and general welfare.** The Conditions of Approval include measures to reduce air quality and traffic impacts and enforce performance standards of the County Development Code.

7. **The design of the Project site has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities.** The design of the Project has considered the potential for the use of solar energy systems and passive or natural heating and cooling opportunities, through the orientation and design with adequate building setbacks and the future ability to construct rooftop solar facilities, as required by the California Building Code.

EXHIBIT H

Notice of Determination

Notice of Determination

To:

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

Clerk of the Board
County of: San Bernardino
Address: 385 North Arrowhead Avenue, Second Floor
San Bernardino, CA 92415-0130

From:

Public Agency: San Bernardino County, LUSD
Address: 385 North Arrowhead Ave, First Floor San
Bernardino, CA 92415-0187

Contact: Aron Liang
Phone: (909) 387-0235

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

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

State Clearinghouse Number (if submitted to State Clearinghouse): SCH No. 2021120526

Project Title: Duke Warehouse at Slover/Alder Project

Project Applicant: Duke Realty, LP

Project Location (include county): Southeast Corner of Slover Avenue and Alder Avenue

Project Description: A Conditional Use Permit to construct a 259,481-square foot industrial high-cube warehouse with 5,000 square feet of office space on 13.23 acres, in the Limited Industrial (LI) Land Use Category, and Community Industrial (IC) Zoning District.

This is to advise that the San Bernardino County has approved the above (Lead Agency or Responsible Agency)

described project on 09/21/2023 and has made the following determinations regarding the above (date) described project.

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

This is to certify that the record of project approval and the Mitigated Negative Declaration is available to the General Public at:
385 N. Arrowhead Ave., San Bernardino, CA 92415

Signature (Public Agency): _____ Title: Planning Manager
Aron Liang

Date: 09-21-2023 Date Received for filing at OPR: N/A

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011