

# AGENDA

## LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

NORTON REGIONAL EVENT CENTER  
1601 EAST THIRD STREET, SAN BERNARDINO

### REGULAR MEETING OF JANUARY 16, 2019

#### 9:00 A.M. – CALL TO ORDER – FLAG SALUTE

**ANNOUNCEMENT:** Anyone present at the hearing who is involved with any of the changes of organization to be considered and who has made a contribution of more than \$250 in the past twelve (12) months to any member of the Commission will be asked to state for the record the Commission member to whom the contribution has been made and the matter of consideration with which they are involved.

1. Swear In Regular City Commissioner – Acquanetta Warren, City of Fontana
2. [Selection of Chair to Complete the Term Ending May 2019](#)

#### **CONSENT ITEMS:**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter

3. [Approval of Minutes for Regular Meeting of December 5, 2018](#)
4. [Approval of Executive Officer's Expense Report](#)
5. [Ratify Payments as Reconciled and Note Cash Receipts for Month of November 2018](#)
6. Consent Items Deferred for Discussion

#### **PUBLIC HEARING ITEMS:**

7. [Consideration of: \(1\) CEQA Statutory Exemption for LAFCO 3228; and \(2\) LAFCO 3228 – Reorganization to Include Annexation to the Running Springs Water District and Detachment from the San Bernardino County Fire Protection District and its Mountain Service Zone \(\*\*\*CONTINUED FROM OCTOBER 17, 2018 HEARING\*\*\*\)](#)
8. [Consideration of: \(1\) Review of Mitigated Negative Declaration Prepared by the County of San Bernardino for a Conditional Use Permit to Construct a 180,770 Sq. Ft. Concrete Tilt-Up Warehouse Center with 10,000 Sq. Ft. of Office/Administrative Use Area on Approximately 9.8 Acres, as CEQA Responsible Agency for LAFCO SC#436; and \(2\) LAFCO SC#436 – City of Rialto Out-of-Agency Service Contract for Sewer Service \(Cedar Avenue Technology Park Project\)](#)

**DISCUSSION ITEMS:**

9. [Mid-Year Budget Review for Fiscal Year 2018-19](#)

**INFORMATION ITEMS:**

10. Legislative Update Report
11. Executive Officer's Oral Report
12. Commissioner Comments  
(This is an opportunity for Commissioners to comment on issues not listed on the agenda, provided that the subject matter is within the jurisdiction of the Commission and that no action may be taken on off-agenda items unless authorized by law.)
13. Comments from the Public  
(By Commission policy, the public comment period is limited to five minutes per person for comments related to other items under the jurisdiction of LAFCO not on the agenda.)

The Commission may adjourn for lunch from 12:00 to 1:30 p.m. The Commission may take action on any item listed in this Agenda whether or not it is listed for Action. In its deliberations, the Commission may make appropriate changes incidental to the above-listed proposals.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO office at 1170 West Third Street, Unit 150, San Bernardino, during normal business hours, on the LAFCO website at [www.sbclafco.org](http://www.sbclafco.org), and at the hearing.

Current law and Commission policy require the publishing of staff reports prior to the public hearing. These reports contain technical findings, comments, and recommendations of staff. The staff recommendation may be accepted or rejected by the Commission after its own analysis and consideration of public testimony.

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE ABOVE PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE LOCAL AGENCY FORMATION COMMISSION AT, OR PRIOR TO, THE PUBLIC HEARING.

The Political Reform Act requires the disclosure of expenditures for political purposes related to a change of organization or reorganization proposal which has been submitted to the Commission, and contributions in support of or in opposition to such measures, shall be disclosed and reported to the same extent and subject to the same requirements as provided for local initiative measures presented to the electorate (Government Code Section 56700.1). Questions regarding this should be directed to the Fair Political Practices Commission at [www.fppc.ca.gov](http://www.fppc.ca.gov) or at 1-866-ASK-FPPC (1-866-275-3772).

A person with a disability may contact the LAFCO office at (909) 388-0480 at least 72-hours before the scheduled meeting to request receipt of an agenda in an alternative format or to request disability-related accommodations, including auxiliary aids or services, in order to participate in the public meeting. Later requests will be accommodated to the extent feasible.

11/26/18:AS

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO**

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**DATE:** JANUARY 8, 2019   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #2 – SELECTION OF CHAIR TO COMPLETE THE  
TERM ENDING IN MAY 2019**

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The Commission selects its Chair and Vice Chair annually at the May hearing. The terms of office for both the Chair and Vice Chair are for a year.

However, since James Ramos was recently elected to the State Assembly, he no longer is a LAFCO Commissioner.

Therefore, this selection will be to complete the term vacated by Mr. Ramos, which will end in May 2019. Any regular voting member of the Commission may be appointed to this position.

Staff will be happy to respond to any questions at the hearing.

/llj

**DRAFT - ACTION MINUTES OF THE  
LOCAL AGENCY FORMATION COMMISSION  
HEARING OF DECEMBER 5, 2018**

**REGULAR MEETING**

**9:00 A.M.**

**DECEMBER 5, 2018**

**PRESENT:**

**COMMISSIONERS:**

<b>Regular Member</b>	<b>Alternate Member</b>
<b>Jim Bagley</b>	<b>Louisa Amis</b>
<b>Kimberly Cox</b>	<b>Acquanetta Warren</b>
<b>James Curatalo, Vice Chair</b>	
<b>Diane Williams</b>	
<b>Robert Lovingood</b>	

**STAFF:**

**Samuel Martinez, Executive Officer  
Paula de Sousa Mills, LAFCO Legal Counsel  
Michael Tuerpe, Project Manager  
Jeffrey Lum, LAFCO Analyst  
La Trici Jones, Clerk to the Commission  
Angerose Schell, Administrative Assistant**

**ABSENT:**

**COMMISSIONERS:**

<b>Regular Member</b>	<b>Alternate Member</b>
<b>Larry McCallon</b>	<b>Janice Rutherford</b>
	<b>Steven Farrell</b>

**CONVENE REGULAR SESSION OF THE LOCAL AGENCY FORMATION COMMISSION  
– CALL TO ORDER – 9:18 A.M. – NORTON REGIONAL EVENT CENTER**

Vice-Chair Curatalo calls the regular session of the Local Agency Formation Commission to order and leads the flag salute.

**ANNOUNCEMENT OF CONTRIBUTIONS**

Vice-Chair Curatalo requests those present who are involved with any of the changes of organization to be considered today by the Commission and have made a contribution of more than \$250 within the past 12 months to any member of the Commission to come forward and state for the record their name, the member to whom the contribution was made, and the matter of consideration with which they are involved.

There were none.

**ITEM 1.** Presentation of Resolution of Appreciation to Diane Williams for her 26 years of LAFCO Service

Vice-Chair Curatalo presents a resolution of appreciation to Diane Williams for 26 years of service to the Local Agency Formation Commission for San Bernardino County. He states that Diane's service has been exemplary in every way. He states that she has also served on the Rancho Cucamonga City Council for 28 years.

Former Executive Officer Kathleen Rollings-McDonald also acknowledges Diane Williams' service to the Commission and expresses her appreciation for her service.

**CONSENT ITEMS – STAFF RECOMMENDATION APPROVED**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the hearing to discuss the matter.

- ITEM 2. Approval of Minutes for Regular Meeting of October 17, 2018
- ITEM 3. Approval of Executive Officer's Expense Report
- ITEM 4. Ratify Payments as Reconciled and Note Cash Receipts for Months of September and October 2018
- ITEM 5. Approval of Letter of Support for the California WaterFix
- ITEM 6. Consideration of: (1) CEQA Statutory Exemption for LAFCO SC#433; and (2) LAFCO SC#433 – City of Redlands OSC 18-01, Out of Agency Service Agreement for Water Service (APNs 0302-152-09 & 0302-152-15)
- ITEM 7. Consent Items Deferred for Discussion

Commissioner Lovingood moves approval of the staff recommendation, Second by Commissioner Cox. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, Warren and Williams. Noes: None. Abstain: None. Absent: McCallon (Warren voting in his stead), Williams

**PUBLIC HEARING ITEMS:**

- ITEM 8. **CONSIDERATION OF: (1) REVIEW OF THE ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT (SCH# 2008091077) PREPARED BY THE TOWN OF APPLE VALLEY FOR THE APPLE VALLEY 2009 GENERAL PLAN AND ANNEXATION 2008-001, AS CEQA RESPONSIBLE AGENCY FOR LAFCO 3229; AND (2) LAFCO 3229 – REORGANIZATION TO INCLUDE ANNEXATION TO THE TOWN OF APPELY VALLEY AND DETACHMENT FROM COUNTY SERVICE AREA**  
**70**

Project Manager Michael Tuerpe presents the staff report, a complete copy of which is on file in the LAFCO office and made a part of the record by its reference here. The item has

been advertised through publication in a newspaper of general circulation within the county, *The Daily Press*, as required by law.

Vice-Chair Curatalo opens the public hearing.

Project Manager Michael Tuerpe states that this area is in the northwestern sphere of influence of the Town of Apple Valley. He refers the Commission to the map. He states that the proposal submitted by the Town is for a portion of the island area. He states that four areas of consideration are required by law and are detailed in the report. He states that in 2012, there was LAFCO proposal 3169 and the entire island area referenced was included in the application. He states that the Commission approved LAFCO 3169, but at the protest hearing, it was overturned by the voters.

He states that now in 2018, the Town has returned with another application for a reorganization to include only part of the island. He states that on the west side of I-15 is the City of Victorville unincorporated sphere of influence. He states that the sphere of influence is a planning tool but also a probable boundary of an agency at a future point, so in due time, the City of Victorville will be west of the freeway. The purpose of the application is for the Town of Apple Valley to have development control along the I-15 on the east side. He states that however, that because the proposal includes an island, Commission has several options which Mr. Tuerpe describes as follows: Option 1 would be to expand LAFCO 3229 to include the entire unincorporated island area, but this would be the same as LAFCO 3169 and the success of this going through would not be likely. He states that there are 57 registered voters and LAFCO staff believes the same outcome would occur; Option 2 would be to square it off at area A (as shown on the map) on the south. He states that the reasoning for squaring it off would allow for a more logical boundary. He states that even though it provides for a logical boundary it still does not address the rest of the island contained as shown on the map as Area B and therefore this is not the optimal option; and Option 3, which he states is LAFCO staff's recommendation, to keep the proposal as submitted by the Town.

He states that LAFCO staff would not be doing its job if staff recommended approval as submitted without considering and analyzing the remainder of the island. He states that the Government Code prohibits the creation of an island unless certain determinations can be made. He states that LAFCO staff is recommending the Commission choose Option 3, which is to annex the area as submitted, while also requiring the Town, as a condition of approval, to come back to LAFCO within one year with a proposal to annex the remainder of the island. He states that this would allow a one year period of time to properly engage with the landowners and registered voters and come back with the proposal for LAFCO. He states that that the subsequent proposal would then, if approved by the Commission, live or die based upon the protest process. He states that the condition language is on page 7 of the staff report. He states that should the Commission choose any of the options presented today, the Commission should be clear that it still creates an island, which is generally prohibited by law unless the Commission makes a determination that the restriction on creating the island would be detrimental to the orderly development of the community, which includes the I-15 corridor to the east, and determine that the area to be surrounded cannot reasonably be annexed to another city or incorporated as a new city.

**DRAFT - ACTION MINUTES FOR DECEMBER 5, 2018 HEARING - DRAFT**

He states that the County's land use designation is generally compatible with the Town's general plan land use for the area and the Town's pre-zoning is consistent with the Town's general plan. He states that there is a variety of service delivery. He states that water is generally provided by Liberty Utilities, but this particular area is not within the Liberty Utilities service area and the staff report has details on this. He states that one area of service he wants to focus on for a moment is drainage. He states that the County requested that a condition be made that the Town of Apple Valley will accept the transfer of all the drainage easements. He states that LAFCO staff has agreed based on its reasoning and the recommendation is on pages 1 and 2. He states that the fiscal impact analysis shows the ability of the Town of Apple Valley to extend its services. He states that for Environmental considerations, the Town is the lead agency and has adopted an Environmental Impact Report with an addendum. He states that the Commission's Environmental Consultant's recommendation is that the Town's Environmental documents are adequate for the Commission's use as a responsible agency under CEQA.

He states, in conclusion, that approving the proposal would allow the Town to have development control within the area. He states that should the Commission approve any of the options presented by staff; options 2 or 3, the Commission needs to make a determination required by law that it knows it's creating an island, however, staff is going to address that by adding a condition that requires the Town to initiate the remainder of the island within one year of the Commission's approval of LAFCO 3229. He states that for these reasons, staff recommends that the Commission approve the staff recommendations set out in the staff report. He states that there are Town representatives present to answer any questions and he will be happy to answer any questions.

Vice-Chair Curatalo asks if there are any questions from the Commission.

Commissioner Cox asks the acreage of the area being considered today. She also asked the acreages of Areas A and B being discussed.

Mr. Tuerpe states that the total acreage is 1,365 and it represents 42 to 43 percent. He states that he calculated the percentage, but he did not calculate the acreage.

Executive Officer Martinez states that Area B is over 1000 acres and Area A is approximately 100 acres.

Commissioner Warren questions if it is standard to condition a proposal for a whole year and asks whether this will give the Town enough time.

Mr. Tuerpe states that the Commission has conditioned proposals in the past to either six months or a year for two different proposals. He states that a year will allow the proper time to engage with the landowners and voters given the outcome of the previous annexation attempt.

Commissioner Cox states that it seems like staff has given the Commission some logical options that comply with the law and do not impede the interest of the Town and their future development. She states that she thinks the Commission has some good options to consider.

**DRAFT - ACTION MINUTES FOR DECEMBER 5, 2018 HEARING - DRAFT**

Commissioner Bagley states that the proposal from Apple Valley is a very wise proposal. He states that the Commission is often criticized because the protest process seems to be unattainable by people, but this is an example where it actually worked and its part of the democratic process and he is proud to say that. He states that the Commission takes these things very seriously, when the public comes down to protest and they have a sense of identity and they don't want to be annexed by a governmental agency; the Commission needs to honor that. He states that his role as a public member is to address that.

Vice-Chair Curatalo calls for additional questions from the Commission.

There is none.

Vice-Chair Curatalo calls for the applicant, Town of Apple Valley.

Lori Lamson, Assistant Town Manager, states that she would like to thank Commissioner Williams for her public service. She states that the Town staff is excited to attend to represent the project and the great Town of Apple Valley. She states that staff has been working on this for a long time and feel that what is proposed before the Commission today is a compromise and will enable the Town to look towards future growth in the area. She states that the Town had a clear message sent by the voters of the area in 2012 and this is how the Town has responded, by coming back with this proposal. She states that she wants to thank Sam and the LAFCO staff for all their assistance and the Town staff agree with all the conditions of approval.

Vice-Chair Curatalo asks if there are any questions of the applicant.

There is none.

Vice-Chair Curatalo states that there is one speaker slip request from Kerry Watson of Apple Valley.

Ms. Watson states that they own two pieces of property adjacent to the corners of this project and they bought it because it was rural. She states that she would like to keep it rural.

Vice-Chair Curatalo asks LAFCO Legal Counsel, Paula de Sousa Mills to briefly describe the rule that LAFCO has in this matter, and the scope of the Commission's responsibility.

Ms.de Sousa Mills states that LAFCO's scope is to review the application submitted by the Town and make determinations in the best interest of the provision of services because LAFCO's role is to ensure the efficient provision of governmental services and the logical and orderly formation and development of local agencies.

Vice-Chair Curatalo asks if there is additional comments from those in attendance.

There is none.

Vice-Chair Curatalo closes the public hearing and asks the Commission for an action. He states that the Commission has a recommendation by staff outlined in the staff report.

Commissioner Bagley moves the staff recommendation (including Option 3), Second by Commissioner Cox. There being no opposition, the motion passes with the following roll call vote: Ayes: Bagley, Cox, Curatalo, Lovingood, Warren and Williams. Noes: None. Abstain: Lovingood. Absent: McCallon (Warren voting in his stead)

**INFORMATION ITEMS:**

Commissioners Warren and Lovingood leave the dais at 9:50 A.M.

**ITEM 9. LEGISLATIVE UPDATE REPORT**

Executive Officer Samuel Martinez states the Legislative Report is on the dais. He states that AB 2258 is the CALAFCO sponsored bill for grant funding for costs associated with studies and reorganizations that was vetoed by the governor. He states that his assumption is that the CALAFCO Board will decide at the next Board hearing on whether to sponsor this bill again for the next year. He states that AB 1577 is the Gibson bill that authorizes the State Water Resource Control Board to take over the Sativa Water District. He states that this is important since it could happen to one of the agencies in San Bernardino County. He states that the State Water Resource Control Board could easily, through special legislation, do something similar if a water district in San Bernardino County is either not performing and/or it needs some help.

**ITEM 10. EXECUTIVE OFFICER'S ORAL REPORT**

Executive Officer Samuel Martinez states that last Monday, December 3, 2018, LAFCO had its first governance training workshop at the Cucamonga Valley Water District. He states that this was a workshop on customer service in the public sector. He states that the Commission will have two more – one in January or February, which will be a session on LAFCO 101 and the other will be in March at the Mojave Water Agency on policy and procedure writing. He states that on the dais is next year's calendar and as a reminder, the LAFCO office will be closed during the Christmas week but will then be open starting on January 2, 2019. He states that the calendar includes all the regular Commission hearings, holidays and the Fridays the office will be closed. He states the calendar includes the workshop in January and identifies again that the LAFCO office will be closed Christmas week and the beginning of the year 2020. He states that as a reminder, the Commission will have its January hearing on the 16<sup>th</sup> and at this point we have a few items: the continued item for Running Springs, a service contract with the City of Rialto, and the mid-year financial report and audit. He states that today the City Selection Meeting to be filling-in Diane's regular city seat on the LAFCO Commission. Executive Officer Martinez states that he would like to thank Commissioner Williams for her valuable service to the Commission. He states that she has served the Commission well and her service is valued not only as a Commissioner, but as a council member for the City of Rancho Cucamonga and especially as a proponent for the incorporation of that city which included the communities of Cucamonga, Alta Loma and Etiwanda. He states that he wishes everyone happy holidays and a new year full of peace and joy.

**ITEM 11. COMMISSIONER COMMENTS**

Commissioner Cox states that she does not know what it will be like coming to the next LAFCO hearing and not seeing Commissioner Williams at the dais. She states that for many years, they have sat next to each other and it will certainly be different. She states to Executive Officer Martinez she appreciates the way that item #8 was written with the various options. She states that it made it very clear for the Commissioners as well as the public. She states that she appreciates Commissioner Bagley's comments.

Commissioner Bagley states to Commissioner Williams, there was a touch of sadness when she walked in the door and there will be a touch of sadness when she walks out. He states that she is not only a great Commissioner, but also a friend.

Commissioner Williams states that Jim has been a great friend and she treasure those friendships and that is the greatest thing she is taking with her.

**ITEM 12. COMMENTS FROM THE PUBLIC**

Sajida Dae, a member of the Public, states that she owns three properties on Mill Creek Road and she has questions regarding a notice she received from the LAFCO office. Executive Officer Samuel Martinez states that the notice is for a service contract the Commission approved earlier for water service. He states that she has received the notice as a surrounding landowner.

Vice-Chair Curatalo asked if she would stay after the hearing and directed staff to assist her and answer her questions.

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION, THE HEARING ADJOURNS AT 10:01 A.M. IN RECOGNITION AND IN HONOR OF COMMISSIONER DIANE WILLIAMS' FAITHFUL SERVICE**

**ATTEST:**

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**LA TRICI JONES**  
Clerk to the Commission

**LOCAL AGENCY FORMATION COMMISSION**

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**JAMES V. CURATALO, Vice-Chair**

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE :** JANUARY 8, 2019   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** AGENDA ITEM #4 – APPROVAL OF EXECUTIVE OFFICERS’ EXPENSE REPORTS

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**RECOMMENDATION:**

Approve the Executive Officers’ Expense Report for Procurement Card Purchases from October 23, 2018 through November 22, 2018 and November 23, 2018 through December 24, 2018.

**BACKGROUND INFORMATION:**

The Commission participates in the County of San Bernardino’s Procurement Card Program to supply the Executive Officer a credit card to provide for payment of routine official costs of Commission activities as authorized by LAFCO Policy and Procedure Manual Section II – Accounting and Financial Policies #3(H). Staff has prepared an itemized report of purchases that covers the billing period of October 23, 2018 through November 22, 2018 and November 23, 2018 through December 24, 2018

Staff recommends that the Commission approve the Executive Officers’ expense reports as shown on the attachments.

SM/llj

Attachments





**LOCAL AGENCY FORMATION COMMISSION  
FOR SAN BERNARDINO COUNTY**

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**DATE:** JANUARY 8, 2019  
**FROM:** SAMUEL MARTINEZ, Executive Officer   
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT: AGENDA ITEM #5 - RATIFY PAYMENTS AS RECONCILED FOR  
MONTH OF NOVEMBER 2018 AND NOTE REVENUE RECEIPTS**

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**RECOMMENDATION:**

Ratify payments as reconciled for the month of November 2018 and note revenue receipts for the same period.

**BACKGROUND INFORMATION:**

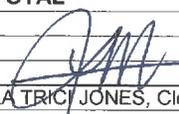
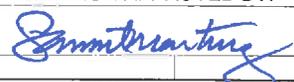
Staff has prepared a reconciliation of warrants issued for payments to various vendors, internal transfers for payments to County Departments, cash receipts and internal transfers for payments of deposits or other charges that cover the period of November 1, 2018 through November 30, 2018.

Staff is recommending that the Commission ratify the payments for November 2018 as outlined on the attached listings and note the revenues received.

SM/Ilj

Attachments

MONTH OF NOVEMBER 2018 PAYMENTS PROCESSED						
Document Number	Account	Posting Date	Activity	Reference	Vendor	Amount
1900216601	40709555	11/26/2018	REFUND LAFCO 3225 COMPLETED PROPOSAL	LAFCO 3225	UNIVERSITY REALTY	\$415.37
1900216602	40709800	11/26/2018	REFUND LAFCO SC#432 COMPLETED PROPOSAL	LAFCO SC#432	HESPERIA WATER DEPT	\$4,450.00
1900298547	52002075	11/19/2018	2019 CSDA MEMBERSHIP RENEWAL	INVOICE 6986	CSDA	\$1,377.00
1900303441	52002085	11/5/2018	DAILY JOURNAL NOTICE OF HEARING	B3154691	DAILY JOURNAL	\$670.59
1900303444	52002085	11/5/2018	DAILY JOURNAL NOTICE OF HEARING	B3154685	DAILY JOURNAL	\$1,423.54
1900316499	52002085	11/26/2018	DAILY JOURNAL NOTICE OF HEARING	B3192155	DAILY JOURNAL	\$420.20
1900303415	52002090	11/5/2018	JAN PRO CLEANING SERVICE	INVOICE 63764	JAN PRO	\$475.00
1900298890	52002305	11/19/2018	LAFCO PETTY CASH	PETTY CASH	LAFCO PETTY CASH	\$193.59
1900319793	52002308	11/27/2018	PROCUREMENT CARD TRANSFER - OCTOBER	PROCUREMENT	PROCUREMENT CARD	\$2,920.45
4200020487	52002308	11/30/2018	PROCUREMENT CARD TRANSFER - SEPTEMBER	PROCUREMENT	PROCUREMENT CARD	\$1,079.30
1900308426	52002335	11/9/2018	KELLY SERVICES - TEMPORARY STAFF	INVOICE 41024266	KELLY SERVICES	\$129.38
1900297903	52002335	11/19/2018	KELLY SERVICES - TEMPORARY STAFF	INVOICE 40024705	KELLY SERVICES	\$112.13
1900308429	52002400	11/9/2018	BEST BEST & KRIEGER	INVOICE 834497	BEST BEST & KRIEGER	\$45.50
1900308447	52002400	11/9/2018	BEST BEST & KRIEGER	INVOICE 834496	BEST BEST & KRIEGER	\$4,361.14
1900309559	52002400	11/13/2018	BEST BEST & KRIEGER	INVOICE 834498	BEST BEST & KRIEGER	\$76.50
1900297906	52002400	11/19/2018	BEST BEST & KRIEGER	INVOICE 832260	BEST BEST & KRIEGER	\$1,603.06
1900297908	52002400	11/19/2018	BEST BEST & KRIEGER	INVOICE 832261	BEST BEST & KRIEGER	\$960.00
1900297900	52002424	11/19/2018	TOM DODSON & ASSOCIATES	LAFCO 18-7	TOM DODSON	\$510.00
1900316529	52002424	11/26/2018	TOM DODSON & ASSOCIATES	LAFCO 18-8	TOM DODSON	\$280.00
1900303326	52002444	11/5/2018	MIJAC ALARM	INVOICE 430721	MIJAC ALARM	\$117.00
1900316493	52002444	11/26/2018	TROY ALARM - VIDEO DOOR INTERCOM	INVOICE 22293	TROY ALARM	\$6,490.92
1900311306	52002445	11/14/2018	ALDRICH & ASSOCIATES	INVOICE 75	ALDRICH & ASSOCIATES	\$2,700.00
1900298543	52002445	11/19/2018	ALDRICH & ASSOCIATES	INVOICE 74	ALDRICH & ASSOCIATES	\$2,550.00
1900297904	52002895	11/19/2018	KONICA MINOLTA	INVOICE 32546363	KONICA MINOLTA	\$436.35
1900316623	52002895	11/26/2018	KONICA MINOLTA	INVOICE 32672727	KONICA MINOLTA	\$470.41
1900303452	52942943	11/5/2018	CALAFCO MEAL REIMBURSEMENT	CALAFCO MEAL	LOUISA AMIS	\$4.95
<b>TOTAL</b>						<b>\$33,857.01</b>
MONTH OF NOVEMBER 2018 INTERNAL TRANSFERS PROCESSED						
	4200021557	11/29/2018	COUNTY ACCOUNTING FEES	ATC	ATC	\$999.60
	4100587491	11/1/2018	OCTOBER 2018 DIAL TONE CHARGES	ISD	ISD	\$291.33
	4200020487	11/30/2018	COMNET WORK STATION CHARGES	ISD	ISD	\$624.18
	4200020395	11/2/2018	MAIL SERVICES - DEL	COUNTY MAIL	COUNTY MAIL	\$206.80
	4200020396	11/2/2018	MAIL SERVICES - FLAT	COUNTY MAIL	COUNTY MAIL	\$133.36
	4200020397	11/2/2018	MAIL SERVICES - HAN	COUNTY MAIL	COUNTY MAIL	\$83.62
	4200021872	11/30/2018	2018/2019 COWCAP - 2ND QUARTER	ISD	ISD	\$2,527.25
<b>TOTAL</b>						<b>\$4,866.14</b>
MONTH OF NOVEMBER 2018 CASH RECEIPTS						
	40709555	11/13/2018	BEST BEST AND KRIEGER	REIMBURSEMENT	LEGAL	\$1,381.70
	40709800	11/13/2018	LAFCO #434 CTY OF HESPERIA EXEMPTION	LAFCO FEES	LAFCO FEES	\$500.00
	40759555	11/27/2018	LAFCO 3218 INDEMNIFICATION	CTY OF HESPERIA	LEGAL	\$500.00
<b>TOTAL</b>						<b>\$2,381.70</b>
MONTH OF NOVEMBER 2018 INTERNAL TRANSFERRED RECEIVED						
	40709555	11/8/2018	LAFCO 3216 INDEMNIFICATION	COUNTY FIRE	LEGAL	\$23.25
	40709555	11/9/2018	LAFCO 3218 INDEMNIFICATION	COUNTY FIRE	LEGAL	\$480.00
	40709555	11/9/2018	LAFCO 3218 INDEMNIFICATION	COUNTY FIRE	LEGAL	\$1,428.49

	40709555	11/19/2018	LAFCO 3216 INDEMNIFICATION	COUNTY FIRE	LEGAL	\$61.00
<b>TOTAL</b>						<b>\$1,992.74</b>
						
LA TRICE JONES, Clerk to the Commission				DATE	1/8/2019	
RECONCILIATION APPROVED BY:						
						
SAMUEL MARTINEZ, Executive Officer				DATE	1/8/2019	

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE:** JANUARY 9, 2019  
**FROM:**  SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Project Manager  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #7: LAFCO 3228 – Reorganization to include Annexation to the Running Springs Water District and Detachment from the San Bernardino County Fire Protection District and its Mountain Service Zone

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## **RECOMMENDATION:**

The staff recommends that the Commission approve LAFCO staff's original recommendation for LAFCO 3228, which is to approve LAFCO 3228 - reorganization to include annexation to the Running Springs Water District and detachment from San Bernardino County Fire Protection District and its Mountain Service Zone.

Such approval requires that the Commission approve LAFCO 3228 as outlined in the staff report dated October 10, 2018:

1. For environmental review, certify that LAFCO 3228 is statutorily exempt from the provisions of the California Environmental Quality Act, and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3228, with the condition for the "hold harmless" clause for potential litigation costs, continuation of fees, charges, assessments, etc.;
3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent of the reorganization; and,
4. Adopt LAFCO Resolution No. 3278 (as shown in Attachment #9), setting forth the Commission's determinations and conditions of approval concerning LAFCO 3228.

## **BACKGROUND:**

At the October 17, 2018 hearing, the Commission considered LAFCO 3228, a proposal to annex the Pali Mountain Retreat/Adventure/Institute campsite (formerly Camp O-ongo) into the Running Springs Water District (hereafter the “District”) and detach it from the San Bernardino County Fire Protection District (hereafter “County Fire”) and its Mountain Service Zone. County Fire, opposed the detachment, outlining its opposition to LAFCO 3228 in a letter dated June 25, 2018 (included as Attachment #1), indicating that “any reallocation of... revenue... will have an outcome in a negative way to the San Bernardino County Fire Protection District in its overall regional approach to service delivery.”

In addition to LAFCO staff’s recommendation to approve the reorganization to include the annexation to the District and detachment from County Fire and its Mountain Service Zone, the Commission discussed an option to move forward with the annexation to the District but keeping the fire service provision with County Fire and its Mountain Service Zone.

However, instead of making a decision on LAFCO 3228, the Commission opted to continue the item in order to have LAFCO staff fully evaluate the provision of fire service to the camp property.

Soon after the October hearing, LAFCO staff requested a meeting with the District and County Fire together with the property owner. The meeting took place on December 6, 2018, and was attended by representatives from both agencies, LAFCO staff, and a representative of the property owner (not the actual property owner). No resolution was made at the meeting; however, both agencies agreed that they would leave the decision—on whether fire protection and emergency medical response should stay with County Fire or transfer over to Running Springs Water District—to the property owner.

It should be noted that the District and County Fire met with the property owner on separate occasions after the October hearing. Unfortunately, LAFCO staff is not privy to the discussions by either agency with the property owner nor is staff aware of any decision made by the property owner regarding his choice for fire service to the Pali Mountain campsite.

LAFCO staff stated at the December 6<sup>th</sup> meeting, and formalized with a letter dated December 13, 2018 (included as Attachment #2), that it would request from the District and County Fire information regarding staffing and equipment for the fire stations that would respond to fire as well as emergency medical response to the Pali Mountain campsite, including a listing of incident data for the last 10 years. County Fire’s response to LAFCO staff’s request is included as Attachment #3 to this report, and the District’s response, which includes call data, is included as Attachment #4 to this report.

**DISCUSSION:**

In early 2018, the property owner requested that the District annex the entire camp property in order for the property owner to save on its outside sewer service costs. Therefore, in March 2018, the District initiated the reorganization proposal to annex the Pali Mountain campsite to the District. The reason for the annexation, as outlined in the the District's resolution of application, Resolution No. 05-18, is to continue to provide sewer and fire protection services to the Pali Mountain campsite. By annexing to the District, the camp properties would be relieved from the higher out-of-agency wastewater rates currently charged by the District to the Pali Mountain campsite.

Through the processing of this proposal, two additional parcels owned by the Crestline-Lake Arrowhead Water Agency located adjacent to the camp properties were included as part of the overall reorganization area in order to provide for a logical boundary to the reorganization proposal.



The revised reorganization proposal, which is adjacent to the District's boundary, comprises a total of 251+/- acres and is generally located on the east side of Highway 18, north of Nob Hill Drive/Nob Hill Circle. The reorganization area is wholly within the Running Springs Water District's sphere of influence.

It was also identified that during the previous County Fire Reorganization, the County—on behalf of County Fire—outlined its intent not to “object to” other fire service providers annexing areas within their respective spheres of influence as long as the normal property tax transfer takes place. The County’s response letter to the County Fire Reorganization dated June 12, 2006 is included as Attachment #5 to this report. In making determinations for LAFCO 3001 (sphere of influence amendment for the County Fire Reorganization), LAFCO Resolution No. 2986 included a finding related to County Fire not objecting to future annexations:

*“The sphere of influence expansion is a temporary measure to ensure that all unincorporated areas of the County are served by a fire protection agency. Unincorporated areas within another fire agency’s sphere of influence, as a general rule, are already served by the County Fire Department so this should not represent a real change. Where such overlapping sphere areas are created as a result of this reorganization (sphere of influence expansion), the County shall be considered the “secondary” fire protection agency and the existing fire protection agency shall be considered the “primary” agency. The San Bernardino County Fire Protection District, governed by the Board of Supervisors, has identified that it does not intend to object to the primary agency annexing areas within its sphere of influence in the future, with the normal property tax transfers taking place.”*

As noted earlier, LAFCO 3228 is wholly within the sphere of influence boundary for the District and has been within the District’s sphere of influence since at least 1976 (see District sphere of influence map circa 1976 included as Attachment #6). While more than 12 years have passed since the County’s 2006 response letter, it should be noted that this proposal did go through the normal property tax transfer process that was approved by the County Board of Supervisors on August 21, 2018 (see Board of Supervisors Resolution No. 2018-141 included as Attachment #7).

### **ANALYSIS OF FIRE SERVICE:**

The service providers for structural fires and emergency medical response within the mountain region include County Fire and its Mountain Service Zone, the Running Springs Water District, Arrowbear Park County Water District, and the Big Bear Fire Authority (composed of the Big Bear Lake Fire Protection District and Big Bear City Community Services District).

Wildland fires are under the jurisdiction of the California Department of Forestry and Fire Protection (CALFIRE) and the U.S. Forest Service.

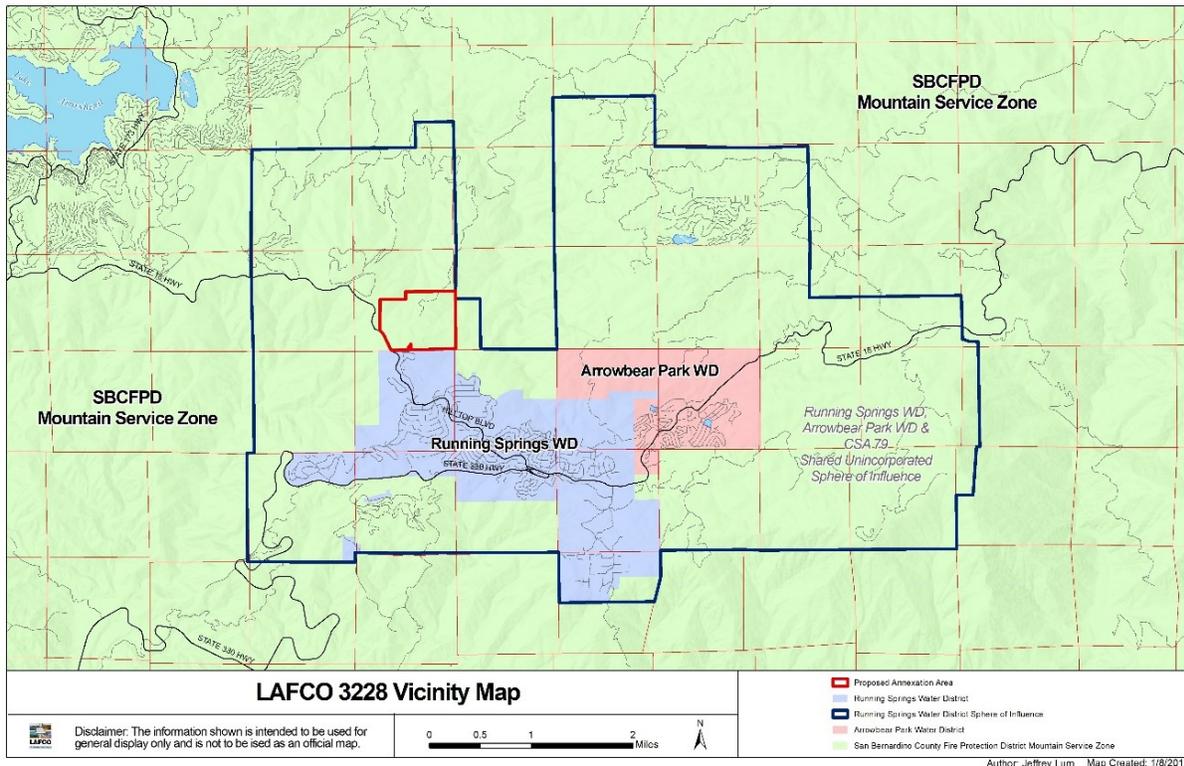
All fire service providers are signatories to the State of California Master Mutual Aid Plan, all of whom adhere to the State Master Mutual Aid System. In order to maximize the resources within San Bernardino County, a Mutual Aid System divides the County in different zones. Zone 3 is the operational area zone for the mountain region, which includes the agencies outlined above. Requests for strike teams, task forces, and specialized equipment are processed through the dispatch center of a joint powers

authority (JPA) known as Consolidated Fire Agencies (CONFIRE), which is the dispatch center for numerous fire agencies within San Bernardino County. Resources available from within Zone 3 include Type 1, 2, 3 and 4 fire engines, snow cats, breathing support units, Advance Life Support (ALS) and Basic Life Support (BLS) squads, ALS and BLS rescues, fire boats, Mass Casualty Incidents (MCI) trailers, water tenders, and U.S. Army Reserve units.

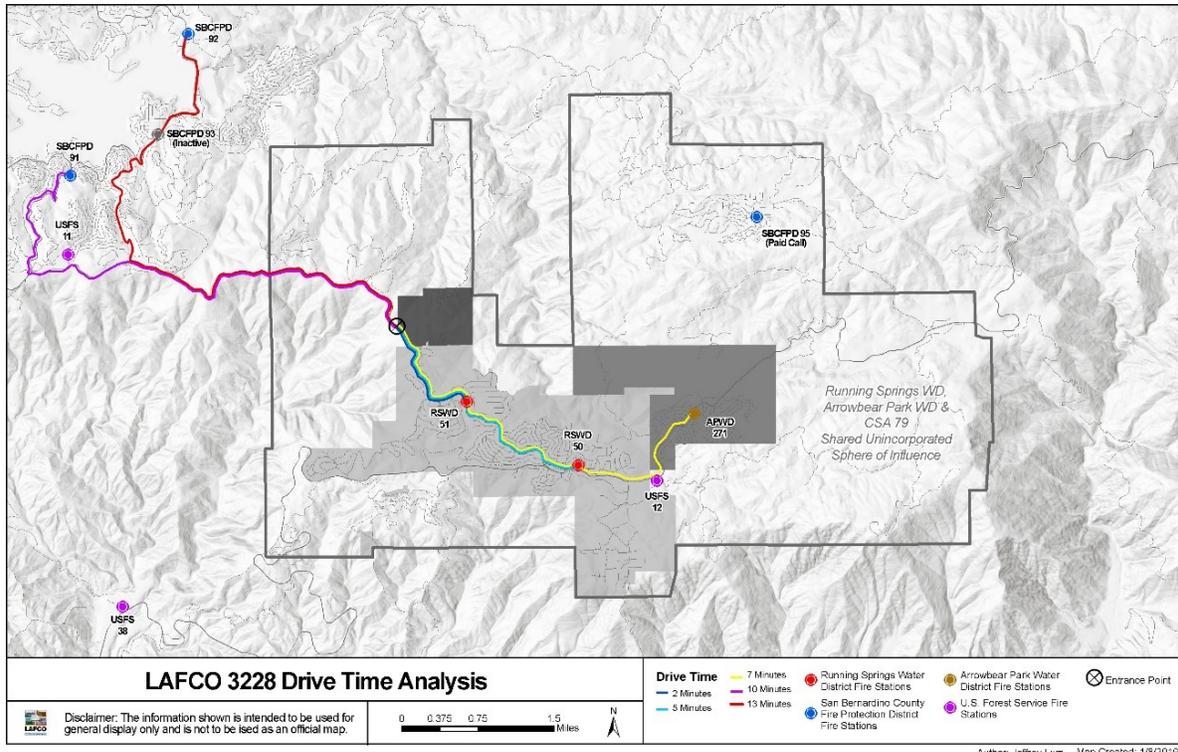
In addition, all agencies have either automatic and/or mutual aid agreements with CALFIRE and/or the U.S. Forest Service, whose jurisdictions overlap the communities in and around the mountain area. Wildland fire protection for State Responsibility lands, as outlined in its Cooperative Agreement with CALFIRE, is provided by the U.S. Forest Service. Equipment available through the U.S. Forest Service include Type 3 and 4 engines, water tenders, helicopters, bulldozers, air tankers, heli-tankers and both hot-shot and standard hand crews.

*Hilltop Community*

Fire Service within the general Hilltop Community (Running Springs, Arrowbear, and Green Valley Lake) is provided by County Fire and its Mountain Service Zone, the District, and Arrowbear Park County Water District.



As part of its review, LAFCO staff made a simple analysis of the drive times from existing fire stations to the reorganization area. Both Running Springs Water District's Stations 51 and 50 can generally respond to the campsite in 2 minutes and 5 minutes respectively. Arrowbear Park County Water District can generally respond in 7 minutes from its Station 271. County Fire can generally respond in 10 minutes from its Station 91 and 13 minutes from its Station 92. Response from all other stations will be over 15 minutes.



### County Fire and its Mountain Service Zone

County Fire provided a response to LAFCO's request for information regarding fire protection and emergency medical response calls to the reorganization area. It identified that the following fire stations would respond:

Fire Station	Equipment	Staffing
Station 91 – Lake Arrowhead	1 Type I engine (typical) 1 Heavy Rescue 1 Brush Patrol 1 Snowcat 1 Utility Vehicle 1 Ambulance	3 suppression personnel     1 paramedic and 1 EMT
Station 92 – Lake Arrowhead	1 Type 2 engine	3 suppression personnel

Station 94 – Lake Arrowhead	1 Type I engine 1 Ambulance	3 suppression personnel 1 paramedic and 1 EMT
Station 25 – Crestline	1 Type I engine (typical) 1 Type 3 engine 1 Ambulance	3 suppression personnel 1 paramedic and 1 EMT
Station 26 – Twin Peaks	1 Type I engine (typical) 1 Type 1 OES engine 1 Ambulance	3 suppression personnel 1 paramedic and 1 EMT
Station 96 – Fawnskin	1 Type I engine (typical) 1 Type 2 Rescue 1 Snowcat	3 suppression personnel

County Fire identified that it has a Battalion Chief providing 24-hour command presence. It also identified that additional personnel are available in a cross staffing configuration as well as multiple handcrews and bulldozers located in the Devore area fire station. No incident data was provided by County Fire. However, it did acknowledge that all calls related to the Pali Mountain campsite area have been medical in nature.

Running Springs Water District

The District provided a response to LAFCO’s request for information regarding fire protection and emergency medical response calls to the reorganization area. Below is the information related to its fire stations:

<b>Fire Station</b>	<b>Equipment</b>	<b>Staffing</b>
Station 50	1 Type I engine 1 squad with extrication equipment 2 Ambulances	3 personnel 1 Captain/paramedic  1 firefighter/paramedic and 1 PCF
Station 51	1 Type I engine 2 Type 3 brush engines 1 Ambulance	3 CALFIRE personnel 1 firefighter/paramedic and 1 PCF

The District identified that under a cooperative agreement with CALFIRE, CALFIRE personnel are assigned to a brush engine. All other equipment at Stations 50 and 51 are cross staffed by District personnel for specific call type. The District also has 20 Paid Call Firefighters available to augment staffing needs.

The District provided a listing of all its calls from 2008 through 2018 to the Pali Mountain campsite (included as part of Attachment #4). Of all 65 calls, 96 percent were medical related. No calls were fire related.

### Other Mountain Service Providers:

Arrowbear Park County Water District provides fire protection and emergency medical response services to the Arrowbear community with a volunteer Fire Department. Currently, there is a fire chief, an engineer, and 10 volunteer fire fighters. The Big Bear Fire Authority is a joint powers authority formed in July 2012 between the Big Bear Lake Fire Protection District and the Big Bear City Community Services District serving the City of Big Bear Lake and the unincorporated communities of Big Bear City, Moonridge, and Sugarloaf. It operates with 4 stations with a minimum staffing of 13 personnel per shift with a Battalion Chief providing command and control.

### **Fire Protection**

#### Fire Protection Prior to Annexation

Fire services are currently provided by County Fire and its Mountain Service Zone. Since the fire service providers are signatories to the State of California Master Mutual Aid Plan, through its Mutual Aid System, the Running Springs Water District is first on-scene for fire services to the campsite due to the proximity of its stations. Any additional resources from County Fire will respond, if necessary.

#### Fire Protection Following Annexation

Upon completion of the reorganization, the area would be detached from County Fire and its Mountain Service Zone, and the District would assume responsibility for fire protection services to the area. The District will continue to be first on-scene and if the need arises for additional support, the District can request for mutual aid assistance and County Fire or any of the other Zone 3 agencies will respond, including CALFIRE and/or the U.S. Forest Service.

### **Emergency Medical Response**

#### Emergency Medical Response Prior to Annexation

Currently, emergency medical response services are provided by County Fire and its Mountain Service Zone. Since the fire service providers are signatories to the State of California Master Mutual Aid Plan, through its Mutual Aid System, the Running Springs Water District is first on-scene for emergency medical response services to the camp due to the proximity of its stations. Any additional resources from County Fire will respond, if necessary.

#### Emergency Medical Response Following Annexation

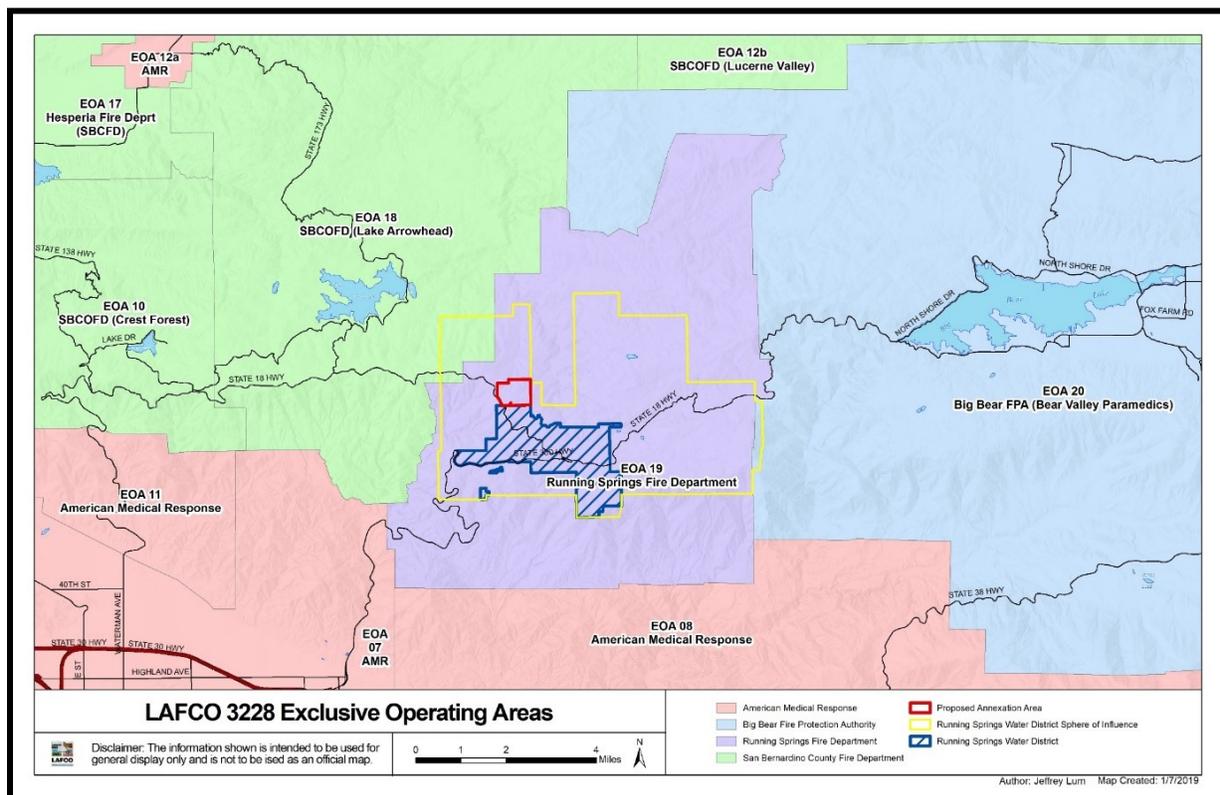
Upon completion of the reorganization, the area would be detached from County Fire and its Mountain Service Zone, and the District would assume responsibility for

emergency medical response to the area. The District will continue to be first on-scene and if the need arises for additional support, the District can request for mutual aid assistance and County Fire or any of the other Zone 3 agencies will respond, including CALFIRE and/or the U.S. Forest Service.

## Ambulance

### Ambulance Service Prior to Annexation

Ambulance service is currently provided by the District, as it is assigned Exclusive Operating Area (“EOA”) 19 by the Inland Counties Emergency Medical Agency (ICEMA). The map below shows all the EOAs located in and around the area, which identifies the District’s EOA (EOA 19) in purple, the boundaries of the District in blue hatching and the annexation area in red outline.



The Running Springs Water District is required to provide ambulance service within its EOA as defined by the memorandum of agreement with ICEMA. The District’s EOA goes beyond its actual boundaries; therefore, the District is required to provide ambulance services to the EOA area outside of its boundaries.

### Ambulance Service Following Annexation

There will be no change in the ambulance service provider as a result of approval of LAFCO 3228, whether fire protection and emergency medical response remains with County Fire or transfers to the District, since the area being considered is already within EOA 19, which is the District's EOA.

### Dispatch

#### Dispatch Service Prior to Annexation

Both the District and County Fire is dispatched by CONFIRE, which as stated above is the dispatch center for numerous fire agencies within San Bernardino County. The CONFIRE JPA membership includes County Fire, the Cities of Colton, Loma Linda, Redlands, Rialto, and Rancho Cucamonga Fire Departments. CONFIRE also provides dispatch services to Running Springs Water District, Apple Valley Fire Protection District, Big Bear Fire Authority, San Manuel, Montclair, Baker Ambulance, and the San Bernardino County Transportation/Flood Control Department by contract.

CONFIRE is also the dispatch center for all mutual aid needs for operational area Zone 3 (mountain region). It also functions as the operational area dispatch for the County of San Bernardino in coordinating mutual aid needs within the county and processing mutual aid requests to and from the Region VI Office of Emergency Services Operations Center.

#### Dispatch Service Following Annexation

There will be no change in the dispatch service as a result of approval of LAFCO 3228, since both agencies are dispatched by CONFIRE, who is also responsible for coordinating mutual aid needs for the area.

### **CONCLUSION:**

The property owner requested that the District submit an application to annex the entire camp property in order for the property owner to save on its outside sewer service costs.

LAFCO staff supports the annexation proposal as this annexation to Running Springs Water District was a request made by the property owner. In addition, the reorganization area is wholly within the Running Springs Water District's sphere of influence and has been within its sphere of influence since at least 1976. As identified during the County Fire Reorganization, the County—on behalf of County Fire—outlined its intent not to “object to” other fire service providers annexing areas within their respective spheres of influence as long as the normal property tax transfer takes place. This proposal did go through the normal property tax transfer process that was approved by the County Board of Supervisors.

Finally, with regard to the fire and emergency medical response services, there will be no change in service as a result of the reorganization since the District will continue to be first on-scene due to the proximity of its stations and if the need arises for additional support, the District can always request for mutual aid assistance and County Fire or any of the other mountain region fire entities will respond, including CALFIRE and/or the U.S. Forest Service.

Therefore, LAFCO staff is recommending that the Commission approve LAFCO staff's original recommendation for LAFCO 3228 as outlined in the staff report dated October 10, 2018 (included as Attachment #8 to this report), which includes:

1. For environmental review, certify that LAFCO 3228 is statutorily exempt from the provisions of the California Environmental Quality Act, and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3228, with the condition for the "hold harmless" clause for potential litigation costs, continuation of fees, charges, assessments, etc.;
3. Waive protest proceedings—as permitted by Government Code Section 56662(d)—with 100% landowner consent to the reorganization; and,
4. Adopt the revised LAFCO Resolution No. 3278 (included as Attachment #9), setting forth the Commission's determinations and conditions of approval concerning LAFCO 3228.

However, if the Commission wishes to move forward with the annexation but leave fire and emergency medical response with County Fire, then the Commission can move forward and approve LAFCO 3228 without the detachment from County Fire and its Mountain Service Zone.

Should the Commission modify the proposal, a renegotiation of property tax transfer may be requested by any of the affected agencies. Such a renegotiation process is outlined in Section 99(b)(7) of the Revenue and Taxation Code:

*In the event that the commission modifies the proposal or its resolution of determination, any local agency whose service area or service responsibility would be altered by the proposed jurisdictional change may request, and the executive officer shall grant, 30 days for the affected agencies, pursuant to paragraph (4) to renegotiate an exchange of property tax revenues. Notwithstanding the time period specified in paragraph (4), if the resolutions required pursuant to paragraph (6) are not presented to the executive officer within the 30-day period, all proceedings of the jurisdictional change shall automatically be terminated.*

If requested, LAFCO staff will work with the affected parties to assure the completion of the renegotiation within the mandatory 30-day period.

As for the Commission, in order to move forward with this option, it will need to take the following actions:

1. Modify LAFCO 3228 by removing the detachment from the San Bernardino County Fire Protection District and its Mountain Service Zone; and,
2. Continue the modified proposal to the March 20, 2019 hearing following completion of the renegotiation of property tax transfer and adoption of the revised property tax resolution by the County Board of Supervisors.

Then, at the March 20, 2019 hearing, the Commission would formally approve the modified proposal by taking the following actions:

1. For environmental review, certify that LAFCO 3228, as modified, is statutorily exempt from the provisions of the California Environmental Quality Act, and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3228, as modified – Annexation to the Running Springs Water District, with the following determination/conditions:
  - a) Determination: The San Bernardino County Fire Protection District and its Mountain Service Zone, both of which will continue to overlay the annexation area, will remain the responsible agency for fire protection and emergency medical response; and,
  - b) The standard LAFCO conditions including the “hold harmless” clause for potential litigation costs, continuation of fees, charges, assessments, etc.
3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the reorganization; and,
4. Adopt LAFCO Resolution No. 3278, setting forth the Commission’s determinations and conditions of approval concerning LAFCO 3228, as modified.

Attachments:

1. [County Fire’s Letter Response to LAFCO 3228 Dated June 25, 2018](#)
2. [LAFCO Letter Dated December 13, 2018 Requesting Information from Running Springs Water District and County Fire](#)
3. [County Fire’s Response Dated December 19, 2018](#)
4. [Running Springs Water District’s Response Dated December 26, 2018](#)

5. [San Bernardino County's Response Letter related to the County Fire Reorganization Dated June 12, 2006](#)
6. [Running Springs Water District Sphere of Influence Map circa 1976](#)
7. [Board of Supervisors Property Tax Transfer Resolution No. 2018-141](#)
8. [LAFCO 3228 Staff Report Dated October 10, 2018](#)
9. [Draft Resolution No. 3278](#)

**County Fire's Letter Response to  
LAFCO 3228 Dated June 25, 2018**

**Attachment 1**



# SAN BERNARDINO COUNTY FIRE DISTRICT

RECEIVED

2018 JUN 25 PM 4:26 INTEROFFICE MEMO

DATE: June 25, 2018 LOCAL AGENCY INFORMATION COMMISSION PHONE: 909-387-5975

FROM: John Chamberlin, Deputy Chief *[Signature]* MAIL CODE: 0451

TO: LAFCO Commission

**SUBJECT: Proposed LAFCO File #3227 Running Springs Water (Nob Hill)**

It has come to the attention of the San Bernardino County Fire Protection District that action has been requested to place 234 acres +/-, of APN #'s 0328-042-13, 0328-042-15, 0328-042-016 and 0328-042-17 into annexation of Running Springs Water District.

In addition, LAFCO staff has proposed to modify the boundary to include APN #'s 0328-042-06 and 0328-042-08.

The San Bernardino County Fire Protection District does not provide for water or sewer services in the area. It is our understanding that this was the fundamental request for the annexation. However, the San Bernardino County Fire Protection District does provide fire, rescue and EMS services as part of the San Bernardino County Fire Protection District.

Typically, any EMS based response would come from the Running Springs Fire Department as the closest available ambulance in EOA #19. The San Bernardino County Fire Protection District in turn offers a "cover" resource to provide for the constituents in Running Springs in the absence of the resource they pay for. Any fire based response however, receives a plethora of San Bernardino County Fire Protection District assets. These include technical rescue, hand crews, bulldozer, fire engines, snowcats, helicopters, and overhead personnel to name some.

Since the San Bernardino County Fire Protection District is a based on a regionalized service delivery model, it's makeup is driven by revenue under the district's boundaries. Any reallocation of this revenue related to the "Mountain Service Zone" as proposed, will have an outcome in a negative way to the San Bernardino County Fire Protection District in its overall regional approach to service delivery.

As is currently occurring, the San Bernardino County Fire Protection District supports Running Springs Fire Department's ambulance response to the area, and does not contest it's billing and revenue collection to provide for those services. We do not anticipate any shift or additional resource deployment by the Running Springs Fire Department related to this annexation and believe that it is not in the best interest of the constituents of the area, in relation to emergency services rendered, and would potentially harm the regionalized model that the constituents currently receive.

**LAFCO Letter Dated  
December 13, 2018  
Requesting Information from  
Running Springs Water  
District and County Fire**

**Attachment 2**



# LAFCO

## Local Agency Formation Commission for San Bernardino County

1170 West 3rd Street, Unit 150  
San Bernardino, CA 92415-0490  
909.386.0480 | Fax: 909.386.0481  
lafco@lafco.sbcounty.gov  
www.sbcoletico.org

### COMMISSIONERS

JIM BAGLEY  
Public Member

KIMBERLY COX  
Special District

JAMES V. CURATALO, Vice Chair  
Special District

ROBERT A. LOVINGOOD  
Board of Supervisors

LARRY McCALLON  
City Member

*Vacant*  
Board of Supervisors

DIANE WILLIAMS  
City Member

### ALTERNATES

LOUISA HOLSTEAD AMIS  
Public Member

STEVEN FARRELL  
Special District

JANICE RUTHERFORD  
Board of Supervisors

ACQUANETTA WARREN  
City Member

### EXECUTIVE OFFICER

SAMUEL MARTINEZ

### LEGAL COUNSEL

PAULA DE SOUSA MILLS

December 13, 2018

George Corley, Fire Chief  
Running Springs Water District  
P.O. Box 2206  
Running Springs, CA 92382

John Chamberlin, Deputy Chief of Administration  
San Bernardino County Fire Protection District  
157 W. 5th Street, 2nd Floor  
San Bernardino, CA 92415-0451

RE: LAFCO 3228 – Request for Incident and Response Data

Dear Chief Corley and Chief Chamberlin:

At its October 17 hearing, the LAFCO Commission continued LAFCO 3228 to its January 16, 2019 hearing to allow more time for the two districts to reach agreement on the delivery of fire and emergency medical services.

On December 6, representatives from both districts met at the LAFCO office to discuss LAFCO 3228. At the meeting LAFCO stated that it would request response data from both districts to the reorganization area.

Please provide responses to the following:

1. Should a fire-related call come from the LAFCO 3228 area, your district would respond from what station(s)?
2. Should an emergency medical call come from the LAFCO 3228 area, your district would respond from what station(s)?
3. At the stations you identify from Questions 1 and 2, what are the current apparatus housed and the minimum number of on-duty personnel assigned to an engine or other response vehicle?
4. Incidents to the LAFCO 3228 area by category with operational response times for each incident, for 2008-2018.

Please provide the information by January 3 in written format to the LAFCO office.

Should you have any questions on this request, please contact me at [smartinez@lafco.sbcounty.gov](mailto:smartinez@lafco.sbcounty.gov) or by the information on this letterhead.

Sincerely,

SAMUEL MARTINEZ  
Executive Officer

SM/MT

cc: Ryan Gross, General Manager, Running Springs Water District  
Mark Hartwig, Chief, San Bernardino County Fire Protection District

**County Fire's Response Dated  
December 19, 2018**

**Attachment 3**



## SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT

157 W 5<sup>th</sup> Street, 2<sup>nd</sup> Floor • San Bernardino, CA 92415-0451 • (909) 387-5974 • Fax (909) 387-5685

Administration  
Headquarters  
sbcfire.org

Mark A. Hartwig  
Fire Chief/Fire Warden

Don Trapp  
Deputy Chief

John Chamberlin  
Deputy Chief

RECEIVED  
JAN 07 2019

LAFCO  
San Bernardino County

December 19<sup>th</sup>, 2018

Sam Martinez, Executive Officer

San Bernardino County LAFCO

1170 W. Third St. #150

San Bernardino, CA. 92415

RE: LAFCO 3228 response

Dear Sam:

In response to your inquiry for additional data and questions for LAFCO 3228, please find the information as the requested to the best of the Fire Districts ability.

- 1) Should a fire-related call come from the LAFCO 3228 area, your district would response from what station(s)?

*The San Bernardino County Fire Protection District would respond with any and all necessary resources available at its disposal to stabilize and ultimately mitigate the emergency. The district staffs 3 fire stations in Lake Arrowhead (Stations 91, 92, 94), 2 in Crestline (Stations 25, 26) and 1 in Fawnskin (Station 96). In addition, the district has 4 stations in relative proximity to the base of the mountain (State Hwy 18 and State Hwy 330 as the access routes) that would also be considered as resources to complete the initial deployment.*

*The district also has immediately available to its disposal multiple handcrews and bulldozers located in the Devore area.*

*These resources would be in addition to any resources provided by mission determined threat to the USFS and CalFire.*

*There is not a current Automatic Aid Agreement in place with Running Springs Fire Department.*

- 2) Should an emergency medical call come from the LAFCO 3228 area, your district would respond from what station(s)?

*The primary EOA related to ambulance response lies with the Runnings Springs Fire Department. As a backup, the ambulance responses from the San Bernardino County Fire Protection District would*

### BOARD OF SUPERVISORS

Robert A. Lovingood  
Chairman, First District

Janice Rutherford  
Second District

James Ramos  
Third District

Curt Hagman  
Vice Chairman  
Fourth District

Josie Gonzales  
Fifth District

Dena Smith  
Interim  
Chief Executive Officer

*come from the geographically closest resources. Typically, Station 91 or 94 (Lake Arrowhead) then Stations 26 or 25 (Crestline) would be the order if all resources were responding from quarters. As the area currently is within the fire district, the response would also be augmented with an engine company from one of the staffed fire stations.*

- 3) At the stations you identify from Questions 1 and 2, what are the current apparatus housed and the minimum number of on-duty personnel assigned to an engine or other response vehicle?

*Station 91: 3 suppression personnel staffing 1 Type 1 engine (Typically), 1 Heavy Rescue, 1 Brush Patrol, 1 snowcat, 1 Utility truck are also available for response with those personnel in a cross staffing configuration*

*Station 92: 3 suppression personnel staffing a Type 2 engine*

*Station 94: 3 suppression personnel staffing a Type 1 engine*

*Station 25: 3 suppression personnel staffing a Type 1 engine (Typically), 1 Type 3 engine in a cross staff configuration*

*Station 26: 3 suppression personnel staffing a Type 1 engine (Typically), also a Type 1 OES engine.*

*Station 96: 3 suppression personnel staffing a Type 1 engine (Typically), a Type 2 Rescue, and a snowcat are available in a cross staffing configuration.*

*An resources coming from the base of the mountain will all be a minimum of 3 personnel and typically a Type 1 engine or truck company or a Medic Squad.*

*Stations 91, 94, 25, 26 each have ambulances with a civilian EMT and Paramedic for 2 total personnel per unit.*

*We also have 24 hour a day command presence in the form of an assigned Battalion Chief, typically based from Fire Station 91.*

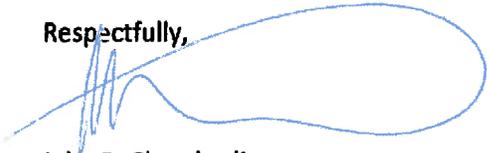
- 4) Incidents to the LAFCO 3228 area by category with operational response times for each incident, 2008-2018.

*Unfortunately, the San Bernardino County Fire Protection District has changed Fire RMS system during this time and the data is not supported for this type of query. To the best working knowledge of the district to this point, the only calls related to this have been medical in nature and those fall into the responsibility of the Running Springs Fire Department.*

In closing, you can see the depth of resources available to continue services to the area(s) affected by LAFCO 3228, by the San Bernardino County Fire Protection District.

Should you have any additional questions or need additional clarification, please feel free to contact me direct at (909) 387-5975 office or [jchamberlin@sbcfire.org](mailto:jchamberlin@sbcfire.org).

Respectfully,



John R. Chamberlin

Deputy Chief of Administration

San Bernardino County Fire Protection District

**Running Springs Water  
District's Response Dated  
December 26, 2018**

**Attachment 4**



RUNNING SPRINGS FIRE DEPARTMENT

"SERVICE TO THE COMMUNITY"

31250 Hilltop Boulevard • P.O. Box 2206

Running Springs, CA 92382

George Corley, Fire Chief

RECEIVED

2018 JAN -2 AM 11:26

LOCAL AGENCY  
FORMATION COMMISSION

December 26, 2018

Samuel Martinez, Executive Officer  
Local Agency Formation Commission  
1170 West 3<sup>rd</sup>. Street, Unit 150  
San Bernardino, CA 92415-0490

RE: LAFCO 3228- Request for Incident and Response Data

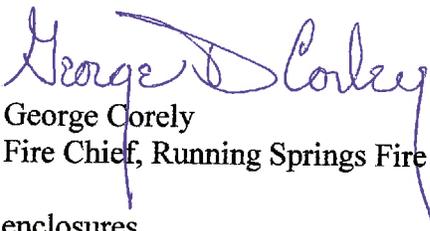
Dear Mr. Martinez,

Below are the responses to the following questions concerning Incident and Response Data requested for LAFCO 3228:

1. Should a fire-related call come from the LACFO 3228 area, your district would respond from what station(s)?
  - a. Station 50 – 32150 Hunsaker Way, Running Springs
  - b. Station 51 – 31250 Hilltop Blvd, Running Springs
2. Should an emergency medical call come from the LAFCO 3228 area, your district would respond from what station(s)?
  - a. Station 50 – 32150 Hunsaker Way, Running Springs
  - b. Station 51 – 31250 Hilltop Blvd, Running Springs
3. At the stations you identify from the Questions 1 and 2, what are the current apparatus housed and the minimum number of on-duty personnel assigned to an engine or other response vehicle?
  - a. Station 50 Apparatus/Equipment:
    - i. 1 Type I Fire Engine, 1 Squad with Extrication Equipment, 2 Ambulances
  - b. Station 50 On-Duty Personnel assigned to Equipment:
    - i. 3- Personnel on 24hrs
    - ii. 1- Fulltime Captain/Paramedic – assigned to Squad
    - iii. 1- Fulltime Firefighter/Paramedic and 1-Paid Call Firefighter (PCF) assigned to Ambulance
    - iv. All other equipment is cross staffed for specific Call Types.
    - v. 20 Person PCF Staff available to Augment Staffing when needed.
  - c. Station 51 Apparatus/Equipment:
    - i. 1- Type I Fire Engine, 2 Type III/Brush Engines, 1- Ambulance
  - d. Station 51 On-Duty Personnel assigned to Equipment:
    - i. 3- Firefighter Personnel from Cal Fire on 24hrs.- assigned to Brush Engine
      1. Cal Fire is under a cooperator agreement with Running Springs Fire and is assigned to all incidents within Running Springs Jurisdiction.

- ii. All other Equipment housed at Station 51 is cross staffed by RSFD Personnel for specific Call Types.
4. Incidents to the LAFCO 3228 area by category with operational response times for each incident, for 2008-2018.
  - a. Please find the response data for LAFCO 3228 attached to letterhead.

Sincerely,

  
George Corely  
Fire Chief, Running Springs Fire Department

enclosures



## RUNNING SPRINGS FIRE DEPARTMENT

"SERVICE TO THE COMMUNITY"

31250 Hilltop Boulevard • P.O. Box 2206  
Running Springs, CA 92382

Listed below are the Pali Mountain calls we have responded to since 2008.

### 2008 – 15 calls

1/23/08 – run #72	Traffic Collision	Call time – 15:43	Response time – 13 minutes
2/01/08 – run #97	Medical Aid	Call time – 16:22	Response time – 11 minutes
3/09/08 – run #198	Medical Aid	Call time – 09:03	Response time – 7 minutes
3/25/08 – run #222	Medical Aid	Call time – 18:03	Response time – 10 minutes
3/27/08 – run #225	Medical Aid	Call time – 14:36	Response time – 8 minutes
4/05/08 – run #240	Medical Aid	Call time – 22:59	Response time – 9 minutes
6/30/08 – run #402	Medical Aid	Call time – 00:39	Response time – 12 minutes
7/02/08 – run #407	Medical Aid	Call time – 09:23	Response time – 7 minutes
7/20/08 – run #442	Medical Aid	Call time – 20:24	Response time – 7 minutes
7/27/08 – run #459	Medical Aid	Call time – 14:08	Response time – 7 minutes
8/30/08 – run #534	Medical Aid	Call time – 18:31	Response time – 8 minutes
8/30/08 – run #535	Medical Aid	Call time – 19:54	Response time – 6 minutes
11/22/08 – run #706	Medical Aid	Call time – 19:11	Response time – 7 minutes
12/16/08 – run #755	Medical Aid	Call time – 14:36	Response time – 9 minutes
12/29/08 – run #823	Medical Aid	Call time – 13:26	Response time – 10 minutes

### 2009 – 2 calls

7/08/09 – run #400	Medical Aid	Call time – 13:10	Response time – 8 minutes
7/21/09 – run #433	Investigation	Call time – 11:45	Response time – 5 minutes

### 2010 – 4 calls

3/12/10 – run #212	Medical Aid	Call time – 14:28	Response time – 8 minutes
4/29/10 – run #306	Medical Aid	Call time – 21:45	Response time – 9 minutes
8/04/10 – run #474	Medical Aid	Call time – 07:08	Response time – 9 minutes
10/22/10 – run #629	Medical Aid	Call time – 20:07	Response time – 8 minutes

### 2011 – 5 calls

4/08/11 – run #17	Medical Aid	Call time – 10:38	Response time – 6 minutes
5/11/11 – run #230	Medical Aid	Call time – 10:38	Response time – 6 minutes
8/27/11 – run #407	Medical Aid	Call time – 14:59	Response time – 6 minutes
10/22/11 – run #504	Medical Aid	Call time – 21:32	Response time – 7 minutes
11/05/11 – run #528	Medical Aid	Call time – 20:32	Response time – 12 minutes

**2012 – 2 calls**

2/19/12 – run #114	Medical Aid	Call time – 09:33	Response time – 7 minutes
7/11/12 – run #389	Medical Aid	Call time – 19:42	Response time – 6 minutes

**2013 – 6 calls**

6/23/13 – run #418	Medical Aid	Call time – 12:32	Response time – cancelled
7/02/13 – run #444	Medical Aid	Call time – 13:05	Response time – 8 minutes
8/16/13 – run #564	Medical Aid	Call time – 11:49	Response time – 8 minutes
8/16/13 – run #565	Medical Aid	Call time – 23:00	Response time – 5 minutes
9/01/13 – run #605	Medical Aid	Call time – 19:17	Response time – 8 minutes
12/29/13 – run #814	Medical Aid	Call time – 00:29	Response time – 9 minutes

**2014 – 1 call**

5/2/2014 – run #287	Medical Aid	Call time – 17:11	Response time – cancelled
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**2015 – 7 calls**

3/25/15 – run #233	Medical Aid	Call time – 10:03	Response time – 7 minutes
6/22/15 – run #457	Medical Aid	Call time – 16:18	Response time – 9 minutes
6/24/15 – run #465	Medical Aid	Call time – 21:47	Response time – 9 minutes
6/25/15 – run #469	Medical Aid	Call time – 21:44	Response time – 12 minutes
7/08/15 – run #508	Medical Aid	Call time – 21:52	Response time – 7 minutes
7/16/15 – run #521	Medical Aid	Call time – 23:44	Response time – 11 minutes
10/12/15 – run #778	Medical Aid	Call time – 18:55	Response time – 6 minutes

**2016 – 5 calls**

4/26/16 – run #348	Medical Aid	Call time – 16:56	Response time – 7 minutes
5/19/16 – run #403	Medical Aid	Call time – 21:41	Response time – 10 minutes
8/05/16 – run #621	Medical Aid	Call time – 11:34	Response time – 7 minutes
11/04/16 – run #839	Medical Aid	Call time – 00:22	Response time – 8 minutes
11/09/16 – run #846	Medical Aid	Call time – 04:02	Response time – 13 minutes

**2017 – 11 calls**

2/04/17 – run #173	Medical Aid	Call time – 12:30	Response time – 1 minute
3/18/17 – run #285	Traffic Collision	Call time – 15:16	Response time – cancelled
5/09/17 – run #391	Medical Aid	Call time – 14:45	Response time – 6 minutes
5/11/17 – run #395	Medical Aid	Call time – 16:56	Response time – 7 minutes
5/25/17 – run #432	Medical Aid	Call time – 09:35	Response time – 6 minutes
7/10/17 – run #568	Medical Aid	Call time – 14:03	Response time – 14 minutes
8/05/17 – run #658	Medical Aid	Call time – 13:24	Response time – 7 minutes
8/09/17 – run #678	Medical Aid	Call time – 15:09	Response time – 3 minutes
8/30/17 – run #722	Medical Aid	Call time – 16:25	Response time – 8 minutes
10/21/17 – run #873	Medical Aid	Call time – 17:42	Response time – 12 minutes
11/13/17 – run #921	Medical Aid	Call time – 16:10	Response time – 8 minutes

**2018 – 7 calls**

1/22/18 – run #78	Medical Aid	Call time – 17:54	Response time – 11 minutes
3/19/18 – run #243	Medical Aid	Call time – 12:31	Response time – 7 minutes
5/26/18 – run #390	Medical Aid	Call time – 20:20	Response time – 9 minutes
6/08/18 – run #415	Medical Aid	Call time – 06:16	Response time – 12 minutes
6/1/18 – run #429	Medical Aid	Call time – 09:28	Response time – 11 minutes
6/20/18 – run #442	Medical Aid	Call time – 11:11	Response time – 6 minutes
11/15/18 – run #867	Medical Aid	Call time – 16:21	Response time - cancelled

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2008} And {12/31/2008}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
08-0000072-000	01/23/2008	15:43:00	30778 State Hwy 18	322 Motor vehicle accident with
08-0000097-000	02/01/2008	16:22:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000198-000	03/09/2008	09:03:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000222-000	03/25/2008	18:03:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000225-000	03/27/2008	14:36:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000240-000	04/05/2008	22:59:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000402-000	06/30/2008	00:39:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000407-000	07/02/2008	09:23:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000442-000	07/20/2008	20:24:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000459-000	07/27/2008	14:08:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000534-000	08/30/2008	18:31:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000535-000	08/30/2008	19:54:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000706-000	11/22/2008	19:11:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000755-000	12/16/2008	14:36:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
08-0000823-000	12/29/2008	13:26:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other

Total Incident Count 15

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2009} And {12/31/2009}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
09-0000400-000	07/08/2009	13:10:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
09-0000433-000	07/21/2009	11:45:00	30778 State Hwy 18 /Pali	651 Smoke scare, odor of smoke
Total Incident Count		2		

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2010} And {12/31/2010}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
10-0000212-000	03/12/2010	14:28:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
10-0000306-000	04/29/2010	21:45:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
10-0000474-000	08/04/2010	07:08:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
10-0000629-000	10/22/2010	20:07:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
Total Incident Count			4	

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2011} And {12/31/2011}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
11-0000177-000	04/08/2011	14:41:00	30778 State Hwy 18 /Pali	611 Dispatched & cancelled en ro
11-0000230-000	05/11/2011	10:38:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
11-0000407-000	08/27/2011	14:59:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
11-0000504-000	10/22/2011	21:32:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
11-0000528-000	11/05/2011	20:32:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other

Total Incident Count 5

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2012} And {12/31/2012}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
12-0000114-000	02/19/2012	09:33:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
12-0000389-000	07/11/2012	19:42:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
Total Incident Count		2		

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2013} And {12/31/2013}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
13-0000418-000	06/23/2013	12:32:00	30778 State Hwy 18	611 Dispatched & cancelled en ro
13-0000444-000	07/02/2013	13:05:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
13-0000564-000	08/16/2013	11:49:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
13-0000565-000	08/16/2013	23:00:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
13-0000605-000	09/01/2013	19:17:00	30778 State Hwy 18	300 Rescue, EMS incident, other
13-0000814-000	12/29/2013	00:29:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other

Total Incident Count 6

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2014} And {12/31/2014}  
and District = "PALI "

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Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
14-0000287-000	05/22/2014	17:11:00	30778 State Hwy 18 /Pali	611 Dispatched & cancelled en ro

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Total Incident Count        1

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2015} And {12/31/2015}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
15-0000233-000	03/25/2015	10:03:00	30778 State Hwy 18	322 Motor vehicle accident with
15-0000457-000	06/22/2015	16:18:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
15-0000465-000	06/24/2015	21:47:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
15-0000469-000	06/25/2015	21:44:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
15-0000508-000	07/08/2015	21:52:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
15-0000521-000	07/16/2015	23:44:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
15-0000778-000	10/12/2015	18:55:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other

Total Incident Count 7

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2016} And {12/31/2016}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
16-0000348-000	04/26/2016	16:56:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
16-0000403-000	05/19/2016	21:41:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
16-0000621-000	08/05/2016	11:34:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
16-0000839-000	11/04/2016	00:22:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
16-0000846-000	11/09/2016	04:02:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
Total Incident Count			5	

**Running Springs Fire Department**

**Incident List by Street Address**

**Alarm Date Between {01/01/2017} And {12/31/2017}  
and District = "PALI "**

<b>Incident-Exp#</b>	<b>Alm Date</b>	<b>Alm Time</b>	<b>Location</b>	<b>Incident Type</b>
17-0000173-000	02/04/2017	12:30:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000285-000	03/18/2017	15:16:00	30778 State Hwy 18	611 Dispatched & cancelled en ro
17-0000391-000	05/09/2017	14:45:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000395-000	05/11/2017	16:56:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000432-000	05/25/2017	09:35:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000568-000	07/10/2017	14:03:00	30778 State Hwy 18 /Pali	611 Dispatched & cancelled en ro
17-0000658-000	08/05/2017	13:24:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000675-000	08/09/2017	15:09:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000722-000	08/30/2017	16:25:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000921-000	11/13/2017	16:10:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
17-0000873-000	10/21/2017	17:42:00	30788 State Hwy 18 /Pali	300 Rescue, EMS incident, other

**Total Incident Count      11**

Running Springs Fire Department

Incident List by Street Address

Alarm Date Between {01/01/2018} And {12/31/2018}  
and District = "PALI "

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
18-0000078-000	01/22/2018	17:54:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
18-0000243-000	03/19/2018	12:31:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
18-0000390-000	05/26/2018	20:20:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
18-0000415-000	06/08/2018	06:16:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
18-0000429-000	06/16/2018	09:28:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
18-0000442-000	06/20/2018	11:11:00	30778 State Hwy 18 /Pali	300 Rescue, EMS incident, other
18-0000867-000	11/15/2018	16:21:00	30778 State Hwy 18 /Pali	611 Dispatched & cancelled en ro
Total Incident Count			7	

**San Bernardino County's Response  
Letter related to the County Fire  
Reorganization Dated June 12, 2006**

**Attachment 5**

# INTEROFFICE MEMO

DATE June 12, 2006

PHONE 387-4532



FROM *Norman Kanold*  
**NORMAN A. KANOLD**, Assistant County Administrator  
 Public and Support Services Group

County of San Bernardino  
**RECEIVED**  
 JUN 13 2006

TO **KATHLEEN ROLLINGS-MC DONALD**  
 Local Agency Formation Commission

**LAFCO**  
 San Bernardino County

**SUBJECT REQUESTED INFORMATION: LAFCO 3000 (COUNTY FIRE DISTRICTS REORGANIZATION) AND LAFCO 3001 (SPHERE OF INFLUENCE)**

Please refer to your memorandum to me dated March 3, 2006 on this subject.

The following responses are provided with respect to the issues raised in your March 3<sup>rd</sup> memorandum. The responses are presented in the sequence outlined in that memorandum:

## 1. LAFCO 3001-Sphere of Influence Amendments.

- a. No response required.
- b. The official position of the County regarding service areas that have been Included in the reorganized County Fire Protection District's sphere but which also lie within an existing independent fire agency's sphere of influence is as follows:

This is a temporary measure to ensure that all unincorporated areas of the County are served by a fire protection agency. Unincorporated areas within another fire agency's sphere of influence, as a general rule, are already served by the County Fire Department so this should not represent a real change. Where such overlapping sphere areas are created as a result of this reorganization, the County shall be considered the "secondary" fire protection agency and the existing fire protection agency shall be considered the "primary" agency. It is not the intent of the County Fire Department to object to the primary agency annexing areas within its sphere of influence in the future, with the normal property tax transfers taking place.

- c. No response required.

## 2. LAFCO 3000-County Fire Districts Reorganization

- a. No response required.
- b. In an effort to expedite processing LAFCO 3000, the County desires to amend its application to exclude sovereign Indian lands within the County as fire protection activities in these areas are primarily a tribal responsibility. Areas within the County's proposed reorganization where fire protection services to tribal lands are provided are limited. The

Department will continue to provide fire protection services under contract with the appropriate tribal communities where districts currently overlay tribal lands. The County Fire Department will coordinate with the County Surveyor and LAFCO to order revised maps of the proposed Sphere area for LAFCO 3001 and LAFCO 3000.

- c. Comments received
  - i. No response required.
  - ii. No response required.
  - iii. No response required.
  - iv. No response required.
  - v. See **Attachment A**, "Historic Property Tax Splits in Multi-Service Districts."
- d. Additional information: San Sevaine Redevelopment Area. See **Attachment B**, "Requested San Sevaine Redevelopment Area Information."
- e. Additional information: Line item budget detail for the proposed reorganized fire protection district and all of its improvement districts, for FY 1005/06, FY 2006/07, and FY 2007/08.

The application already includes projected budgets for the reorganized parent district and all of its improvement districts for each of the three years requested. The budgets are displayed by series totals (i.e. Salaries & Benefits, Services & Supplies, etc.) as they appear in the County and Special Districts budget books. The methodology used was to essentially combine the budgets of the various districts lying within the proposed improvement district boundaries into consolidated improvement district budgets, based on past, current, and projected staffing. The special tax improvement district budgets were predicated on current and projected increases in special taxes. The CSA 70 budget was essentially transformed into the "Fire Administration" budget. As I discussed with you, to transform these budgets into individual line item budgets with individual narrative explanations of each object code would involve a tremendous amount of work and would, I think, add little to LAFCO's overall analysis of the proposal. The effort would not be particularly helpful for FY 2005/06, as the fiscal year is now at an end, nor for FY 2007/08, which would be a speculative exercise. However, as we discussed we can develop a fairly realistic line-item budget for FY 2006/07. Fire Department staff have just completed the proposed budget for FY 2006/07 based on the existing district organization, and can convert the object code budgets into the reorganized district budgets to produce a realistic picture of how the new district operation would function. We will proceed to prepare this document and will forward it to you under separate cover within the next several weeks.

- f. Additional information: CSA 38 Budget. See **Attachment C**, "CSA 38 Budget Allocation Methodology."
- g. It is the intent of the County's proposal to retain the historic share of ad valorem property tax revenue received by County Service Area 70 (CSA-70/Fire Administration) when its fire powers are removed to help offset the costs of centralized administration within the newly-proposed San Bernardino County Fire Protection District. The property tax amounts currently dedicated to CSA 70 within its tax rate areas that do not overlay other

fire protection agencies will be transferred directly to the new fire protection district when the County processes the negotiated tax transfer required by Section 99.1 of the California Revenue and Taxation Code. The property tax amounts currently dedicated to CSA 70 within tax rate areas that do overlay other fire protection districts will be earmarked and transferred to a separate County General Fund account each year, where they will be appropriated and transferred to the new fire protection district budget to support the "Administration" budget. This funding arrangement is the stated intent of the Board in its application for reorganization, and it would not serve future Boards any useful purpose to undo the arrangement in order to divert the revenue stream to another purpose as that would create a new funding crisis for the County Fire Department. No new property tax revenue is anticipated to be received from newly-annexed areas to the fire protection district.

- h. Additional information: Special tax/assessment amounts of current districts. See **Attachment D**, "Special Taxes & Assessments to be Transferred to Successor Improvement Districts."
- i. No response required.

Please contact me if you have any questions with the responses outlined in this memorandum.

NAK:smj

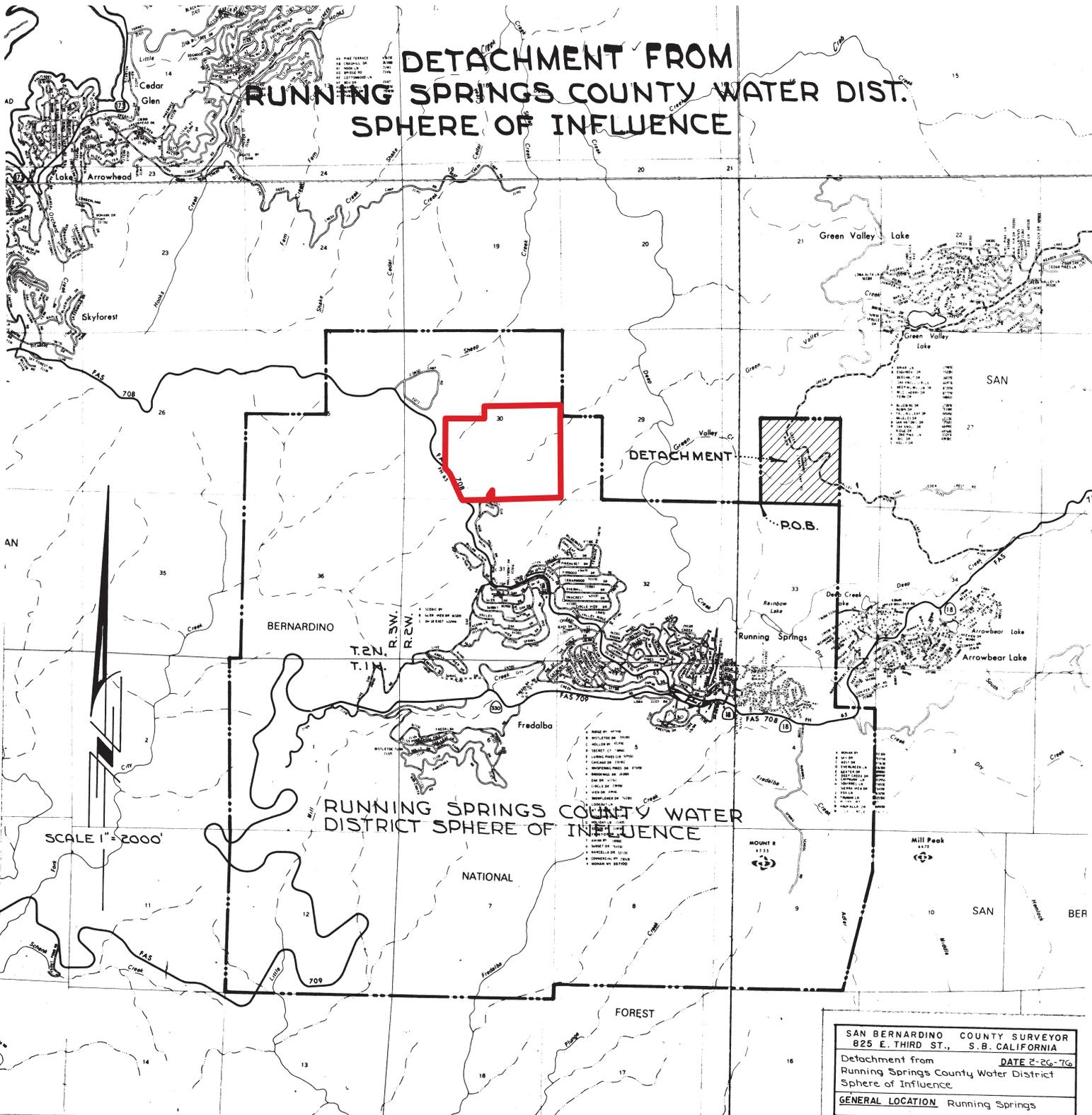
Attachments (4)

cc: Patrick Dennen  
Dan Wurl  
Chiefs of Staff  
Wayne Thies

**Running Springs Water  
District Sphere of Influence  
Map circa 1976**

**Attachment 6**

# DETACHMENT FROM RUNNING SPRINGS COUNTY WATER DIST. SPHERE OF INFLUENCE



DETACHMENT

P.O.B.

RUNNING SPRINGS COUNTY WATER  
DISTRICT SPHERE OF INFLUENCE

SCALE 1" = 2000'

SAN BERNARDINO COUNTY SURVEYOR  
825 E. THIRD ST., S.B. CALIFORNIA  
Detachment from Running Springs County Water District  
Sphere of Influence. DATE 2-26-76.  
GENERAL LOCATION Running Springs

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- 40. BOUNDARY OF 1870

**Board of Supervisors Property Tax  
Transfer Resolution No. 2018-141**

**Attachment 7**

**RESOLUTION NO. 2018-141**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DETERMINING THE AMOUNT OF PROPERTY TAX REVENUES TO BE EXCHANGED BETWEEN AND AMONG THE RUNNING SPRINGS WATER DISTRICT, THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND ITS MOUNTAIN SERVICE ZONE RESULTING FROM THE JURISDICTIONAL CHANGE DESCRIBED BY LAFCO 3228**

On Tuesday, August 21, 2018, on motion of Supervisor Hagman, duly seconded by Supervisor Rutherford and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

**SECTION 1.** The Board of Supervisors of the County of San Bernardino hereby finds and determines that:

- A. Pursuant to Section 99 of the Revenue and Taxation Code, prior to the issuance of a Certificate of Filing by the Local Agency Formation Commission Executive Officer, the governing bodies of all local agencies whose service responsibilities will be altered by the change of organization shall negotiate and determine by resolution the amount of property tax revenues to be exchanged between and among such local agencies.
- B. Except as provided in Section 99.1 of the Revenue and Taxation Code, in the event that a jurisdictional change would affect the service area or service responsibility of one or more special districts, the Board of Supervisors shall, on behalf of all special districts, negotiate any exchange of property tax revenues.
- C. The Board of Supervisors of the County of San Bernardino has determined the amount of property tax revenues to be exchanged as a result of the following jurisdictional change:

**LOCAL AGENCY FORMATION COMMISSION 3228 – REORGANIZATION TO INCLUDE ANNEXATION TO THE RUNNING SPRINGS WATER DISTRICT AND DETACHMENT FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND ITS MOUNTAIN SERVICE ZONE**

**SECTION 2.** The Board of Supervisors of the County of San Bernardino hereby resolves and orders that:

- A. The negotiated exchange of property tax revenue between the Running Springs Water District and the San Bernardino County Fire Protection District and its Mountain Service Zone, attached hereto as Exhibit A and incorporated herein by reference, resulting from the above-described jurisdictional change, is accepted.
- B. The annual tax increment generated in the area subject to the jurisdictional change and attributable to the local agencies whose service area or service responsibilities will be altered by the proposed jurisdictional change shall be allocated in future years pursuant to the provisions of Section 98 of the Revenue and Taxation Code.

**SECTION 3.** The Clerk of the Board of Supervisors is hereby directed to certify the passage of this resolution and to cause a certified copy to be sent to the Executive Officer of the Local Agency Formation Commission of the County of San Bernardino.



**LAFCO 3228**  
**Reorganization to include Annexation to the Running Springs Water District and**  
**Detachment from the San Bernardino County Fire Protection District and Its Mountain Service Zone**

**Exhibit A**

	<b>TRA</b>	<b>105070</b>		<b>GRAND TOTAL</b>
<b>Assessed Value</b>	\$	10,753,160	\$	10,753,160
<b>RDA Increment</b>	\$	-	\$	-
<b>Net Value After RDA / TRA Frozen Base</b>	\$	10,753,160	\$	10,753,160
<b>Tax Revenue</b>	\$	107,532	\$	107,532
		<b>Change In Base Year 2017-18</b>	<b>Change In Base Year 2017-18</b>	<b>Change In Base Year 2017-18</b>
<hr/>				
<b><u>TRANSFER FROM</u></b>				
SAN BDNO CNTY FIRE - MTN SERVICE	\$	(14,546)	\$	(14,546)
SAN BDNO CNTY FIRE - ADMIN	\$	(3,262)	\$	(3,262)
<b>Total Transfers From</b>	\$	<b>(17,808)</b>	\$	<b>(17,808)</b>
<b><u>TRANSFER TO</u></b>				
RUNNING SPRINGS WATER DISTRICT	\$	17,808	\$	17,808
<b>Total Transfers To</b>	\$	<b>17,808</b>	\$	<b>17,808</b>

**LAFCO 3228 Staff Report Dated  
October 10, 2018**

**Attachment 8**

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
lafco@lafco.sbcounty.gov  
www.sbclafco.org

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**DATE:** OCTOBER 10, 2018   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Project Manager  
**TO:** LOCAL AGENCY FORMATION COMMISSION

---

**SUBJECT:** Agenda Item #5: LAFCO 3228 – Reorganization to include  
Annexation to the Running Springs Water District and Detachment  
from the San Bernardino County Fire Protection District and its  
Mountain Service Zone

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**INITIATED BY:**

Resolution of the Board of Directors of the Running Springs Water District

**RECOMMENDATION:**

The staff recommends that the Commission approve LAFCO 3228 by taking the following actions:

1. For environmental review, certify that LAFCO 3228 is statutorily exempt from the provisions of the California Environmental Quality Act and direct the Executive Officer to file the Notice of Exemption within five (5) days;
2. Approve LAFCO 3228, with the condition for the “hold harmless” clause for potential litigation costs, continuation of fees, charges, assessments, etc.;
3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the reorganization; and,
4. Adopt LAFCO Resolution No. 3278, setting forth the Commission’s determinations and conditions of approval concerning LAFCO 3228.

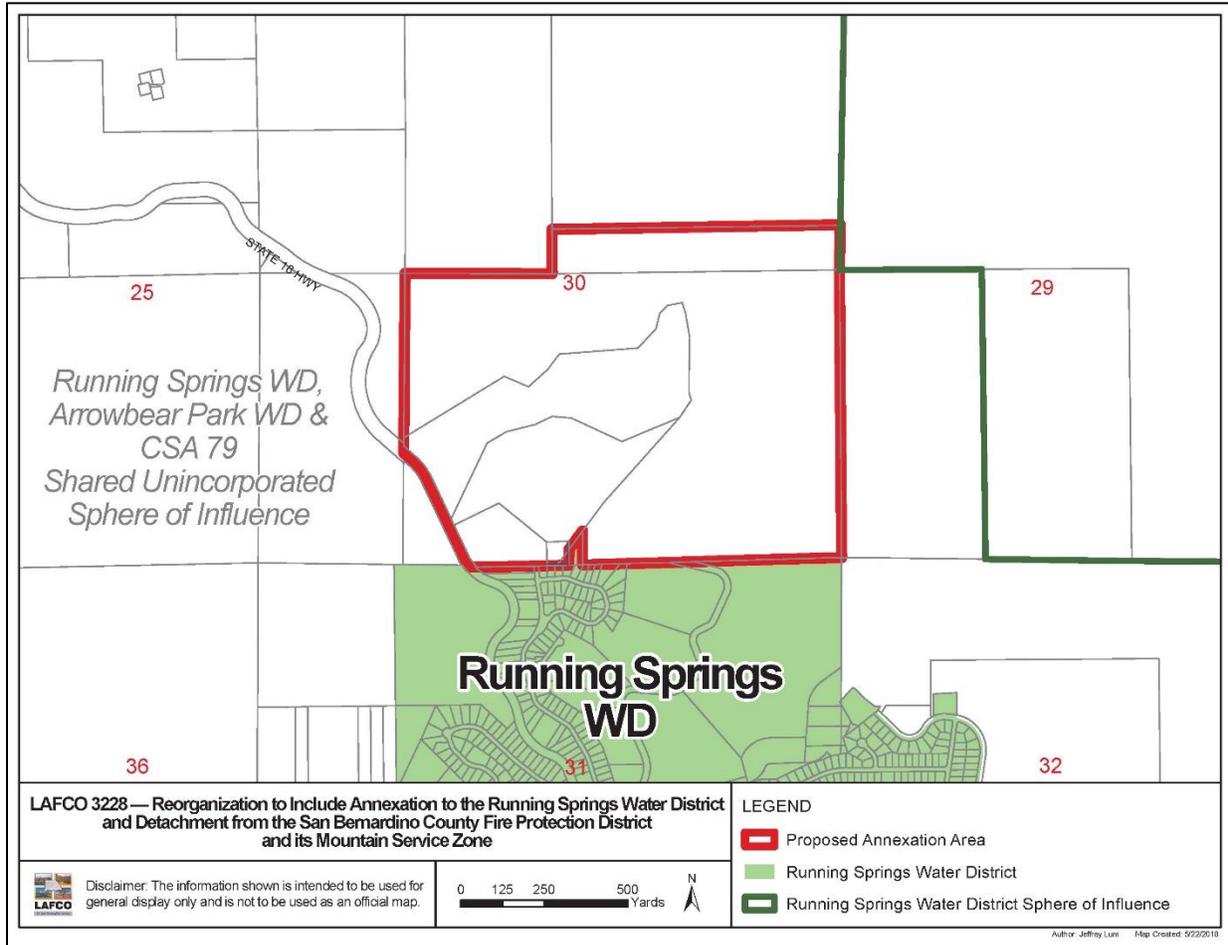
**BACKGROUND:**

In 2013, LAFCO approved an out-of-agency service contract for the Running Springs Water District (“RSWD” or “District”) to provide sewer service outside its boundary to the Camp O’Ongo/Pali Mountain Camp property, which is located within the sphere of influence of the District and contiguous with the District’s boundary (Service Contract 375). According to the service contract, the intent was to annex the property to the District in the future.

Earlier this year, the property owner requested the District to annex the entire camp property in order for the property owner to save on its outside sewer service costs. Additionally, the District supported the annexation request in order to provide for a more logical, efficient, and effective delivery of its services including sewer (collection and treatment) and fire protection/emergency medical services to the area. In March 2018, the RSWD initiated the reorganization proposal—with 100% landowner consent—to annex approximately 234 acres into the District to include Assessor Parcel Numbers (“APN”) 0328-031-12, 0328-042-13, -15, -16, and -17.

LAFCO staff expanded the proposal to provide for a logical boundary to the reorganization proposal. The expansion includes two parcels owned by the Crestline-Lake Arrowhead Water Agency (“CLAWA”) – APNs 0328-042-06 and -08. CLAWA has provided its consent, as the landowner, to the proposal.

As revised, the proposed reorganization area now includes seven parcels comprising a total of 251+/- acres, generally located on the east side of Highway 18, north of Nob Hill Drive/Nob Hill Circle. The reorganization area is within the Running Springs Water District’s northwestern sphere of influence. A vicinity maps is included as Attachment #1 to this report. The map below provides a general location of the area to be annexed into the District.



The purpose of the reorganization is to provide financial relief to the Pali Mountain Retreat/Adventure/Institute campsite (formerly Camp O-ongo). By annexing to the RSWD, the properties would be relieved from the higher out-of-agency wastewater rates currently charged by the RSWD to the properties. The reorganization proposes to (continue to) provide wastewater service (currently provided by the District by contract) and fire protection and emergency medical response to the Pali Mountain campsite. Two adjacent parcels owned by CLAWA have been included as part of the overall annexation to provide for a logical boundary to the reorganization proposal.

This report will provide the Commission with the information related to the four major areas of consideration required for a jurisdictional change – boundaries, land uses, service issues and the effects on other local governments, and environmental considerations.

**BOUNDARIES:**

As outlined above, the reorganization area includes seven parcels, which are located on the east side of Highway 18, north of Nob Hill Drive/Nob Hill Circle, which comprises

approximately 251 acres. The reorganization area is bounded by the RSWD on the south and parcel lines on the west, north, and east.

LAFCO 3228 has no boundary concern since the private properties already receive sewer from RSWD through an out-of-agency service contract.

**LAND USE:**

The Pali Mountain properties comprise an existing camp which includes a dining facility, cabins, office, and other structures. The CLAWA properties contain a water storage facility. The County's land use designations for the reorganization area are Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN).

No change in land use is anticipated as a result of the annexation. In addition, approval of this proposal will have no direct impact on the current land use designation assigned for the parcels. Therefore, there are no land use concerns related to this proposal.

**SERVICE ISSUES AND EFFECTS ON OTHER LOCAL GOVERNMENTS:**

In every consideration for jurisdictional change, the Commission is required to look at the existing and proposed service providers within an area. The only County service provider within the reorganization area is County Service Area 70 (unincorporated County-wide multi-function). The following entities overlay the reorganization area: County of San Bernardino, Crestline-Lake Arrowhead Water Agency (State Water Contractor), Mojave Desert Resource Conservation District, Rim of the World Park and Recreation District, San Bernardino Mountains Community Healthcare District, and San Bernardino County Fire Protection District and its Mountain Region Service Zone.

The application includes a Plan for Service as required by State Law and Commission Policy (included as a part of Attachment #2 to this report).

**Fire Protection**

Currently, fire protection services are provided by the San Bernardino County Fire Protection District ("County Fire") and its Mountain Service Zone. However, RSWD is the first on-scene for fire and emergency medical services at the camp due to the proximity of its station.

Upon completion of the reorganization, the area would be detached from County Fire and its Mountain Service Zone, and RSWD would assume responsibility for fire protection services. Being so, the required property tax exchange will transfer \$17,808 from County Fire to the District. In addition, the parcels will be subject to the District's \$65 per unit Fire Availability Fee.

County Fire submitted a comment letter dated June 25, 2018 expressing opposition to the proposed reorganization due to a potential loss of revenue for regional fire services.

However, it should be noted that during the County Fire Reorganization, the County – on behalf of County Fire –outlined its intent not to “object to” other fire service providers annexing areas within their respective spheres of influence with the normal property tax transfers taking place. LAFCO Resolution No. 2986 making determinations for LAFCO 3001 (sphere of influence amendment for the County Fire Reorganization) includes a finding related to County Fire not objecting to future annexations:

*“The sphere of influence expansion is a temporary measure to ensure that all unincorporated areas of the County are served by a fire protection agency. Unincorporated areas within another fire agency’s sphere of influence, as a general rule, are already served by the County Fire Department so this should not represent a real change. Where such overlapping sphere areas are created as a result of this reorganization (sphere of influence expansion), the County shall be considered the “secondary” fire protection agency and the existing fire protection agency shall be considered the “primary” agency. The San Bernardino County Fire Protection District, governed by the Board of Supervisors, has identified that it does not intend to object to the primary agency annexing areas within its sphere of influence in the future, with the normal property tax transfers taking place.”*

County Fire’s June 25, 2018 letter is included as Attachment #3.

### Ambulance

Ambulance service is currently provided by the District, as it is assigned Exclusive Operating Area (“EOA”) 19 by ICEMA. Note that EOA 19 extends beyond the District’s boundary. There will be no change in ambulance provider as a result of LAFCO 3228.

### Wastewater

Wastewater service is currently provided to the Pali Mountain property under an Out-of-Agency Sewer Service Agreement dated April 24, 2013. There will be no change in wastewater provider as a result of LAFCO 3228, as well as no additional infrastructure required.

For the District, there would be a reduction in sewer revenue with the elimination of the in-lieu of taxes charge, the monthly \$2.00 per EDU outside sewer charge, and the \$0.896 per 1,000 gallon charge. For the camp, the potential annual savings would be \$6,254 since the District would cease to charge the properties its out-of-agency rates.

### Retail Water

Water service to the property is currently provided by private groundwater wells and an emergency connection to CLAWA. The District is also able to provide potable water service if requested to do so by the property owner in the future. District potable water infrastructure already exists adjacent to the property.

As required by Commission policy and State law, the Plan for Service shows that the continuation and extension of its services will maintain, and/or exceed, current service levels provided to the parcel.

**ENVIRONMENTAL CONSIDERATIONS:**

As the CEQA lead agency, the Commission's Environmental Consultant, Tom Dodson from Tom Dodson and Associates, has indicated that the review of LAFCO 3228 is statutorily exempt from the California Environmental Quality Act (CEQA). This recommendation is based on the fact that the annexation will not result in any physical impacts on the environment. Therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). Staff recommends that the Commission adopt the General Rule Statutory Exemption for this proposal. A copy of Mr. Dodson's analysis is included as Attachment #5 to this report.

**WAIVER OF PROTEST PROCEEDINGS:**

The reorganization area is legally uninhabited and LAFCO staff verified that the reorganization area possesses 100% landowner consent (see Attachment #4). Therefore, if the Commission approves LAFCO 3228 and none of the affected agencies have submitted written opposition to a waiver of protest proceedings, staff is recommending pursuant to Government Code Section 56662(d) that protest proceedings be waived and that the Commission direct the Executive Officer to complete the action following completion of the mandatory reconsideration period of 30-days.

**CONCLUSION:**

LAFCO 3228 was submitted in order for the property owner to save on their outside sewer service costs and to provide for a more logical, efficient, and effective delivery of services provided by the District including sewer (collection and treatment) and fire protection/emergency medical services. For these reasons, and those outlined throughout the staff report, the staff supports the approval of LAFCO 3228.

## **DETERMINATIONS:**

The following determinations are required to be provided by Commission policy and Government Code Section 56668 for any change of organization/annexation proposal:

1. The reorganization area, as modified by LAFCO staff, is legally uninhabited containing one registered voter as determined by the Registrar of Voters as of September 21, 2018.
2. The County Assessor's Office has determined that the total assessed valuation of land within the reorganization area is \$10,009,018 as of June 20, 2018 broken down as: \$1,289,207 (land) and \$8,719,811 (improvements).
3. The reorganization area is within the sphere of influence assigned the Running Springs Water District.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in the *Mountain News*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. LAFCO staff has provided individual notice to landowners (129) and registered voters (70) surrounding the reorganization area (totaling 199 notices) in accordance with State law and adopted Commission policies. Comments from landowners and any affected local agency in support or opposition will be reviewed and considered by the Commission in making its determination.
6. The County's land use designations for the reorganization area are Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN). No change in land use is anticipated as a result of the reorganization.
7. The Southern California Associated Governments ("SCAG") adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3228 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.
8. The Commission's Environmental Consultant, Tom Dodson and Associates, has recommended that this proposal is statutorily exempt from environmental review based on the finding that the Commission's approval of the reorganization has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). Mr. Dodson recommends that the Commission adopt the Statutory Exemption and direct its Executive Officer to file a Notice of Exemption within five (5) days. A copy of Mr. Dodson's response letter is included as Attachment #5 to this report.

9. The reorganization area is served by the following local agencies:

County of San Bernardino  
County Service Area 70 (unincorporated County-wide multi-function)  
Crestline-Lake Arrowhead Water Agency (State Water Contractor)  
Mojave Desert Resource Conservation District  
Rim of the World Park and Recreation District  
San Bernardino Mountains Community Healthcare District  
San Bernardino County Fire Protection District and its  
Mountain Service Zone

County Fire is affected through the transfer of its fire protection and emergency medical response obligations to RSWD as a function of the reorganization. None of the other agencies identified above are affected by this proposal as they are regional in nature. However, the reorganization area is currently served wastewater collection/treatment (through an out-of-agency agreement) and ambulance services (through EOA 19) by the RSWD.

10. A plan was prepared for: (1) the continuation of wastewater and ambulance services, and (2) the extension of fire protection services to the reorganization area, as required by law. The Plan for Service shows that the continuation and extension of its services will maintain, and/or exceed, current service levels provided to the parcel. A copy of this plan is included as a part of Attachment #2 to this report.

The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Plan for Service conforms to those adopted standards and requirements.

11. The annexation can benefit from the continuation of wastewater and ambulance services, extension of fire protection service, and availability of retail water service from the District.
12. This proposal will not affect the fair share allocation of the regional housing needs through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process. The land use designations [Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN)] do not support residential housing.
13. With respect to environmental justice, the annexation proposal will not result in the unfair treatment of any person based on race, culture or income since the camp area already receives services from the District and the southerly neighboring area already receives water, wastewater, fire protection, and ambulance services from the District.

14. The County of San Bernardino (on behalf of County Fire and RSWD) adopted a resolution determining the transfer of ad valorem property tax revenues upon completion of this reorganization. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
15. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards.

SM/MT

Attachments:

1. Vicinity Map
2. Application and Plan for Service
3. Letter from County Fire dated July 25, 2018
4. Landowner Consent Forms
5. Environmental Response from Tom Dodson
6. Draft Resolution No. 3278

**Draft Resolution No. 3278**

**Attachment 9**

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**PROPOSAL NO.: LAFCO 3228**

**HEARING DATE: JANUARY 16, 2018**

## **RESOLUTION NO. 3278**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3228 AND APPROVING THE REORGANIZATION TO INCLUDE ANNEXATION TO THE RUNNING SPRINGS WATER DISTRICT AND DETACHMENT FROM THE SAN BERNARDINO COUNTY FIRE PROTECTION DISTRICT AND ITS MOUNTAIN SERVICE ZONE. The reorganization area generally consists of Assessor Parcel Numbers 0328-031-12, 0328-042-06, -08, -13, -15, -16, and -17, comprising approximately 251 acres, generally located on the east side of Highway 18, north of Nob Hill Drive/Nob Hill Circle.**

**On motion of Commissioner \_\_\_\_, duly seconded by Commissioner \_\_\_\_, and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, an application for the proposed reorganization in San Bernardino County was filed with the Executive Officer of this Local Agency Formation Commission (hereinafter referred to as "the Commission") in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and executed his certificate in accordance with law, determining and certifying that the filings are sufficient; and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for October 17, 2018, and continued to January 1, 2019, at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and/or opposition; the Commission considered all plans and proposed changes of organization, and all evidence which were made, presented, or filed; it received evidence as to whether the territory is inhabited or uninhabited, improved or unimproved; and all persons

**RESOLUTION NO. 3278**

present were given an opportunity to hear and be heard in respect to any matter relating to the application, in evidence presented at the hearing;

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission does hereby determine, find, resolve, and order as follows:

**DETERMINATIONS:**

**SECTION 1.** The proposal is approved subject to the terms and conditions hereinafter specified:

**CONDITIONS:**

**Condition No. 1.** The boundaries are approved as set forth in Exhibits "A" and "A-1" attached.

**Condition No. 2.** The following distinctive short-form designation shall be used throughout this proceeding: LAFCO 3228.

**Condition No. 3.** All previously authorized charges, fees, assessments, and/or taxes currently in effect by the Running Springs Water District (annexing agency) shall be assumed by the annexing territory in the same manner as provided in the original authorization pursuant to Government Code Section 56886(t).

**Condition No. 4.** The Running Springs Water District shall indemnify, defend, and hold harmless the Local Agency Formation Commission for San Bernardino County from any legal expense, legal action, or judgment arising out of the Commission's approval of this proposal, including any reimbursement of legal fees and costs incurred by the Commission.

**Condition No. 5.** The date of issuance of the Certificate of Completion shall be the effective date of this reorganization.

**SECTION 2.** The Commission determines that:

- a) this proposal is certified to be legally uninhabited;
- b) it has 100 % landowner consent; and,
- c) no written opposition to a waiver of protest proceedings has been submitted by any subject agency.

Therefore, the Commission does hereby waive the protest proceedings for this action as permitted by Government Code Section 56662(d).

**SECTION 3. DETERMINATIONS.** The following determinations are noted in conformance with Commission policy:

1. The reorganization area is legally uninhabited containing one registered voter as

## RESOLUTION NO. 3278

certified by the County Registrar of Voters as of September 21, 2018.

2. The County Assessor's Office has determined that the total assessed valuation of land within the reorganization area is \$10,009,018 as of June 20, 2018 broken down as: \$1,289,207 (land) and \$8,719,811 (improvements).
3. The reorganization area is within the sphere of influence assigned the Running Springs Water District.
4. Notice of this hearing has been advertised as required by law through publication in the *Mountain News*, a newspaper of general circulation within the area. As required by State law, individual notification was provided to affected and interested agencies, County departments, and those agencies and individuals requesting mailed notice. Comments from any affected local agency have been reviewed by the Commission.
5. In compliance with the requirements of Government Code Section 56157 and Commission policy, individual notice was mailed to surrounding landowners and registered voters within approximately 1,350 feet of the exterior boundaries of the reorganization area (totaling 199 notices). Comments from landowners, registered voters and any affected local agency have been reviewed and considered by the Commission in making its determination.
6. The County's land use designations for the reorganization area are Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN). No change in land use is anticipated as a result of the reorganization.
7. The Southern California Associated Governments (SCAG) adopted its 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy pursuant to Government Code Section 65080. LAFCO 3228 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy.
8. The Local Agency Formation Commission has determined that this proposal is statutorily exempt from environmental review. The basis for this determination is that the Commission's approval of the reorganization has no potential to cause any adverse effect on the environment; and therefore, the proposal is exempt from the requirements of CEQA, as outlined in the State CEQA Guidelines, Section 15061 (b)(3). The Commission adopted the Statutory Exemption and directed its Executive Officer to file a Notice of Exemption within five (5) days with the San Bernardino County Clerk of the Board of Supervisors.
9. The reorganization area is served by the following local agencies: County of San Bernardino, County Service Area 70 (unincorporated County-wide multi-function), Crestline-Lake Arrowhead Water Agency (State Water Contractor), Mojave Desert Resource Conservation District, Rim of the World Park and Recreation District, San Bernardino Mountains Community Healthcare District, San Bernardino County Fire Protection District and its Mountain Service Zone.

## RESOLUTION NO. 3278

County Fire is affected through the transfer of its fire protection and emergency medical response obligations to Running Springs Water District as a function of the reorganization. None of the other agencies identified above are affected by this proposal as they are regional in nature.

10. The Running Springs Water District submitted a plan for (1) the continuation of wastewater and ambulance services, and (2) the extension of fire protection services to the reorganization area, as required by Government Code Section 56653, which indicates that the District can, at a minimum, maintain the existing level of service delivery. The Plan for Service has been reviewed and compared with the standards established by the Commission and the factors contained within Government Code Section 56668. The Commission finds that such Plan conforms to those adopted standards and requirements.
11. The reorganization area can benefit from the continuation of wastewater and ambulance services, extension of fire protection service, and availability of retail water service from the District.
12. This proposal will not affect the fair share allocation of the regional housing needs through the Southern California Association of Government's (SCAG) Regional Housing Needs Allocation (RHNA) process. The land use designations [Hill Top/Resource Conservation (HT/RC) and Hill Top/Institutional (HT/IN)] do not support residential housing.
13. With respect to environmental justice, the reorganization proposal will not result in the unfair treatment of any person based on race, culture or income since the camp area already receives services from the District and the southerly neighboring area already receives water, wastewater, fire protection, and ambulance services from the District.
14. The County of San Bernardino (on behalf of San Bernardino County Fire Protection District and Running Springs Water District) adopted a resolution determining the transfer of ad valorem property tax revenues upon completion of this reorganization. This resolution fulfills the requirement of Section 99 of the Revenue and Taxation Code.
15. The map and legal description, as revised, are in substantial conformance with LAFCO and State standards.

**SECTION 4.** The purpose of the reorganization is to provide financial relief to the Pali Mountain Retreat/Adventure/Institute campsite (formerly Camp O-ongo). By annexing to the Running Springs Water District, the properties would be relieved from the higher out-of-agency wastewater rates currently charged by the District to the properties. The reorganization continues to provide wastewater service (currently provided by the District by contract) and fire protection and emergency medical response to the Pali Mountain.

**SECTION 5.** The Running Springs Water District has no existing bonded indebtedness or contractual obligations for which the reorganization area could be taxed. The regular County assessment rolls are utilized by the Running Springs Water District.

**RESOLUTION NO. 3278**

**SECTION 6.** Approval by the Local Agency Formation Commission indicates that completion of this proposal would accomplish the proposed change of organization in a reasonable manner with a maximum chance of success and a minimum disruption of service to the functions of other local agencies in the area.

**SECTION 7.** The Commission hereby orders the territory described in Exhibits "A" and "A-1" reorganized. The Commission hereby directs, that following completion of the reconsideration period specified by Government Code Section 56895(b), the Executive Officer shall prepare and file a Certificate of Completion, as required by Government Code Section 57176 through 57203, and a Statement of Boundary Change, as required by Government Code Section 57204.

**SECTION 8.** The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner provided by Section 56882 of the Government Code.

**THIS ACTION APPROVED AND ADOPTED by the Local Agency Formation Commission for San Bernardino County by the following vote:**

**AYES: COMMISSIONERS:**

**NOES: COMMISSIONERS:**

**ABSENT: COMMISSIONERS:**

\*\*\*\*\*

STATE OF CALIFORNIA )  
 ) ss  
COUNTY OF SAN BERNARDINO )

I, **SAMUEL MARTINEZ**, Executive Officer of the Local Agency Formation Commission for San Bernardino County, California, do hereby certify this record to be a full, true, and correct copy of the action taken by said Commission by vote of the members present as the same appears in the Official Minutes of said Commission at its regular meeting of January 16, 2019.

**DATED:**

\_\_\_\_\_  
**SAMUEL MARTINEZ**  
Executive Officer

# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
E-MAIL: [lafco@lafco.sbcounty.gov](mailto:lafco@lafco.sbcounty.gov)  
[www.sbclafco.org](http://www.sbclafco.org)

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**DATE:** JANUARY 7, 2019  
**FROM:** SAMUEL MARTINEZ, Executive Officer   
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #8: LAFCO SC#436 – City of Rialto Out-of-Agency Service Contract for Sewer Service (Cedar Avenue Technology Park Project)

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**INITIATED BY:**

City of Rialto, on behalf of the property owner/developer

**RECOMMENDATION:**

Staff recommends that the Commission approve LAFCO SC#436 by taking the following actions:

1. For environmental review as a responsible agency:
  - a. Certify that the Commission has reviewed and considered the County's environmental assessment and Mitigated Negative Declaration prepared by the County of San Bernardino for a Conditional Use Permit to construct a 180,770 sq. ft. concrete tilt-up warehouse center with a 10,000 sq. ft. office/administrative use area on approximately 9.8 acres, and found them to be adequate for Commission use;
  - b. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for this project; that all mitigation measures are the responsibility of the County of San Bernardino and/or others, not the Commission, and are self-mitigating through implementation of the project's Conditions of Approval; and,
  - c. Note that this proposal is exempt from Department of Fish and Wildlife fees because the filing fee was the responsibility of the County as CEQA lead agency, and direct the Executive Officer to file a Notice of Determination within five (5) days of this action.

2. Approve LAFCO SC#436 authorizing the City of Rialto to extend sewer service outside its boundaries to Assessor Parcel Number 0253-211-56; and,
3. Adopt LAFCO Resolution #3281 setting forth the Commission’s determinations and approval of the agreement for service outside the City of Rialto’s boundaries.

**BACKGROUND:**

The City of Rialto (hereinafter the “City”) has submitted a request for approval of an Irrevocable Agreement to Annex that outlines the terms by which it will extend sewer service. The agreement relates to Assessor Parcel Number (APN) 0253-211-56, comprising a total of approximately 9.8 acres, generally located on the northeast corner of Cedar Avenue and Orange Street (18750 Orange Street), within the City of Rialto’s southern sphere of influence, in the unincorporated community of Bloomington. Figure 1 below, which is also included as Attachment #1, provides a location and vicinity map of the site. In addition, Attachment #2 outlines the City’s application including a map that provides the location of the infrastructure to be extended.

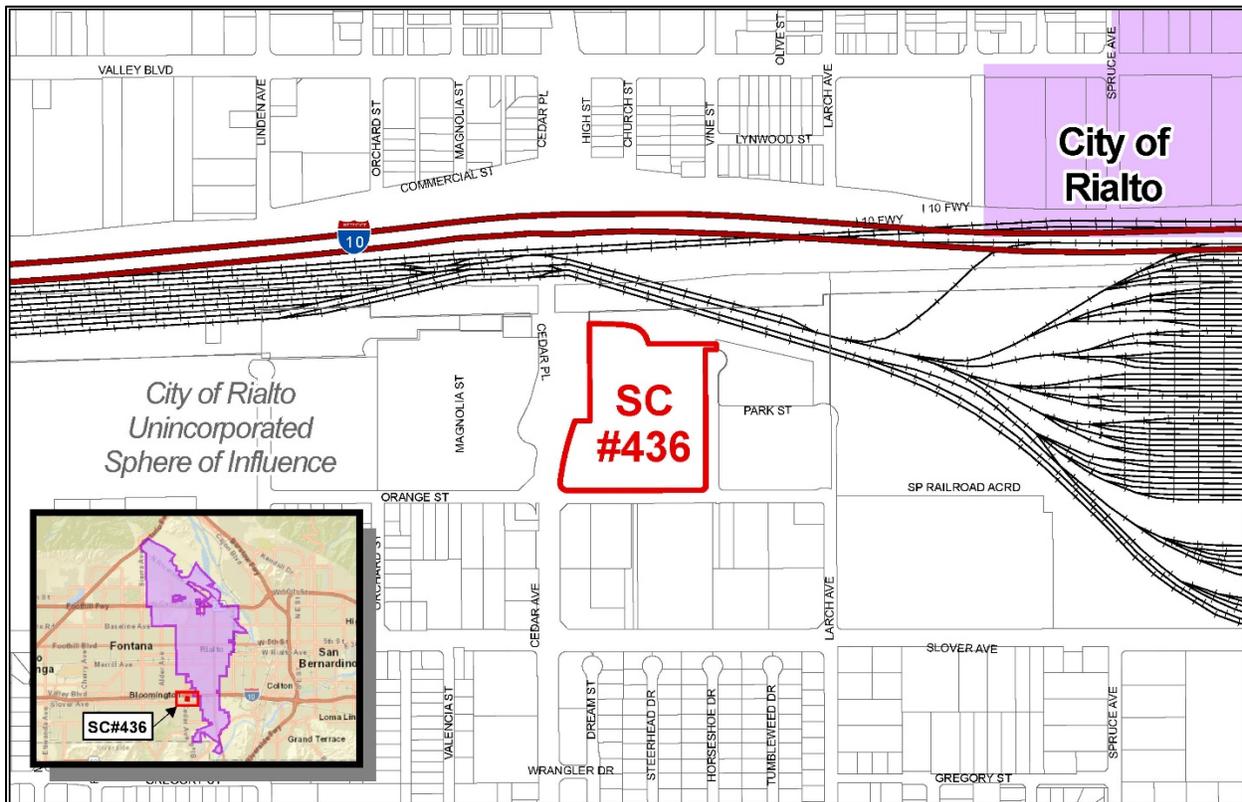


FIGURE 1 – Vicinity Map

In December 2017, the County Land Use Services Department processed and approved a Conditional Use Permit for the development of the warehouse facility on the

9.8-acre parcel. The Conditions of Approval for the project includes the requirement to connect to the City of Rialto's sewer facilities (Conditions 102 and 103) and require LAFCO approval of the contract (Condition 105). A copy of the Conditions of Approval for the project are included as Attachment #3 to this report.

Therefore, the City—on behalf of the property owner/develop—is requesting that the Commission authorize the extension of sewer service by the City to the project site pursuant to the provisions of Government Code Section 56133. Authorization of this agreement is required before the City can take the final actions to implement the terms of the agreement.

**PLAN FOR SERVICE:**

The City's application indicates that sewer service will be provided by extending an 8-inch sewer line a total of approximately 657 linear feet along Orange and Vine Streets from the existing 8-inch sewer main in Larch Avenue. The proposed sewer installation will also include a 6-inch sewer lateral extension from the sewer line extension in Vine Street that will serve the proposed development.

Pursuant to the Commission's application requirements for service contracts, information must be provided regarding all financial obligations for the extension of service outside an agency's boundaries. The City of Rialto has identified an estimated cost of \$135,120.31 in service connection fee for treatment, collection, and related fees for the extension of sewer service to the parcel.

In addition, the property owner/developer will be responsible for the entire cost of the construction and installation of the sewer improvements to the parcel. Monthly service charges are calculated at 1.3 times the in-City sewer rates.

**ENVIRONMENTAL DETERMINATION:**

The County prepared an Initial Study and Mitigated Negative Declaration for a Conditional Use Permit to construct a 180,770 sq. ft. concrete tilt-up warehouse center with a 10,000 sq. ft. office/administrative use area on approximately 9.8 acres.

The Commission's Environmental Consultant, Tom Dodson and Associates, has reviewed the County's environmental assessment and the Mitigated Negative Declaration for the proposed project. Mr. Dodson's analysis indicates that the County's Initial Study and Mitigated Negative Declaration are adequate for the Commission's use as a CEQA responsible agency.

Mr. Dodson has indicated that the necessary environmental actions to be taken by the Commission are as follows:

- a) Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the County’s environmental assessment and Mitigated Negative Declaration for the proposed project;
- b) Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the project; that the mitigation measures identified in the County’s environmental documents are the responsibility of the County and/or others, not the Commission; and,
- c) Direct the Executive Officer to file the Notice of Determination within five (5) days and find that no further Department of Fish and Wildlife filing fees are required by the Commission’s approval since the County, as lead agency, has paid said fees for its environmental determination.

**CONCLUSION:**

Staff has reviewed this request for the provision of sewer service from the City of Rialto outside its corporate boundaries against the criteria established by Commission policy and Government Code Section 56133. The project to be served, which is comprised of a single parcel, is within the sphere of influence assigned the City of Rialto and is anticipated to become a part of the City sometime in the future. The development of the warehouse facility requires that it receive sewer service, which is only available from the City of Rialto. Staff supports the City’s request for authorization to provide sewer service to the proposed project since its facilities are close to the anticipated development, and there is no other existing entity available to provide this service within the area.

**DETERMINATIONS:**

1. The project area is comprised of a single parcel, Assessor Parcel Number (APN) 0253-211-56. It is within the sphere of influence assigned the City of Rialto and is anticipated to become a part of that City sometime in the future. The application requests authorization to receive City of Rialto sewer service.

The sewer connection requirement is a condition of approval as identified in the County’s Conditional Use Permit for the proposed project. Therefore, approval of the City’s request for authorization to provide sewer service is necessary in order to satisfy this condition of approval.

2. The Extraterritorial Wastewater Service Agreement being considered is for the provision of sewer service by the City of Rialto to APN 0253-211-56, which is generally located on the northeast corner of Cedar Avenue and Orange Street (18750 Orange Street), within the City of Rialto’s southern sphere of influence. This contract will remain in force in perpetuity for the proposed development or until such time as the parcel is annexed. Approval of this application will allow

the property owner/developer and the City of Rialto to proceed in finalizing the contract for the extension of this service.

3. The City of Rialto has identified a total of \$135,120.31 in service connection fee for treatment, collection, and other related fees for the extension of sewer service to the parcel. Payment of these fees is required prior to connection to the City's sewer facilities. In addition, the property owner/developer shall bear all costs to complete improvements needed to extend the sewer service to the proposed development.
4. During the period from October 2017 to December 2017, acting as the CEQA lead agency, the County prepared an environmental assessment for a Conditional Use Permit to construct a 180,770 sq. ft. concrete tilt-up warehouse center with a 10,000 sq. ft. office/administrative use area on approximately 9.8 acres. The County's environmental assessment indicates that the project would not have a significant effect on the environment through its development under the Conditions of Approval that has been prepared for the proposed project.

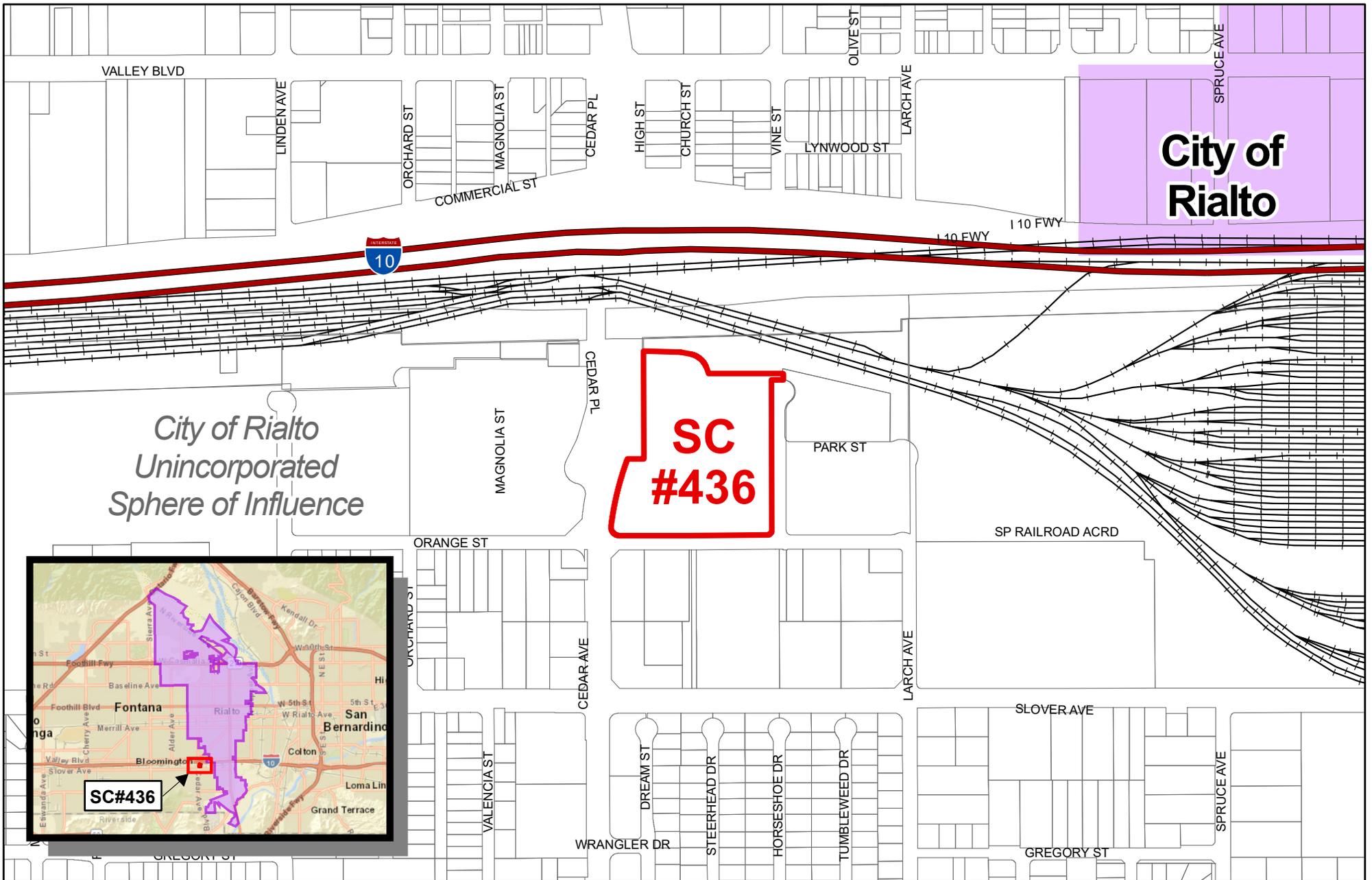
LAFCO's environmental consultant, Tom Dodson and Associates, has reviewed the County's environmental assessment and recommends that, if the Commission approves LAFCO SC#436, the County's Initial Study and Mitigated Negative Declaration are adequate for the Commission's use as CEQA responsible agency. The Commission will not be adopting alternatives or additional mitigation measures, as these are the responsibility of the County and/or others and are considered self-mitigating through implementation of the Conditions of Approval. Attachment #4 to this report includes a copy of Mr. Dodson's response and recommendation regarding the Commission's environmental review and the necessary actions to be taken.

Attachments:

1. [Vicinity Map](#)
2. [City of Rialto's Application, Contract, and Sewer Service Analysis](#)
3. [County's Conditions of Approval for the Project](#)
4. [Tom Dodson and Associates' Response Including the County's Mitigated Negative Declaration for the Project](#)
5. [Draft Resolution #3281](#)

# Vicinity Map

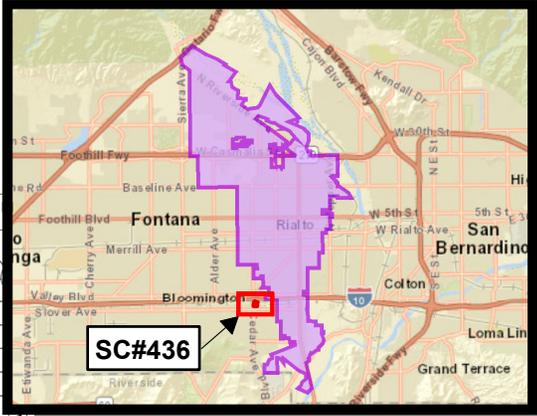
**Attachment 1**



**City of Rialto**

*City of Rialto  
Unincorporated  
Sphere of Influence*

**SC  
#436**



**LAFCO SC#436 — City of Rialto Out-of-Agency Service Contract for Sewer Service (Cedar Avenue Technology Park Project)**

SC436

City of Rialto



Disclaimer: The information shown is intended to be used for general display only and is not to be used as an official map.



**City of Rialto's Application,  
Contract, and Sewer Service  
Analysis**

**Attachment 2**

**SAN BERNARDINO LAFCO  
APPLICATION FOR  
EXTENSION OF SERVICE BY CONTRACT**

*(A certified copy of the City Council/District Board of Directors resolution or a letter from the City Manager/General Manager requesting approval for an out-of-agency service agreement must be submitted together with this application form.)*

**AGENCY TO EXTEND SERVICE:**

AGENCY NAME: City of Rialto  
CONTACT PERSON: Thomas J. Crowley, P.E.  
ADDRESS: 150 South Palm Avenue  
Rialto, CA 92376  
PHONE: (909) 820-8056  
EMAIL: tjcrowley@rialto.ca.gov

**CONTRACTING PARTY:**

NAME OF PROPERTY OWNER: AIGGRE Cedar Avenue Investor, LLC  
CONTACT PERSON: Kyle Smith  
MAILING ADDRESS: 1944 North Tustin Street, Suite 122  
Irvine, CA 92612  
PHONE: (714) 602-7345  
EMAIL: ksmith@hipre.net  
ADDRESS OF PROPERTY PROPOSED FOR CONTRACT: 18750 Orange Street  
Bloomington, CA 92316  
CONTRACT NUMBER/IDENTIFICATION: Not applicable  
PARCEL NUMBER(S): 0253-211-56  
ACREAGE: 9.81 acres

Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

The following questions are designed to obtain information related to the proposed agreement/contract to allow the Commission and staff to adequately assess the proposed service extension. You may include any additional information which you believe is pertinent. Please use additional sheets where necessary.

1. (a) List the type or types of service(s) to be provided by this agreement/contract.

Wastewater/Sewer service

- (b) Are any of the services identified above "new" services to be offered by the agency?  YES  NO. If yes, please provide explanation on how the agency is able to provide the service.

Not applicable

2. Is the property to be served within the agency's sphere of influence?  YES  NO

3. Please provide a description of the service agreement/contract.

The agreement describes the terms and conditions applicable to the developer connecting to the Rialto sewer system.

4. (a) Is annexation of the territory by your agency anticipated at some point in the future?  YES  NO. If yes, please provide a projected timeframe when it anticipates filing an application for annexation of territory that would include the area to be served. If no, please provide an explanation as to why a jurisdictional change is not possible at this time.

Project area is not contiguous to the City of Rialto city limits.

Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

- (b) Is the property to be served contiguous to the agency's boundary?  
 YES  NO. If yes, please provide explanation on why annexation to the agency is not being contemplated.

Not applicable.

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5. Is the service agreement/contract outside the Agency's sphere of influence in response to a threat to the public health and safety of the existing residents as defined by Government Code Section 56133(c)?  
 YES  NO. If yes, please provide documentation regarding the circumstance (i.e. letter from Environmental Health Services or the Regional Water Quality Control Board).

Not applicable.

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6. (a) What is the existing use of the property?

Vacant Land

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- (b) Is a change in use proposed for the property?  YES  NO. If yes, please provide a description of the land use change.

Will be changing to industrial use.

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7. If the service agreement/contract is for development purposes, please provide a complete description of the project to be served and its approval status.

AIGGRE will be developing a 187,000 square foot warehouse  
for a single tenant and have obtained the building permit.

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Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

8. Are there any land use entitlements/permits involved in the agreement/contract?  
 YES  NO. If yes, please provide documentation for this entitlement including the conditions of approval and environmental assessment that are being processed together with the project. Please check and attach copies of those documents that apply:

- |   |                                     |
|---|-------------------------------------|
| Tentative Tract Map / Parcel Map                              | <input checked="" type="checkbox"/> |
| Permit (Conditional Use Permit, General Plan Amendment, etc.) | <input checked="" type="checkbox"/> |
| Conditions of Approval  | <input type="checkbox"/>            |
| Negative Declaration (Initial Study)                          | <input type="checkbox"/>            |
| Notice of Determination (NOD)/Notice of Exemption (NOE)       | <input type="checkbox"/>            |
| Department of Fish and Game (DFG) Receipt                     | <input type="checkbox"/>            |
| Others (please identify below)                                | <input type="checkbox"/>            |

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9. Has the agency proposing to extend service conducted any CEQA review for this contract?  YES  NO. If yes, please provide a copy of the agency's environmental assessment including a copy of the filed NOD/NOE and a copy of the DFG Receipt.

10. Plan for Service:

- (a) Please provide a detailed description of how services are to be extended to the property. The response should include, but not be limited to, a description of: 1) capacity of existing infrastructure, 2) type of infrastructure to be extended or added to serve the area, 3) location of existing infrastructure in relation to the area to be served, 4) distance of infrastructure to be extended to serve the area, and 5) other permits required to move forward with the service extension.

Please see the attached Cedar Avenue Technology Park  
Sewer Service Analysis Report as prepared by West  
Yost.

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Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

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- (b) Please provide a detailed description of the overall cost to serve the property. The response should include the costs to provide the service (i.e. fees, connection charges, etc.) and also the costs of all improvements necessary to serve the area (i.e. material/equipment costs, construction/installation costs, etc.).

<i>Description of Fees/Charges</i>	<i>Cost</i>	<i>Total</i>
Service connection fees for treatment, collections and related fees.		
<b>Total Costs</b>		\$135,120.31

- (c) Please identify any unique costs related to the service agreement such as premium outside City/District rates or additional 3<sup>rd</sup>-party user fees and charges (i.e. fees/charges attributable to other agencies).

The City of Rialto charges an "Out of Area" service factor of 1.3 times the approved development impact fees.

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- (d) If financing is to occur, please provide any special financial arrangement between the agency and the property owner, including a discussion of any later repayment or reimbursement (If available, a copy of the agreement for repayment/reimbursement is to be provided).

Not applicable

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- 11 Does the City/District have any policies related to extending service(s) outside its boundary?  YES  NO. If yes, has a copy been provided to LAFCO?  YES  NO. If not, please include a copy of the policy or policies (i.e. resolution, municipal code section, etc.) as part of the application.
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## CERTIFICATION

As a part of this application, the City/Town of Rialto, or the \_\_\_\_\_ District/Agency agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees, and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

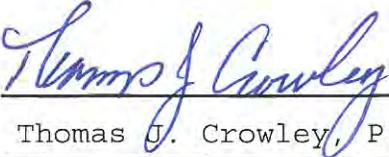
The agency signing this application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications. I understand that if this application is approved, the Commission will impose a condition requiring the applicant to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

Extension of Service by Contract  
Application Form

(FOR LAFCO USE ONLY)

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this evaluation of service extension to the best of my ability, and that the facts, statement and information presented herein are true and correct to the best of my knowledge and belief.

SIGNED



NAME:

Thomas J. Crowley, P.E.

POSITION TITLE:

Utilities Manager

DATE:

December 17, 2018

REQUIRED EXHIBITS TO THIS APPLICATION:

1. Copy of the agreement/contract.
2. Map(s) showing the property to be served, existing agency boundary, the location of the existing infrastructure, and the proposed location of the infrastructure to be extended.
3. Certified Plan for Service (if submitted as a separate document) including financing arrangements for service.

Please forward the completed form and related information to:

Local Agency Formation Commission for San Bernardino County  
1170 W. Third Street, Unit 150,  
San Bernardino, CA 92415-0490  
PHONE: (909) 388-0480 • FAX: (909) 388-0481



**EXTRATERRITORIAL WASTEWATER SERVICE AGREEMENT  
CEDAR AVENUE TECHNOLOGY PARK  
AT CEDAR AVENUE, ORANGE STREET AND VINE STREET  
APN NUMBER 0253-211-56.**

This **EXTRATERRITORIAL WASTEWATER SERVICE AGREEMENT** (“Agreement”) is made and entered into this 25th day of September, 2018 (the “Commencement Date”), between AIGGRE Cedar Avenue Investor, LLC, a California limited liability company (“Owner”) and the City of Rialto, a California municipal corporation (“Rialto”) with reference to the following facts:

**WHEREAS**, Owner represents they hold lawful title of a commercial parcel identified by Assessor’s Parcel Number 0253-211-56. located at 18750 Orange Street, Bloomington, CA 92316, at Cedar Avenue, Orange Street and Vine Street, south of the I-10 freeway and as identified on **Exhibit “A”** and shown on **Exhibit “B”**, attached hereto and made a part hereof (the “Property”); said Property is located outside the incorporated boundaries of Rialto and within in the unincorporated area of Bloomington, within San Bernardino County; and

**WHEREAS**, Owner has received project approvals from the County of San Bernardino and intends to develop the Property with an industrial project consisting of approximately 184,520 square feet; and

**WHEREAS**, other wastewater collection systems are unavailable; and Owner desires to connect the Property to Rialto’s wastewater collection system for the general health safety and welfare; and

**WHEREAS**, Rialto and the Owner acknowledge the need to construct an extension of the sewer main from Larch Avenue that will serve the property identified above for the general health safety and welfare; and

**WHEREAS**, Owner desires to and in accordance with the terms of this Agreement has committed to or will commit to provide, at Owner’s cost, a wastewater lateral with connections from the Owner’s private building drain to Rialto’s wastewater main, including all road cuts, patching, permits and inspections; and

**WHEREAS**, Rialto owns and operates the wastewater collection main running along and within Larch Avenue which is part of Rialto’s wastewater collection system; and any other related and/or additional facilities used for the conveyance, treatment or disposal of wastewater originating in Rialto and areas located outside the incorporated boundaries of Rialto approved by Rialto for extraterritorial wastewater service (the “Service Area”), and any extensions, expansions or replacements of any of the above being hereinafter referred to as the “Rialto Disposal System”; and

**WHEREAS**, Rialto has defined and established by Council Resolution a policy and administrative guidelines to provide for wastewater service outside Rialto’s corporate boundaries; and has agreed to provide wastewater conveyance, treatment and disposal services for wastewater originating in the Service Area through the Rialto Disposal System on the terms and conditions contained herein; and

**WHEREAS**, in order to accommodate the conveyance, treatment and disposal of wastewater originating in the Service Area, Rialto has agreed to maintain and/or construct the Rialto Disposal System and such related and/or additional facilities as may be necessary to adequately provide such service for the Service Area in perpetuity; and

**WHEREAS**, in consideration of Rialto's agreement to provide adequate conveyance, treatment and disposal services to the Service Area, Owner has agreed to make payments described herein with respect to wastewater from the Service Area discharged into the Rialto Disposal System (such wastewater being "Service Area Wastewater") calculated at one point three (1.3) times the monthly rates charged by Rialto to customers within Rialto, all on terms and conditions more fully set forth herein.

Now, therefore, in consideration of the foregoing and subject to the terms and conditions contained herein, the parties hereto hereby agree as follows:

## **ARTICLE I. RIGHTS AND OBLIGATIONS**

**Section 1.01 Recitals Incorporated.** The recitals set forth above are true and correct and are hereby incorporated into and made a part of this agreement.

**Section 1.02 Delivery and Receipt of Wastewater.** At all times, except as may be restricted by unforeseen emergencies, Owner shall have the right to deliver to the Rialto Disposal System normal strength domestic wastewater, and Rialto shall have the obligation to receive all such wastewater into the Rialto Disposal System and to convey, treat and dispose of such wastewater.

**Section 1.03 Disposal of Service Area Wastewater; Ownership and Reclamation of Effluent.** The cost of constructing, expanding, extending, maintaining and operating the Rialto Disposal System and of conveying, treating and disposing of the Service Area Wastewater (including without limitation and effluent of by-product thereof) after delivery of such Service Area Wastewater to the Rialto Disposal System shall be the responsibility solely of Rialto, and Owner shall have no responsibility for, and shall not be liable to Rialto or any third party for, any costs or other expenses incurred by Rialto in connection with or related thereto, other than payment of the Wastewater User Fees set forth in Section 3.01, provided Owner complies with all aspects of Rialto's Municipal Code, ordinances and policies, incorporated herein by reference, as they relate to wastewater discharge for a Group II Commercial customer.

**Section 1.04 Ownership of Service Area Wastewater.** It is the intention and agreement of the parties that Rialto shall have total ownership and control of all Service Area Wastewater delivered to the Rialto Disposal System. Owner warrants that Owner shall comply with all aspects of the Rialto Municipal Code, Title 12 – Public Utilities, and Administrative Policies.

**Section 1.05 Connection Points.** Owner is authorized one (1) connection point to the Rialto Disposal System. Such connection point shall be located at a point mutually acceptable to the Owner, City Engineer and Rialto's Building Official. Construction of laterals and connection points shall be in conformance with the specifications and details set forth in Rialto's Utility Design Standards, Building Safety Codes and other applicable laws and regulations as may apply. Maintenance of the lateral including the connection point within the

right-of-way shall be the responsibility solely of the Owner. All construction work and maintenance shall be performed under permit from, inspected, and approved by Rialto.

## **ARTICLE II. PAYMENTS FOR CONSTRUCTION AND EXPANSION OF RIALTO DISPOSAL SYSTEM**

**Section 2.01 Initial Special Service Availability Payment.** In consideration of Rialto's agreements contained herein, Owner shall, promptly upon the effective date of this agreement, pay to Rialto a service connection fee for treatment, collections and related fees in the amount of **\$135,120.31** (the "Development Impact Fees") in accordance with the adopted fee schedule, Resolution 6069, approved by the Rialto City Council/Rialto Utility Authority on December 27, 2011. Any additional fees related to plan check(s), inspection or not named in this agreement shall be the responsibility of the Owner.

**Section 2.02 System Connection.** Owner agrees to design and construct the sewer line from the current terminus point on Larch Avenue to the Owner's facility at 18750 Orange Street, Bloomington, CA 92316 at their expense.

## **ARTICLE III. WASTEWATER USER CHARGES**

**Section 3.01 Monthly Wastewater User Fees.** After the Commencement Date, Owner shall pay to Rialto for the provision of wastewater conveyance, treatment and disposal services a wastewater fee calculated at a rate equal to one point three (1.3) times the rate then charged by Rialto to properties located within the incorporated boundaries of Rialto, in accordance with Chapter 12.08.200 of the Rialto Municipal Code, or as may be amended from time to time.

**Section 3.02 Inspection.** Rialto shall have the right to inspect and examine the Sewer System at any time, including during construction and operation of any portion of the Sewer System within the Service Area.

## **ARTICLE IV. MONITORING OF SERVICE AREA WASTEWATER**

**Section 4.01 Pre-Treatment Program; Quality Specifications and Standards.** Pretreatment of wastewater from the Service Area may not be required under this Agreement, provided the Owner complies with all aspects of the Rialto Municipal Code, Title 12 – Public Utilities, and Administrative Policies. Rialto shall have the right to monitor or restrict the discharge of wastewater to the Rialto Disposal System if Rialto suspects or discovers the Owner has discharged prohibited substances, as described in the Rialto Municipal Code, into the Collection System, or violated other provisions of said Municipal Code. Rialto may, at its option, allow discharge to resume with the Owner's installation, and proper maintenance of, an approved pretreatment device or system.

## **ARTICLE V. MISCELLANEOUS**

**Section 5.01 Effective Date; Term.** This Agreement shall become effective when the Agreement has been duly executed by both parties hereto, and shall be binding upon the heirs, assigns and successors of the parties. The Agreement shall continue in perpetuity, or until such time as the Property is annexed into the corporate boundaries of Rialto. At such

time, the Owner shall have such rights, privileges and duties, including fees and rates, as all other Rialto citizens for the then current wastewater disposal classification.

**Section 5.02 Amendment, Etc.** No amendment or waiver of any provisions of this Agreement or consent to any departure from its terms shall be effective unless the same shall be in writing and signed by the parties hereto.

**Section 5.03 Notices.** All notices or other communications required or permitted hereunder shall be in writing, and shall be personally delivered, sent by pre-paid First Class U.S. Mail, registered or certified mail, postage prepaid, return receipt requested, or delivered or sent by facsimile with attached evidence of completed transmission, and shall be deemed received upon the earlier of (i) the date of delivery to the address of the person to receive such notice if delivered personally or by messenger or overnight courier; (ii) three (3) business days after the date of posting by the United States Post Office if by mail; or (iii) when sent if given by facsimile. Any notice, request, demand, direction, or other communication sent by facsimile must be confirmed within forty-eight (48) hours by letter mailed or delivered. Other forms of electronic transmission such as e-mails, text messages, instant messages are not acceptable manners of notice required hereunder. Notices or other communications shall be addressed as follows:

If to City:                   City of Rialto  
                                  150 S. Palm Ave.  
                                  Rialto, CA 92376  
                                  Attn: City Administrator  
                                  Tel: (909) 820-2525  
                                  Fax: (909) 820-2527

With copy to:               Aleshire & Wynder, LLP  
                                  18881 Von Karman Ave., Suite 1700  
                                  Irvine, CA 92612  
                                  Attn: Fred Galante, City Attorney  
                                  Tel: (949) 223-1170  
                                  Fax: (949) 223-1180

If to Owner:                AIGGRE Cedar Avenue Investor, LLC  
                                  1944 North Tustin Street, Suite 122,  
                                  Orange, CA 92865  
                                  Attn: Tim Howard  
                                  Tel: (714) 272-5318  
                                  Fax: Not Available

With copy to:               Not Available

Either Party may change its address by notifying the other Party of the change of address in writing.

**Section 5.04 Costs and Expense of Enforcement.** Should litigation be necessary to enforce any term or provision of this Agreement, the prevailing party shall be entitled to collect all litigation costs and attorney's fees incurred by the prevailing party.

**Section 5.05 Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

**Section 5.06 Indemnification.** Owner hereto agrees to indemnify, defend, save and hold harmless Rialto and its officers, agents and employees from and against all liability, claims, damages, losses and expense of any nature whatsoever, including but not limited to bodily injury, death, personal injury, property damages and attorney's fees, arising directly or indirectly from any acts or omissions of such indemnified party or its officers, agents or employees in connection with this Agreement.

**Section 5.07 Partial Invalidity.** The invalidity of any provision of this Agreement will not affect the validity of the remainder hereof.

**Section 5.08 Execution In Counterparts.** This Agreement may be executed in counterparts, all of which taken together shall constitute an original hereof.

**Section 5.09 Time of Essence.** Time is of the essence in the fulfillment by the parties hereto of their obligations under this Agreement.

**Section 5.11 Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of California.

**\*\*\* SIGNATURES ON NEXT PAGE \*\*\***

IN WITNESS WHEREOF, Rialto and Owner have caused this Agreement to be executed the day and year first above written.

**CITY:**

CITY OF RIALTO, a municipal corporation

By: \_\_\_\_\_  
Deborah Robertson, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Barbara A. McGee, City Clerk

**APPROVED AS TO FORM:**

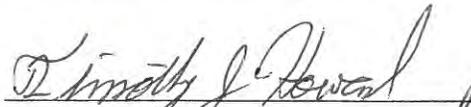
ALESHIRE & WYNDER, LLP

By: \_\_\_\_\_  
Fred Galante, City Attorney

**OWNER:**

AIGGRE CEDAR AVENUE  
INVESTOR, LLC

By:   
Name: Timothy J. Barry  
Title: Vice President

By:   
Name: Timothy J. Howard  
Title: Manager  
Two signatures are required if a corporation.

## **EXHIBIT "A"**

That certain real property located in the unincorporated area of San Bernardino County identified as Cedar Avenue Technology Park, located at Cedar Avenue, Vine Street and Vine Street, south of the I-10 freeway with the address of 18750 Orange Street, Bloomington, CA 92316, and the following APN Number: 0253-211-56.

# EXHIBIT "B"

THIS MAP IS FOR THE PURPOSE  
OF AD VALOREM TAXATION ONLY.

Ptn. Townsite of Bloomington  
M.B. 12/34

Colton Joint Unified 0  
Tax Rate Area  
64027

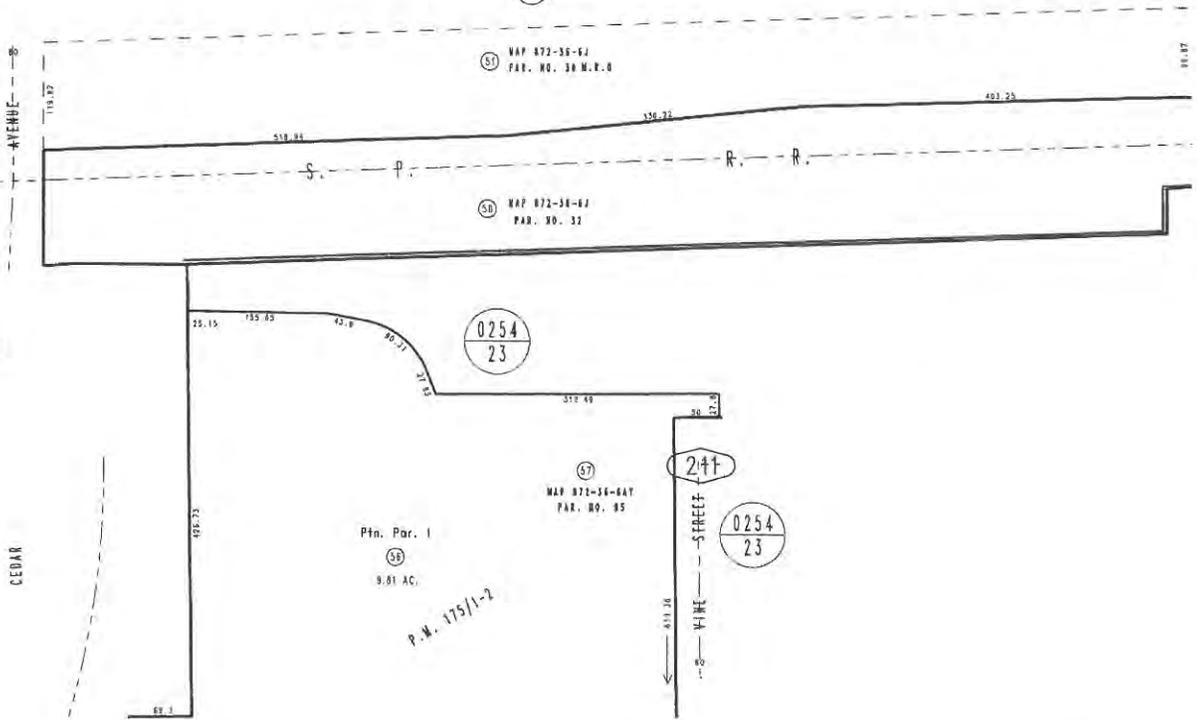


STATE

E

HIGHWAY

(20)



January 2004

Ptn. Parcel Map No. 14352, P.W. 175/1-2

Assessor's Map  
Book 0253 Page 21  
San Bernardino County



## MEMORANDUM

DATE: September 14, 2016

Project No.: 619-20-16-24

TO: Timothy Howard, Howard Industrial Partners

FROM: Kristen Whatley, P.E., West Yost Associates

SUBJECT: Cedar Avenue Technology Park Sewer Service Analysis

West Yost Associates (West Yost) has reviewed the City of Rialto sewer system model prepared for the City of Rialto Sewer Master Plan to determine if sewer system capacity is available to accept flow from your proposed commercial development. Howard Industrial Partners' architect provided a fixture count for the commercial development. The fixture count for the commercial development project is anticipated to 50 fixture units. The project is located northeast of the intersection of Orange Street and Cedar Avenue within the current Rialto sewer service area and outside of the City of Rialto boundary. In accordance with the requirements of the City of Rialto Sewer Master Plan, the gravity sewer system must be capable of maintaining a gravity pipeline depth over diameter of 80% along all gravity mains under Peak Dry Weather Flow (PDWF). The scenarios examined to determine available system capacity were PDWF at buildout of the proposed commercial development including the existing sewer system's current and future flow commitments.

The results of the sewer modeling are presented below. The modeling provides information about the available gravity sewer capacity from the project tie-in location to the wastewater treatment plant site where the wastewater flows will ultimately be treated and discharged. The model assumes that all gravity mains are fully open, flow splits between parallel pipelines are accurate, and the pipeline sizes are as shown on the base maps provided for the sewer system. The internal development gravity mains and gravity main to the existing system tie-in point were not modeled.

### ESTIMATED DEVELOPMENT WASTEWATER FLOWS

Howard Industrial Partners provided a proposed preliminary site plan and fixture unit count for the Cedar Avenue Technology Park commercial development. The preliminary Site Plan is attached as Figure 1. The proposed development includes 50 fixture units. The fixture unit count was based on the 2016 California Building Code/International Building Code. The developer's plumber determined a flow of 21 gallons per fixture unit per day. The breakdown of the proposed fixture unit count is attached as Figure 2. The total estimated wastewater flow from the project was 1,050 gallons per day. This flow was converted to cubic feet per second (cfs) and was used in the model as the average dry weather wastewater flow (ADWF). The resulting ADWF is estimated at 0.0909 cfs. The model calculates PDWF based on the Los Angeles peaking curve. The Los Angeles peaking curve accounts for higher system peaking when smaller flows are generated and accounts for attenuation of flows

Mr. Timothy Howard  
September 14, 2016  
Page 2

with smaller peaking when flows conglomerate. The Los Angeles peaking curve provides a more accurate representation of how a gravity collection system actually operates. The peaking factor from the Los Angeles peaking curve, based on an ADWF of 0.001 million gallons per day (MGD), is 4.0. The resulting PDWF is 4,200 gpd.

#### **MODEL SET-UP**

The development site is located west of the existing City of Rialto 8-inch diameter gravity sewer system in Larch Avenue. The layout of the sewer model that will serve the proposed development is attached as Figure 3. The project is anticipated to tie-in to the existing City of Rialto sewer system at Manhole 376-3, which is located along the existing 8-inch diameter gravity main at the intersection of Larch Avenue and Orange Street. The projected sewer flows were entered into the model at Manhole 376-3 and were modeled based on the information presented above. The existing 8-inch gravity main extends south along Larch Avenue for approximately 650 feet where it increases to a 15-inch diameter gravity main which flows east in Slover Avenue. The remaining portions of gravity sewer main to the wastewater treatment plant vary in size from 12 to 30 inches in diameter.

#### **MODELING SCENARIOS**

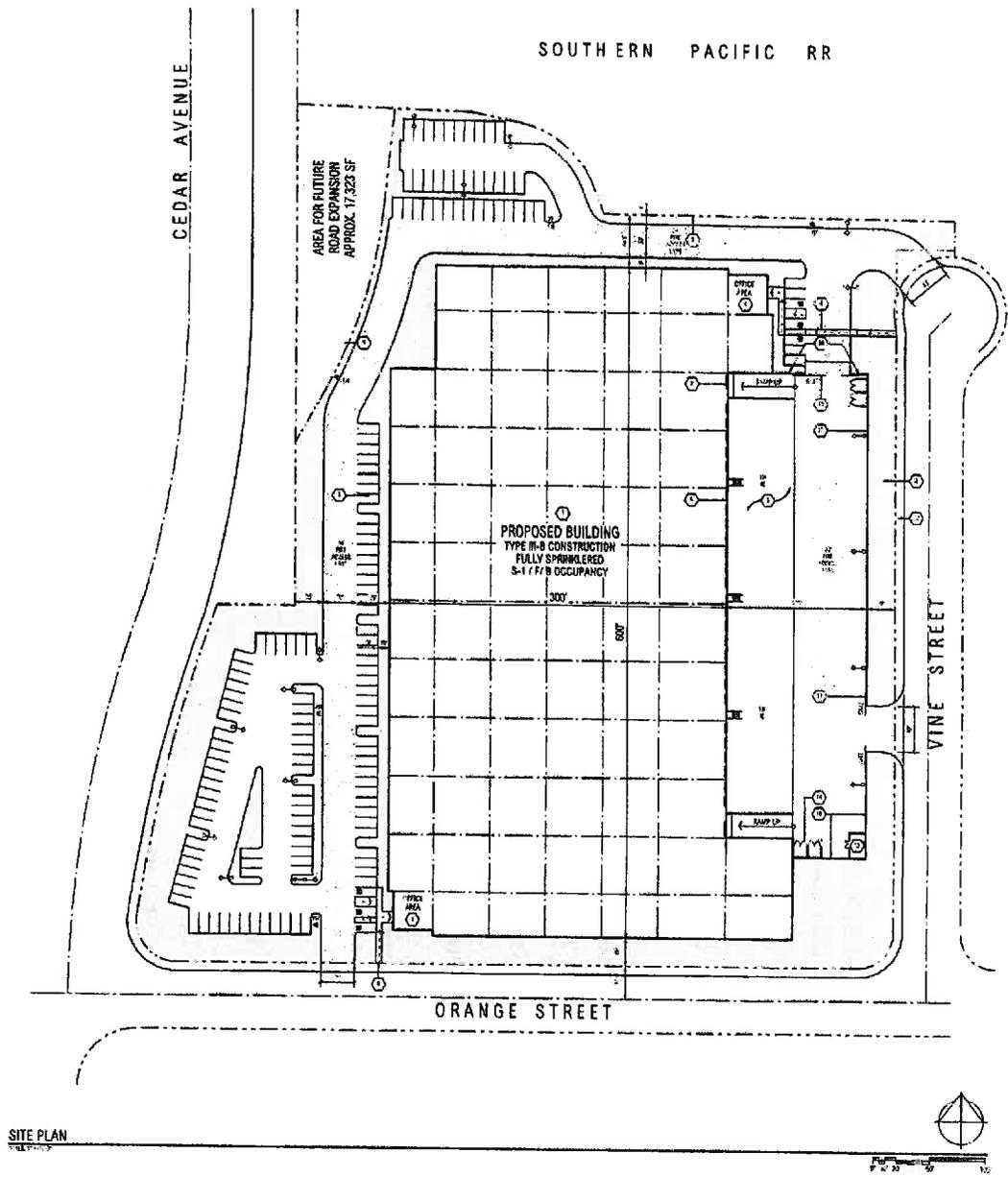
West Yost ran five scenarios to analyze the wastewater gravity system capacity under PDWF conditions for both the existing and future system conditions. Scenario one was run for the PDWF under the existing system conditions. Scenario two was run for the PDWF under the existing system conditions with the existing system capital improvement projects (CIP's) in place. Scenario three was run for PDWF for future (buildout) flow conditions under the existing system. Scenario four was run for PDWF under the future (buildout) flow conditions with the existing system CIP's in place. Finally, scenario five was run for PDWF under the future (buildout) flow conditions with the future system CIP's in place. Existing system and future system CIP's are described in the City of Rialto Sewer Master Plan.

#### **MODELING RESULTS**

The sewer system model results were examined for each scenario to determine if the sewer system capacity of the downstream gravity mains were able to accept the proposed Cedar Avenue Technology Park development flows without exceeding the performance criteria that were established in the City of Rialto Sewer Master Plan.

The modeling indicates that the existing City of Rialto sewer system is capable of accepting the estimated flows from the development under all existing and future flow conditions. The results of the modeling for each scenario are attached on a compact disk.

**Figure 1:**  
**Cedar Avenue Technology Park**  
**Preliminary Site Plan**



SITE PLAN

**PROJECT DATA**

PROJECT NO.	10000000000000000000
CITY OF	AMARILLO, TEXAS
PROJECT NAME	CEAR AVENUE TECHNOLOGY PARK
OWNER	HOWARD INDUSTRIAL PARTNERS
DESIGNER	REGINA GARCIA ARCHITECTS
DATE	10/15/2010

**PARKING ANALYSIS**

TYPE OF PARKING	TYPE OF VEHICLE	NUMBER OF SPACES
Surface	Passenger	100
Surface	Truck	10
Surface	Motorcycle	5
Surface	Handicapped	2
Surface	Other	0

**KEYNOTES**

- 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

**APPLICATION TYPE**

PLAN PREPARER

**APNS**

PLAN PREPARER

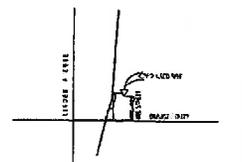
**COMPLIANCE**

PLAN PREPARER

**LEGAL DESCRIPTION**

LEGAL DESCRIPTION

**VICINITY MAP**



**GENERAL NOTES**

- 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
- 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

**UTILITIES & SERVICES**

UTILITIES & SERVICES



**CEAR AVENUE TECHNOLOGY PARK**  
0000 CEDAR AVENUE  
COUNTY OF SAN BERNARDINO  
CALIFORNIA

**HOWARD INDUSTRIAL PARTNERS**  
155 NORTH RIVERVIEW DRIVE  
AMARILLO, CA 93208  
TEL: 805.435.7800  
TOM HOWARD

NO.	DATE	DESCRIPTION
1	10/15/2010	ISSUED FOR PERMIT
2	10/15/2010	ISSUED FOR PERMIT
3	10/15/2010	ISSUED FOR PERMIT
4	10/15/2010	ISSUED FOR PERMIT
5	10/15/2010	ISSUED FOR PERMIT
6	10/15/2010	ISSUED FOR PERMIT
7	10/15/2010	ISSUED FOR PERMIT
8	10/15/2010	ISSUED FOR PERMIT
9	10/15/2010	ISSUED FOR PERMIT
10	10/15/2010	ISSUED FOR PERMIT

SCALE: AS SHOWN  
SHEET NO. 1 OF 1  
SHEET TITLE: SCHEMATIC SITE PLAN

LAFCO SC # 436

**Figure 2:**  
**Proposed Fixture Unit Count**

Non-Residential User Drainage Fixture Unit (DFUs)  
Sewer Flow Calculation

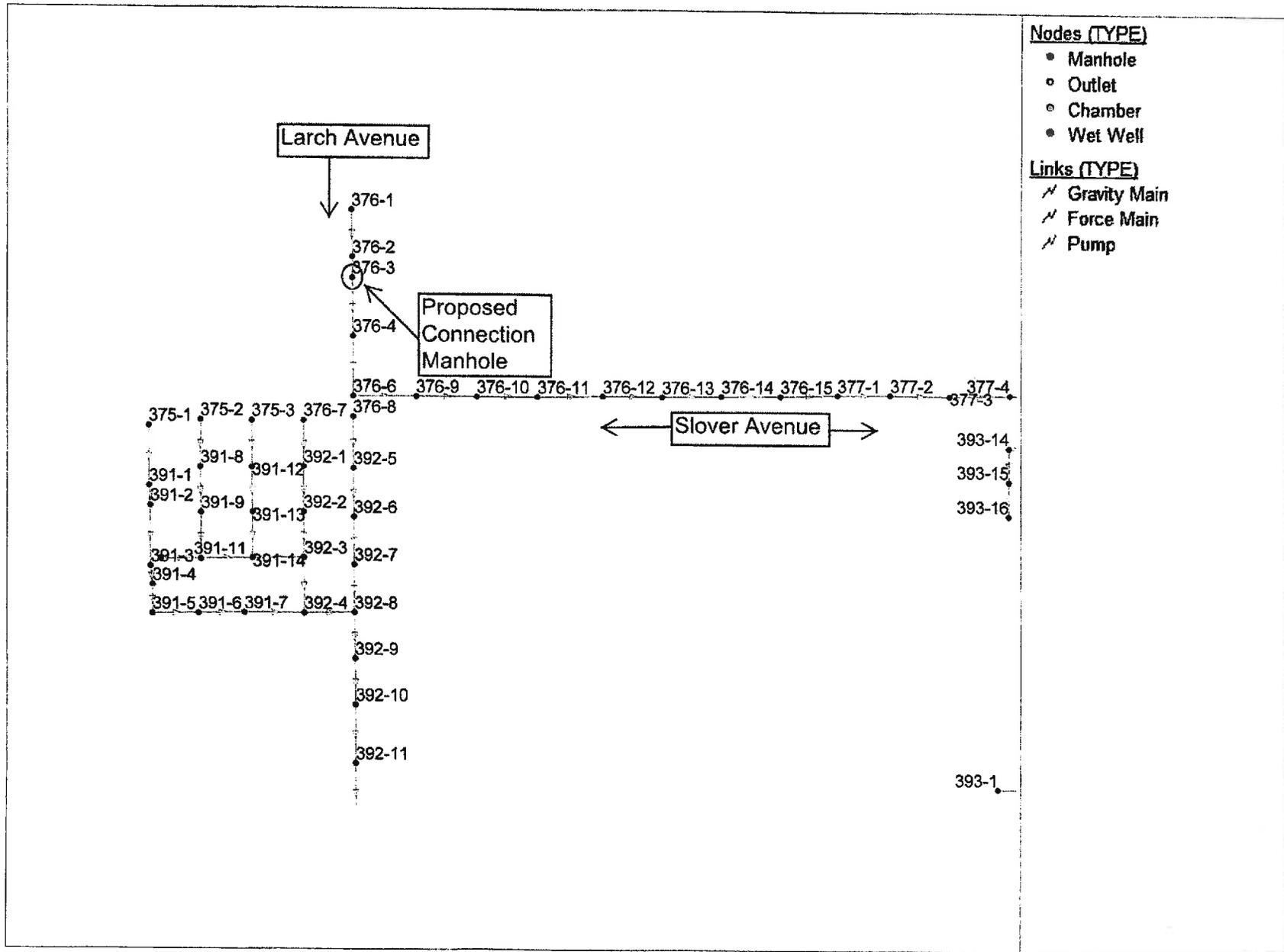
Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Appurtenance	DFU's	Quantity	Total
Floor Drain	2	2	4
Floor Drain (Emergency)	0		
Drinking Fountain (Public Use)	1	1	1
Urinal	2	1	2
Water Closet (Employee Only Toilet)	4		
Water Closet (Public Toilet)	6	5	30
Lavatory (Bathroom Sink)	1	4	4
Shower	2		
Bar Sink, Break room Sink	2	1	2
Floor Sink (1.5" Trap)	3		
Floor Sink (2" Trap)	4		
Floor Sink (4" Trap)	6		
Food Waste Grinder	3		
Hand Sink	1		
Mop Sink	3	1	3
Clothes Washer	2		
AC Condensate (1.5" Pipe - 3 Units)	3		
AC Condensate (2" Pipe - 4 Units)	4	1	4
AC Condensate (4" Pipe - 6 Units)	6		
Total Drainage Fixture Units (DFU's)			50
Total Flow ("Total" x 21 gal = Total Flow)			1,050 GPD

**Figure 3:  
Sewer Model Layout**

# Cedar Aveune Technology Park Sewer Analysis



**County's Conditions of  
Approval for the Project**

**Attachment 3**



## Land Use Services Department Planning

Tom Hudson  
Director

December 22, 2017

**Effective Date: December 27, 2017**  
**Expiration Date: December 27, 2020**

Timothy Howard  
Howard Industrial Partners, LLC  
155 N. Riverview Drive  
Anaheim Hills, CA 92808

Jeremy Krout  
EPD Solutions, Inc.  
2030 Main Street, Suite 1200  
Irvine, CA 92614

**RE: CONDITIONAL USE PERMIT TO CONSTRUCT A 184,770-SQUARE FOOT WAREHOUSE WITH 10,000 SQUARE FEET OFFICE SPACE ON 9.8 ACRES, LOCATED AT THE NORTHEAST CORNER OF CEDAR AVENUE AND ORANGE STREET, IN THE COMMUNITY INDUSTRIAL (IC) ZONING DISTRICT. FIFTH SUPERVISORIAL DISTRICT; APN: 0253-211-56; PROJECT P201600435**

Dear Mr. Howard and Mr. Krout,

On December 14, 2017, the San Bernardino County Planning Commission approved your Conditional Use Permit to construct a 184,770-square foot Industrial building. Pursuant to Section 85.03.110 of the County Development Code, a Post Decision Notice must be provided to the applicant within ten (10) days of a final decision of an application for a permit.

The effective date of your conditional approval is eleven (11) days from your approval date of December 14, 2017. This approval shall expire and become void on December 27, 2020, if it is not exercised pursuant to the Conditions of Approval.

**PLEASE NOTE: THIS WILL BE THE ONLY NOTICE GIVEN FOR THE ABOVE SPECIFIED EXPIRATION DATE AND THE TIME LINES SPECIFIED IN THE CONDITIONS. THE APPLICANT IS SOLELY RESPONSIBLE FOR INITIATING ANY TIME EXTENSION REQUEST THIRTY DAYS BEFORE EXPIRATION.**

The attached CUP Conditions of Approval are listed under specific headings according to when each condition must be completed for the applicable County Department. The Condition Compliance Release Forms list each County Division or outside agency that must sign-off on the project prior to each state of development. These forms must be completed with all required signatures in order to obtain each requested permit. Prior to issuance of any permit, the developer shall return the completed and signed Condition Compliance Release form with three (3) copies of the stamped approved CUP site plan and a copy of the conditions of approval to the Planning Division for review.

Within ten (10) working days of submittal, Planning staff will review and, if appropriate, will release the Planning Division hold on each requested permit by stamping the approved plot plans with a "red" permit release stamp. The applicant shall take a copy of the "red stamped" plans along with a copy of the signed Condition Compliance Release Forms to the San Bernardino County Building and Safety Division. This will complete the Planning Division's approval process for that permit.

### BOARD OF SUPERVISORS

ROBERT A. LOVINGOOD  
Chairman, First District

JANICE RUTHERFORD  
Second District

JAMES RAMOS  
Third District

CURT HAGMAN  
Vice Chairman, Fourth District

JOIE GONZALES  
Fifth District

Gary McBride  
Chief Executive Officer

P201600435/CUP  
December 22, 2017  
PAGE 2 of 2

Please note that there may be other corrections and reviews by San Bernardino County Fire, Department of Public Works or the Building and Safety Division that must be satisfied prior to issuance of permits by Building and Safety.

This completes the Planning Division's review of this project. The Conditions of Approval, along with the attached approved Site Plan represent the final development criteria and design for this project. This is not considered a conceptual design, and as such is not subject to change or alteration. Therefore any proposed revisions or modifications will require the submittal of a "Revision to an Approved Action" application and fees for review and approval.

Should you have any additional questions regarding specific condition(s) or matters on the project, please contact me at 909 387-0235 or by email at [Aron.Liang@LUS.sbcounty.gov](mailto:Aron.Liang@LUS.sbcounty.gov).

Sincerely,



Aron Liang, Senior Planner

AL/drp/nk

Attachments: CUP Conditions of Approval  
Stamped/Conditionally Approved Plans  
Certificate of Compliance Forms

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**EXHIBIT C**  
**CONDITIONS OF APPROVAL**  
Cedar Technology Center P201600435

**GENERAL REQUIREMENTS**  
Ongoing and Operational Conditions

**LAND USE SERVICES – Planning Division 909.387.8311**

1. **Project Description.** This Conditional Use Permit approval is for the construction of an 184,770-square foot industrial warehouse building with 10,000 square feet of office area to be used as a warehouse distribution facility on 9.8 acres, in the Community Industrial (BL/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 northeast corner of Cedar Avenue and Orange Street, in Bloomington.
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: 0253-211-56 and Project Number: P201600435.
4. **Revisions.** Any proposed change to the approved use/activity on the site; or any increase in the developed area of the site or any expansion or modification to the approved facilities, including changes to structures, building locations, elevations, signs, parking allocation, landscaping, lighting, allowable number of occupants (clients and/or employees); or a proposed change in the conditions of approval, including operational restrictions from those shown either on the approved site plan and/or in the conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be approved by the County. The developer shall prepare, submit with fees, and obtain approval of the application prior to implementing any such revision or modification. (SBCC §86.06.070)
5. **Continuous Effect/Revocation.** All Conditions of Approval applied to this project shall be effective continuously throughout the operative life of the project for the approved use. Failure of the property owner, tenant, applicant, developer or any operator to comply with any or all of the conditions at any time may result in a public hearing and revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner or other party to correct the non-complying situation.
6. **Indemnification.** In compliance with SBCC §81.01.070, the developer shall agree to defend, indemnify and hold harmless the County or its "indemnities" (herein collectively the County's elected officials, appointed officials [including Planning Commissioners], Zoning Administrator, agents, officers, employees, volunteers, advisory agencies or committees, appeal boards or legislative body) from any claim, action or proceeding against the County or its indemnitees to attack, set aside, void or annul an approval of the County by an indemnitee concerning the map or permit or any other action relating to or arising out of County approval, including the acts, errors or omissions of any person and for any costs or expenses incurred by the indemnitees on account of any claim, except where such indemnification is prohibited by law. In the alternative, the developer may agree to relinquish such approval.

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

The County may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the developer of their obligations under this condition to reimburse the County or its indemnitees for all such expenses.

This indemnification provision shall apply regardless of the existence or degree of fault of indemnitees. The developer's indemnification obligation applies to the indemnitee's "passive" negligence but does not apply to the indemnitee's "sole" or "active" negligence" or "willful misconduct" within the meaning of Civil Code Section 2782.

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

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

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

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

8. Extension of Time. County staff may grant extensions of time to the expiration date (listed above or as otherwise extended) in increments each not to exceed an additional three years beyond the current expiration date. The developer may file an application to request consideration of an extension of time with appropriate fees no less than 30 days before the expiration date. County staff may grant extensions of time based on a review of the Time application, which must include a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised Conditions of Approval or site plan modifications. (SBCC §86.06.060)
9. Development Impact Fees. Additional fees may be required prior to issuance of development permits. Fees shall be paid as specified in adopted fee ordinances.
10. Project Account. The Job Costing System (JCS) account number is P201600435. This is an actual cost project with a deposit account to which hourly charges are assessed. The developer shall maintain a positive account balance at all times. A minimum balance of \$1000 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use. There shall be sufficient funds remaining in the account to properly fund file closure and any other required post-occupancy review and inspection (e.g. landscape performance).
11. Condition Compliance. In order to obtain construction permits for grading, building, final inspection, and/or tenant occupancy for each approved building, the developer shall process a Condition Compliance Release Form (CCRF) for each respective building and/or phase of the development through the Planning Division in accordance with the directions stated in the Approval letter. The Planning Division shall release their holds on each phase of development by providing to County Building and Safety the following:
- Grading Permits: a copy of the signed CCRF for grading/land disturbance and two "red" stamped and signed approved copies of the grading plans.
  - Building Permits: a copy of the signed CCRF for building permits and three "red" stamped and signed approved copies of the final approved site plan.
  - Final Occupancy: a copy of the signed CCRF for final inspection of each respective building or use of the land, after an on-site compliance inspection by County Planning.

- 
12. Additional Permits. The property owner, developer, and land use operator are all responsible to ascertain and comply with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies as are applicable to the development and operation of the approved land use and project site. These may include:
- FEDERAL: None
  - STATE: Regional Water Quality Control Board (RWQCB) - Santa Ana Region
  - COUNTY: Land Use Services – Planning, Building and Safety, Land Development, Code Enforcement; Public Health – Environmental Health Services; Special Districts; Public Works – Traffic, Surveyor, Solid Waste; County Fire – Community Safety, Hazardous Materials
  - LOCAL: City of Rialto
13. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:
- Annual maintenance and repair. The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety.
  - Graffiti and debris. The developer shall remove graffiti and debris immediately through weekly maintenance.
  - Landscaping. The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying.
  - Dust control. The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided.
  - Erosion control. The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability.
  - External Storage. The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls.
  - Metal Storage Containers. The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals.
  - Screening. The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view.
  - Signage. The developer shall maintain all on-site signs, including posted area signs (e.g. “No Trespassing”) in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan.
  - Lighting. The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules.
  - Parking and on-site circulation. The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires Planning Division review and approval. Markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled parking and path of travel, directional signs, pedestrian crossing, speed humps and “No Parking”, “Carpool”, and “Fire Lane” designations.
  - Fire Lanes. The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including “No Parking” designations and “Fire Lane” designations.
14. Performance Standards. The approved land uses shall operate in compliance with the general performance standards listed in SBCC Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste. In addition to these, none of the following shall be perceptible without instruments at any point outside the project boundaries at adjoining property lines:
- Odors: No offensive or objectionable odor.
  - Emissions: No emission of dirt, dust, fly ash and other forms of particulate matter.
  - Smoke: No smoke of a greater density than that described in No. 2 on the Ringelmann Smoke Chart, as published currently by the United States Bureau of Mines, shall be emitted from any project source.
  - Radiation: No dangerous amount of radioactive emissions.
  - Toxic Gases: No emission of toxic, noxious or corrosive fumes of gases.
  - Glare: No intense glare that is not effectively screened from view at any point outside the project boundary.

15. Lighting. The glare from any luminous source, including on-site lighting shall not exceed one-half (0.5) foot-candle at property line. All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign alternating no more than once every five seconds.
16. 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.
17. Water Conservation. Structures shall incorporate interior and exterior water conservation measures (low-flow plumbing, water efficient landscaping, drip irrigation, minimization of turf areas, etc.) as required by the SBCC.
18. Construction Hours. Construction will be limited to the hours between 7:00 AM and 7:00 PM, Monday through Saturday in accordance with the SBCC standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
19. Signs. All proposed on-site signs shall be shown on a separate plan, including location, scaled and dimensioned elevations of all signs with lettering type, size, and copy. Scaled and dimensioned elevations of buildings that propose signage shall also be shown. The applicant shall submit sign plans to County Planning for all existing and proposed signs on this site. The applicant shall submit for approval any additions or modifications to the previously approved signs. All signs shall comply with SBCC Chapter 83.13, Sign Regulations, SBCC §83.07.040, Glare and Outdoor Lighting Mountain and Desert Regions, and SBCC Chapter 82.19, Open Space Overlay as it relates to Scenic Highways (§82.19.040), in addition to the following minimum standards:
  - a. All signs shall be lit only by steady, stationary shielded light; exposed neon is acceptable.
  - b. All sign lighting shall not exceed 0.5 foot-candle.
  - c. No sign or stationary light source shall interfere with a driver's or pedestrian's view of public right-of-way or in any other manner impair public safety.
  - d. Monument signs shall not exceed four feet above ground elevation and shall be limited to one sign per street frontage.
20. 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.
21. 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.
22. 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)]
  - b) Signs shall be posted requiring all vehicle drivers and equipment operators to turn off engines when not in use.
  - c) All engines shall not idle more than five minutes in any one-hour period on the project site. This includes all equipment and vehicles.
  - d) On-site electrical power connections shall be provided.
  - e) All transportation refrigeration units (TRU's) shall be provided electric connections, when parked on-site.
  - f) 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.  
[Mitigation Measure III-1] General Requirements/Planning

23. Truck Queues. All commercial vehicles are restricted from queuing in excess of 5 minutes on Vine Street ingress/egress points to minimize diesel particulate emissions to sensitive receptor sites.
24. 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 DEPARTMENT – Code Enforcement Division 909.387.8311**

25. Enforcement. If any County agency is required to enforce compliance with the conditions of approval, the property owner and “developer” shall be charged for such enforcement activities in accordance with the County Code Schedule of Fees. Failure to comply with these conditions of approval or the approved site plan design required for this project approval shall be enforceable against the property owner and “developer” (by both criminal and civil procedures) as provided by the San Bernardino County Code, Title 8 - Development Code; Division 6 - Administration, Chapter 86.09 - Enforcement.
26. Weed Abatement. The Applicant shall comply with San Bernardino County weed abatement regulations [SBCC §23.031-23.043] and periodically clear the site of all non-complying vegetation. This includes removal of all Russian thistle (tumbleweeds).

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section 909.387.8311**

27. Tributary Drainage. Adequate provisions should be made to intercept and conduct the tributary off-site/on-site drainage flows around and through the site in a manner that will not adversely affect adjacent or downstream properties at the time the site is developed.
28. Natural Drainage. The natural drainage courses traversing the site shall not be occupied or obstructed.
29. Additional Drainage Requirements. In addition to drainage requirements stated herein, other on-site and/or off-site improvements may be required that 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.
30. Continuous BMP Maintenance. The property owner/“developer” is required to provide periodic and continuous maintenance of all Best Management Practices (BMP) devices/facilities listed in the County approved Water Quality Management Plan (WQMP) for the project. This includes but is not limited to, filter material replacement and sediment removal, as required to assure peak performance of all BMPs. Furthermore, such maintenance activity will require compliance with all Local, State, or Federal laws and regulations, including those pertaining to confined space and waste disposal methods in effect at the time such maintenance occurs.
31. BMP Enforcement. In the event the property owner/“developer” (including any successors or assigns) fails to accomplish the necessary BMP maintenance within five (5) days of being given written notice by County Public Works, then the County shall cause any required maintenance to be done. The entire cost and expense of the required maintenance shall be charged to the property owner and/or “developer”, including administrative costs, attorney’s fees and interest thereon at the rate authorized by the County Code from the date of the original notice to the date the expense is paid in full.

**PUBLIC HEALTH – Environmental Health Services 800.442.2283**

32. Noise. 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. Septic 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.
34. Refuse Storage/Removal. All refuse generated at the premises shall at all times be stored in approved containers and shall be placed in a manner so that visual or other impacts and environmental public health nuisances are minimized. All refuse not containing garbage shall be removed from the premises at least one time per week, or as often as necessary

to minimize public health nuisances. Refuse containing garbage shall be removed from the premises at least two times per week, or as often as necessary to minimize public health nuisances, by a permitted hauler to an approved solid waste facility in conformance with SBCC Chapter 8, §33.0830 et. seq. For information, please call DEHS/LEA at: 1-800-442-2283.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division 909.387.8186**

35. Project vehicles shall not back out into the public roadway.
36. Access. Access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management 909.386.8961**

37. 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).
38. 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 AB 2176.
39. Mandatory Commercial Recycling. Beginning July 1, 2012, all businesses defined to include a commercial or public entity that generates four or more cubic yards of commercial solid waste a week or is a multi-family residential dwelling of five or more must arrange for recycling services. The County is required to monitor business recycling and will require the business to provide recycling information. This requirement is to assist the County in compliance with the recycling requirements of AB 341.
40. Mandatory Trash Service – This project falls within a Uniform Handling Service area. If uniform handling is implemented in all or part of a particular franchise area, all owners or a dwelling or a commercial or industrial unit within the uniform handling area who are required to have uniform handling service shall, upon notice thereof, be required to accept uniform handling service from the grantee holding a franchise agreement and pay the rate of such services. This requirement is a stipulation of County Code Title 4, Division 6, Chapter 5, Section 46.0501.
41. Mandatory Organics Recycling – As of April 2016, the State of California through AB 1826 (Enacted October 2014), requires businesses that generate eight (8) cubic yards of organics per week to recycle. 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 though 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.

**COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190 / (909) 386-8465/LOCAL FIRE JURISDICTION**

42. Fire Jurisdiction. The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein ("Fire Department"). Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances and standards of the Fire Department.
43. Fire Fee. The required fire fees (currently \$1,598) shall be paid to the San Bernardino County Fire Department/Community Safety Division. (909) 386-8400.

44. Construction Permits. Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred within 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.
45. Additional Requirements. In addition to the Fire requirements stated herein, other on-site and off-site improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.

**PRIOR TO ISSUANCE OF GRADING PERMITS OR LAND DISTURBING ACTIVITY**  
The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division 909.387.8311**

46. 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.*
47. AQ - Construction Mitigation. *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 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 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)*
- j) *Suspend use of all construction equipment operations during second stage smog alerts.*  
*NOTE: For daily forecast, call (800) 367-4710 (San Bernardino and Riverside Counties).*

48. *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. *Pre-coated/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.*

*[Mitigation Measure III AQ1 – AQ5] Prior to Grading Permit/Planning*

49. *BIO-1 Burrowing Owl Pre-construction Survey: A pre-construction surveys for Burrowing Owl (BUOW) shall be required 30 days before the start of grading activities to confirm the absence of BUOW from the site. Preconstruction BUOW surveys shall be conducted according to the 2012 CDFW Staff Report on Burrowing Owl Mitigation guidelines onsite prior to construction or site preparation activities.*

*The results of the survey shall be submitted to the County of San Bernardino and the California Department of Fish & Wildlife (CDFW) within 14 days following completion. If active burrows are detected, protective measures shall be required to ensure compliance with the Migratory Bird Treaty Act (MBTA) and other applicable California Department of Fish and Game (CDFG) Code requirements:*

- a. *In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.*
- b. *In the event that the pre-construction survey identifies the presence of at least one Individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow California Department of Fish and Wildlife relocation protocol. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow California Department of Fish and Wildlife relocation protocol. The biologist shall confirm in writing to the County of San Bernardino Planning Department that the species has fledged or been relocated prior to the issuance of a grading permit.*

*BIO 2. Nesting Bird Pre-Construction Survey: As a condition of approval for all grading permits, vegetation clearing, or ground disturbance, within 30 days prior to such activities occurring during the nesting/breeding season (Mid-February through August 31), a migratory bird nesting survey must be completed in accordance with the following requirements:*

- a. *A migratory nesting bird survey of the Project's impact footprint shall be conducted by a qualified biologist within three business (3) days prior to initiating vegetation clearing or ground disturbance.*
- b. *A copy of the migratory nesting bird survey results report shall be provided to the County of San Bernardino Planning Department. If the survey identifies the presence of active nests, then the qualified biologist shall provide the Planning Department with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the Planning Department and shall be no less than a 300-foot radius around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The*

*approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and Planning Department verify that the nests are no longer occupied and the juvenile birds can survive independently from the nests.*

*[Mitigation Measure IV BIO1 – IV BIO2] - Prior to Grading Permit/Planning*

50. Cultural Resources Monitoring:

*CR-1. Undiscovered Cultural Resources. If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards [36 CFR § 6]) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.*

*CR-2. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.*

*CR-3. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input.*

*CR-4. If significant Native American historical resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained to develop an cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan, the drafts of which shall be provided to San Manuel Band of Mission Indians for review and comment.*

- a. *All in-field investigations, assessments, and/or data recovery enacted pursuant to the finalized Treatment Plan shall be monitored by a San Manuel Band of Mission Indians Tribal Participant(s).*
- b. *The Lead Agency and/or applicant shall, in good faith, consult with San Manuel Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials encountered during the project.*

*[Mitigation Measure V CR1 – V CR4] - Prior to Grading Permit/Planning*

51. Geology and Soils:

*GS-1. The Project is required to comply with the California Building Standards Code as adopted by the County of San Bernardino to preclude significant adverse effects associated with seismic hazards. A design-phase geotechnical report will be produced and its recommendations will be implemented during site grading and construction. The following conditions are recommended:*

- *Once project grading and foundation plans are prepared and available, the project geotechnical consultant shall review the grading and foundation plans relative to the geotechnical recommendations in the above referenced report and provide an updated report and/or supplement if determined to be necessary. The geotechnical consultant shall stamp and wet-sign the grading and foundation plans which shall be submitted the County for review and approval as part of the plan check process.*
- *The Project Geotechnical Engineer shall perform inspection and density testing during grading. Upon completion of rough grading, the Geotechnical Engineer shall prepare a compaction report that includes the results of compaction testing and a plat or other suitable map showing the location of compaction tests. In addition, the report shall summarize the results of in-grading inspections and shall indicate whether the grading has been conducted in accordance with the recommendations of the approved geotechnical report. The report shall be submitted to Building and Safety with appropriate fees for review and approval.*
- *The Project Geotechnical Engineer shall inspect and approve footing excavations prior to placement of forms, steel, or pouring of concrete.*

*GS-2. The project shall comply with National Pollutant Discharge Elimination System (NPDES) requirements for control of discharges of sediments and other pollutants during construction. A Storm-water Pollution Prevention Plan (SWPPP) will be prepared and submitted to the State Water Resources Control Board. The project will obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) in effect at the time of grading permit application. The SWPPP will require preparation of an Erosion & Sediment Control Plan. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic Inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance*

*GS-3. The project shall comply with NPDES requirements for control of discharges of sediments and other pollutants during operations of the facility through preparation and implementation of a Water Quality Management Plan (WQMP) in compliance with the Municipal Separate Storm Sewer System (MS4) Permit in effect for the Santa Ana Regional Water Quality Control Board (RWQCB) at the time of grading permit application.  
[Mitigation Measure VI GS1 – VI GS-3] - Prior to Grading Permit/Planning*

52. Construction Noise:

*NSE-1. Install minimum 6-foot high temporary construction noise barriers at the Project's southern site boundary adjacent to sensitive receivers on Orange Street, as shown on Exhibit 10-A, for the duration of Project construction. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows:*

- The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts;*
- The noise barrier must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired;*
- The noise control barrier and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.*

*NSE-2. During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.*

*NSE-3. The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project site during all Project construction (i.e., to the north).  
[Mitigation Measure XII NSE1 – XII NSE3] - Prior to Grading Permit/Planning*

53. Hazards and Hazardous Materials.

*HAZ-1. The project is subject to all applicable federal, state, and local laws and regulations regarding hazardous materials including but not limited to requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.*

54. The "developer" shall submit and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce noise impacts during construction, which shall include the following vehicle and equipment emissions and other impacts to air quality by implementing the following measures and submitting documentation of compliance: The developer/construction contractors shall do the following:

- During the project site excavation and grading, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with the manufactures standards.
- The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

- c) The construction contractor shall limit all construction-related activities that would result in high noise levels between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday excluding holidays.
- d) The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise sensitive receptors nearest the project site during all project construction.
- e) The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.

**LAND USE SERVICES DEPARTMENT – Building and Safety Division 909.387.8311**

- 55. Retaining Wall Plans: Submit plans and obtain separate building permits for any required walls or retaining walls.
- 56. Geotechnical (Soil) Report. A geotechnical (soil) report shall be submitted to the Building and Safety Division for review and approval prior to issuance of grading permits.
- 57. Grading Plans: Grading plans shall be submitted to Building and Safety for review and approval prior to grading/land disturbance.
- 58. Erosion & Sediment Control Plan. An erosion and sediment control plan shall be submitted to and approved by the Building Official.
- 59. Erosion Control Installation. An erosion control permit shall be obtained and devices installed prior to any land disturbance. No sediment is to leave the job site.
- 60. NPDES Permit. An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. [www.swrcb.ca.gov](http://www.swrcb.ca.gov)
- 61. Regional Board Permit Letter: CONSTRUCTION projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
- 62. Once project grading and foundation plans are prepared and available, the project geotechnical consultant shall review the grading and foundation plans relative to the geotechnical recommendations in the above referenced report and provide an updated report and/or supplement if determined to be necessary. The geotechnical consultant shall stamp and wet-sign the grading and foundation plans which shall be submitted the County for review and approval as part of the plan check process.
- 63. The Project Geotechnical Engineer shall perform inspection and density testing during grading. Upon completion of rough grading, the Geotechnical Engineer shall prepare a compaction report that includes the results of compaction testing and a plat or other suitable map showing the location of compaction tests. In addition, the report shall summarize the results of in-grading inspections and shall indicate whether the grading has been conducted in accordance with the recommendations of the approved geotechnical report. The report shall be submitted to Building and Safety with appropriate fees for review and approval.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section 909.387.8311**

- 64. 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 manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$550 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.
- 65. Topo Map. A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.

66. Grading Plans. Grading plans shall be submitted for review and approval obtained, prior to construction. All Drainage improvements shall be shown on the Grading plans according to the approved Drainage study. 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.
67. On-site Flows. On-site flows need to be directed to the drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
68. 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. The report shall adhere to the current requirements established by the Santa Ana Watershed Region. Copies of the WQMP guidance and template can be found at: (<http://www.sbcounty.gov/dpw/land/npdes.asp>) .
69. WQMP Inspection Fee. The developer shall provide a \$3,600 deposit to Land Development Division for inspection of the approved WQMP. Deposit amounts are subject to change in accordance with the latest approved fee schedule.

**PUBLIC HEALTH – Environmental Health Services 800.442.2283**

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

**COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190 / (909) 386-8465/LOCAL FIRE JURISDICTION**

71. Access. The development shall have a minimum of 2 points of vehicular access. These are for fire/emergency equipment access and for evacuation routes.
72. Water System. Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.

**DEPARTMENT OF PUBLIC WORKS – Surveyor 909.387.8149**

73. Monumentation. If any activity on this project will disturb any land survey monumentation, including be 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 to Section 8771(b) Business and Professions Code).

**PRIOR TO ISSUANCE OF BUILDING PERMITS**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division 909.387.8311**

74. Architecture. Architectural elevations are considered conceptual. Final details with colors and material samples shall be submitted to the Planning Division for approval prior to building plan check submittal.
75. 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.

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76. Trash/Recyclables Receptacles. All trash and recyclables receptacles shall be in compliance with Public Works, Solid Waste Management standards. They shall be enclosed by six-foot high masonry walls with steel gates. A concrete apron equal to the width of the gate and outward from the enclosure a minimum of six feet shall be provided.
77. 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.
78. 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 four copies of a landscape and irrigation plan to County Planning.
79. Warehouse Renewable Energy Incentive Program (GHG Reduction Measure R2E7). The project shall be designed to have solar ready roof (sturdy roof and electric hookups). (2 points)
80. Energy Efficiency for Commercial Development (GHG Reduction Measure R2E7). The developer shall document that the design of the proposed structure exceeds the current Title 24 energy efficiency requirements as indicated below:
- Windows – Modestly Enhanced Window Insulation (0.4 U-factor, 0.32 SHGC) (15% > Title 24) (7 Points)
  - Daylighting – All rooms daylighted (7 points)
81. Employment Based Trip and VMT Reduction Policy (GHG Reduction Measure R2T2). The project shall include the following programs:
- Bike lockers and secure racks (1 point)
82. Potable Water - Per Capita Water Use Reduction Goal (GHG Reduction Measure R2WC-1). The project shall include the following potable water reduction measures that exceeds the current Title 24 energy efficiency requirements as indicated below:
- Water Efficient Irrigation Systems – Weather based irrigation control systems combined with drip irrigation (demonstrate 20 reduced water use) (5 points).
83. Renewable Fuel/Low Emission Vehicles (EV Charging Stations) Reduction Goal (GHG Reduction Measure R2T5)  
The project shall include the following renewable fuel/low emissions vehicles: :
- Electric Vehicles – Provide public charging station for use by an electric vehicle (demonstrate 80 reduced charging station) (80 points).

**LAND USE SERVICES DEPARTMENT – Building and Safety Division 909.387.8311**

84. Construction Plans: Any building, sign, or structure to be constructed or located on site, will require professionally prepared plans based on the most current County and California Building Codes, submitted for review and approval by the Building and Safety Division.
85. The Project Geotechnical Engineer shall inspect and approve footing excavations prior to placement of forms, steel, or pouring of concrete.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Road Section 909.387.8311**

86. 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.

**Vine Street (Local)**

- Street Improvements. Design curb and gutter with match up paving 18 feet from centerline.

- Sidewalks. Design sidewalks per County Standard 109 Type "B".
- Curb Returns and Sidewalk Ramps. Curb returns shall be designed per County Standard 110 and Caltrans Standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130.
- Cul-de-sac Design. The proposed cul-de-sac shall be designed and constructed full width to County Standards. The map shall be revised as necessary to accomplish this.

### **Orange Street (Local)**

- Street Improvements. Design curb and gutter with match up paving 18 feet from centerline.
- Sidewalks. Design sidewalks per County Standard 109 Type "C".
- Curb Returns and Sidewalk Ramps. Curb returns and sidewalk ramps shall be designed per County Standard 110 and Caltrans Standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
- Driveway Approach. Design driveway approach per 2010 Caltrans Driveway Standard Detail A87A (W=24' min – 34 max), and located per San Bernardino County Standards 130.

### **Cedar Avenue (Major Hwy)**

- Curb Returns and Sidewalk Ramps. The Curb return and sidewalk ramp at the intersection of Orange Street and Cedar Avenue shall be designed with 75 feet radius to accommodate the Cedar Avenue/HWY 10 Interchange alignment design, and shall be designed per County Standard 110 and Caltrans Standard A88A. Adequate easement shall be provided to ensure sidewalk improvements are within Public right-of-way.
  - Access Easement. A 30 feet wide access easement with 24 feet wide gated access shall be provided to County of San Bernardino for slope maintenance purposes on Cedar Avenue. Proof of recordation shall be provided to the Land Development Division.
  - Slope Maintenance Easement. A minimum 10 feet wide maintenance easement shall be provided to County of San Bernardino along the Cedar Avenue ultimate R/W for slope maintenance purposes. Proof of recordation shall be provided to the Land Development Division.
87. 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.
88. Street Improvement Plans. The developer shall submit for review and obtain approval of street improvement plans prior to construction. Final plans and profiles shall indicate the location of any existing utility facility or utility pole which would affect construction, and any such utility shall be relocated as necessary without cost to the County. Street improvement plans shall not be approved until all necessary right-of-way is acquired.
89. CMRS Exclusion. Road improvements required for this development on Vine Street shall not be entered into the County Maintained Road System (CMRS).

90. Construction Permits. Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
91. 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.
92. Soils Testing. Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.
93. Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.
94. Transitional Improvements. Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
95. Street Gradients. Road profile grades shall not be less than 0.5 percent unless the engineer, at the time of submittal of the improvement plans, provides justification to the satisfaction of the Department of Public Works confirming the adequacy of the grade.
96. 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 by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$6.01 per square foot for industrial use, which includes the 184,770 sq. ft. building per the site plan dated 08/07/2017.*

*Therefore, the estimated Regional Transportation Fees for the Project is \$1,110,467.70 (\$6.01 per sq. ft. x 184,770 sq. ft.). The current Regional Transportation Development Mitigation Plan can be found at the following website: <http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx> [Mitigation Measure XVI TT1 ] Prior to Building Permit/County Land Development*

#### **SPECIAL DISTRICTS – (909) 387-5940**

97. This project lies within the sphere area of County Service Area 70, Zone SL-1. If street lighting is required, then street lighting plans, plan check fees and (3) three-year advanced energy charges must be submitted to and approved by Special Districts Department. Please submit plans and plan check fees to Special Districts Department, 157 W. St., 2<sup>nd</sup> Floor, San Bernardino, CA 92415-0450. For additional information regarding street light plans, please call Special Districts Department, Lien Administration Section at (909)387-5829.
98. This project falls within the boundaries of the Bloomington Recreation and Park District. Construction activities and site development have impacts to the park facilities located within this district. Therefore, developer impact fees to mitigate any influence this project may apply. Please forward a site plan and an Initial Study/ Environmental Impact Report to the Special Districts Department for further evaluation at: 157 W. 51<sup>st</sup> St., 2<sup>nd</sup> Floor, San Bernardino, CA 92415-0450.

#### **DEPARTMENT OF PUBLIC WORKS – Traffic Division 909.387.8186**

99. A Traffic signal modification plan is required for the intersection at the northeast corner of Cedar Ave and Orange Street.

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**PUBLIC HEALTH – Environmental Health Services 800.442.2283**

100. Water. Water purveyor shall be West Valley Water District.
101. Water Letter. The Applicant shall procure a verification letter from the water agency with jurisdiction. This letter shall state whether or not water connection and service shall be made available to the project by the water agency. The letter shall reference Assessor's Parcel Number (APN): 0253-211-56. For projects with current active water connections, a copy of water bill with the project address may suffice. For information, contact the Water Section at 800.442.2283.
102. Sewer. Method of sewage disposal shall be City of Rialto.
103. Sewer Letter. The Applicant shall procure a verification letter from the sewer agency with jurisdiction. This letter shall state whether or not sewer connection and service shall be made available to the project by the water agency. The letter shall reference APN: 0253-211-56.
104. If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: A soil percolation report shall be submitted to DEHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For information, please contact the Wastewater Section at 1-800-442-2283.
105. Verification of Service. Submit verification of service approval to DEHS for any project that requires water or sewer connection outside a purveyor's jurisdiction. For information, contact LAFCO at: 909-383-9900.
106. Written clearance shall be obtained from the designated California Regional Water Quality Control Board (Listed below) and a copy forwarded to the Division of Environmental Health Services
  - A. Santa Ana Region, 3737 Main Street, Suite 500, Riverside, CA 92501-3339, 951-782-4130
107. Acoustical Information. Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standards, SBCC §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 with 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 800.442.2283.
108. Food Establishments. Plans for wholesale food distributors or other food establishments shall be reviewed and approved by DEHS. For information, call DEHS/Plan Check at: 1-800-442-2283.

**COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190/(909) 386-8465/LOCAL FIRE JURISDICTION**

109. Building Plans. Building Plans. No less than three (3) complete sets of Building Plans shall be submitted to the Fire Department for review and approval. Additional \$699.00 for pump house construction.
110. 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 (Fire# F-9), including width, vertical clearance and turnouts, if required.
111. 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.
112. 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.

113. 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.
114. High-Piled Storage. The applicant shall submit an application for high-piled storage (internal storage over 12' in height), three (3) sets of detailed plans and a commodity analysis report to the Fire Department for review and approval. The applicant shall submit the approved plan to Building and Safety for review with building plans. If the occupancy classification is designated as S-2, commodities to be stored will be limited to products of light hazard classification only. The required fees shall be paid at the time of plan submittal.
115. 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.
116. 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 to 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.

**DEPARTMENT OF PUBLIC WORKS – Surveyor 909.387.8149**

117. Record of Survey. Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances:
- Monuments set to mark property lines or corners;
  - 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;
  - Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management 909.386.8961**

118. Construction and Demolition Waste Management Plan (CDWMP) Part 1 – The developer shall prepare, submit, and obtain approval from SWMD of a CDWMP Part 1 for each phase of the project. The CWMP shall list the types and weights or volumes of solid waste materials expected to be generated from construction. The CDWMP shall include options to divert from landfill disposal, materials for reuse or recycling by a minimum of 50% of total weight or volume. Forms can be found on our website at <http://cms.sbcounty.gov/dpw/solidwastemanagement.aspx>. An approved CDWMP Part 1 is required before a demolition permit can be issued.

**PRIOR TO FINAL INSPECTION OR OCCUPANCY**

The Following Shall Be Completed

**LAND USE SERVICES DEPARTMENT – Planning Division 909.387.8311**

119. Installation of Improvements. All required on-site improvements shall be installed per approved plans.
120. 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”).
121. CCRF/Occupancy. Prior to occupancy/use, all Condition Compliance Release Forms (CCRF) shall be completed to the satisfaction of County Planning with appropriate authorizing signatures from each affected agency.
122. Screen Rooftop. All roof top mechanical equipment is to be screened from ground vistas.

123. 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.
124. Wheel Stops. All back-in truck trailer parking spaces shall have a wheel stop or other physical barrier twelve feet from any wall, fence or building to prevent damage. All other vehicle spaces shall have wheel stops or curbs installed when adjacent to fences, walls or buildings; these shall be three feet (3') away from such facilities.
125. Signs. Prior to occupancy, the developer shall provide verification that the one freestanding sign is installed. All signs must comply with and be permitted in accordance with SBCC §83.13, Sign Regulations.
126. Disabled Access. Disabled access parking spaces shall be clearly marked as disabled spaces and said markings shall be maintained in good condition at all times.
127. Fees Paid. Prior to final inspection by the Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, all fees required under actual cost job number P201500091 shall be paid in full.
128. GHG – Installation/Implementation. The developer shall submit for review and obtain approval from County Planning evidence that all applicable GHG reduction measures have been installed, implemented and that specified performance objectives are being met.

**LAND USE SERVICES DEPARTMENT – Building and Safety Division 909.387.8311**

129. Condition Compliance Release Form Sign-off: Prior to occupancy all Department/Division requirements and sign-off's shall be completed.

**LAND USE SERVICES DEPARTMENT – Land Development Division – Drainage Section 909.387.8311**

130. Drainage Improvements. All required drainage improvements shall be completed by the applicant. The private registered engineer shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans. Certification letter shall be submitted to Land Development.
131. 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 DEPARTMENT – Land Development Division – Road Section 909.387.8311**

132. LDD Requirements. All LDD requirements shall be completed by the applicant prior to occupancy.
133. Road Improvements. Construction of non-county maintained roads and related drainage improvements on Vine Street shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer, identifying all supporting engineering criteria. Only the off-site improvements on Orange Street will be inspected and approved by County Public Works. Completion of road and drainage improvements does not imply acceptance for maintenance by the County.
134. Additional Right-of-Way. Additional Right-of-way may be required to accommodate the future design of Cedar Avenue Interchange. Please coordinate with Caltrans and the Department of Public Works, and provide comments to Land Development to ensure sufficient right-of-way has been provided.
135. Slope Maintenance Easement. A minimum 10 feet wide maintenance easement shall be provided to County of San Bernardino along the Cedar Avenue ultimate R/W, for slope maintenance purposes. Proof of recordation shall be provided to the Land Development Division.

136. Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.
137. 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.
138. Parkway Planting. Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Planning. It shall be maintained by the adjacent property owner or other County-approved entity.

**DEPARTMENT OF PUBLIC WORKS – Traffic Division 909.387.8186**

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

**COUNTY FIRE DEPARTMENT – Community Safety Division (760) 995-8190 / (909) 386-8465/LOCAL FIRE JURISDICTION**

140. Fire Sprinkler – NFPA #13. An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The plans (minimum 1/8" scale) shall include hydraulic calculations and manufacturer's specification sheets. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal. Standard 101.1 [F59]. Pump House sprinklers on separate permit.
141. Fire Alarm. An automatic monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required for 100 heads or more. 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.
142. 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 %) 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.
143. Key Box. An approved Fire Department key box is required. The key box shall be provided with a tamper switch and shall be monitored by a Fire Department approved central monitoring service. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.
144. Override Switch. Where an automatic electric security gate is used, an approved Fire Department override switch (Know ®) is required.
145. Fire Extinguishers. Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
146. Fire Lanes. The developer 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 and/or private roads in accordance with the approved plan.
147. Haz-Mat Approval. The applicant shall contact the San Bernardino County Fire Department Hazardous Materials Division (909) 386-8400 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.

148. High Pile. A letter of intent containing a detailed description of the products to be stored and the description of all containers, pallets, and packaging materials. This letter must also include a detailed description of the storage methods (racks, shelves, pallets), the total storage area in square feet, maximum storage height, aisle widths, and flue spaces. Within this letter, state that approved high piled storage plans will be maintained on site for the life of the HPS system(s). An authorized officer of the company or business must sign this letter. The letter shall be copied onto the plans.
149. High Pile Continued. The designation of a high piled storage area, or portion thereof intended for storage of a different commodity class, shall be based on the highest hazard commodity class stored, unless an engineering analysis has been submitted for review and approval.
150. Underground Piping Systems. Commercial/industrial projects with a building(s) exceeding 100,000 square feet shall be required to have a looped fire line system and with a minimum of two (2) points of connection to the public water source.

**COUNTY FIRE DEPARTMENT - Hazardous Materials Division 909.386.8401**

151. Handlers Permit. Prior to occupancy, operator shall submit disclosure information using the California Environmental Reporting System (CERS) for emergency release or threatened release of hazardous materials and wastes or apply for exemption from hazardous materials laws and regulations. Contact Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8401.
152. Haz-Mat Approval. Prior to occupancy, applicant shall be required to apply for one or more of the following: a Hazardous Materials Handler Permit, a Hazardous Waste Generator Permit, an Aboveground Storage Tank Permit, and/or an Underground Storage Tank Permit. For information, Office of the Fire Marshal, Hazardous Materials Division at (909) 386-8463.

**DEPARTMENT OF PUBLIC WORKS – Solid Waste Management 909.386.8961**

153. Construction and Demolition Waste Management Plan (CDWMP) Part 2 – The developer shall complete SWMD's CDWMP Part 2 for construction and demolition. This summary shall provide documentation of actual diversion of materials including but not limited to receipts, invoices or letters from diversion facilities or certification of reuse of materials on site. The CDWMP Part 2 shall provide evidence to the satisfaction of SWMD that demonstrates that the project has diverted from landfill disposal, material for reuse or recycling by a minimum of 50% of total weight or volume of all construction waste.

**END OF CONDITIONS**





# CONDITION COMPLIANCE RELEASE FOR LAND DISTURBANCE/GRADING PERMITS

This project may require land to be disturbed and/or grading to be conducted as part of the development process. In many instances, reviewing agencies have imposed certain requirements on your project that must be completed prior to land disturbance and/or prior to grading. In order to ensure compliance with these conditions, you are asked to obtain a release from the agencies that have assigned pre-grading/land disturbance requirements to your project.

A release must be obtained from the agencies circled below:

- 1. Planning Division/Land Use Svcs. Dept.
- 2. Land Development Engineering/Drainage
- 3. Building and Safety Division/Land Use Svcs. Dept.
- 4. Environmental Health Services
- 5. Fire Department/Fire Protection Planning
- 6. Public Works/surveyor

Coordinate the completion of all pre-grading/land disturbance conditions and requirements with the agencies identified above. After the requirements have been satisfied, obtain the signature of the releasing authority, and return this form to the project planner. Allow at least ten (10) working days for planner review. Upon verification that the requirements have been completed, your project will be released for permit authorization.

### FOR STAFF USE ONLY

The project referenced below is being reviewed to authorize the disturbance of land and/or issuance of grading permits. If the pre-grading/land disturbance conditions and requirements have been completed, please release the project with your signature.

Signature	Date	Dept.	Signature	Date	Dept.
_____			_____		
_____			_____		
_____			_____		

**APN:** 0253-211-56  
**Applicant:** Timothy Howard/Cedar Technology Center  
**Community:** Bloomington / Fifth Supervisorial District  
**Location:** Northeast corner of Cedar Avenue and Orange Street  
**Project No:** P201600435/CUP  
**Staff:** Aron Liang, Senior Planner

**Rep:** Timothy Howard  
**Proposal:** This Conditional Use Permit is approved to construct a 184,770-square foot industrial warehouse building with 10,000 square feet of office space for a warehouse distribution facility on 9.8 acres.

To Building and Safety:  
Planning Division verifies all land disturbance conditions and requirements are complete.  
Grading permit may be issued.

\_\_\_\_\_  
Signature Date



# CONDITION COMPLIANCE RELEASE FOR BUILDING PERMITS

This project requires building permits as part of the development process. In many instances, reviewing agencies have imposed certain requirements on your project that must be completed prior to issuance of those permits. In order to ensure compliance with these conditions, you are asked to obtain a release from the agencies that have assigned prebuilding permit requirements to your project.

A release must be obtained from the agencies circled below:

- 1. Environmental Health Services
- 2. Special Districts
- 3. Fire Department/Fire Protection Planning
- 4. Planning Division/Land Use Svcs. Dept.
- 5. Surveyor/Department of Public Works
- 6. Traffic Division/Department of Public Works
- 7. Building & Safety Div./Land Use Svcs. Dept.
- 8. Solid Waste Mgmt./Dept. of Public Works.
- 9. Land Development Engineering/Roads

Coordinate the completion of all prebuilding permit conditions and requirements with the agencies identified above. After the requirements have been satisfied, obtain the signature of the releasing authority, and return this form to the project planner. Allow at least ten (10) working days for planner review. Upon verification that the requirements have been completed, your project will be released for permit authorization.

### FOR STAFF USE ONLY

The project referenced below is being reviewed to authorize the issuance of building permits. If the prebuilding permit conditions and requirements have been completed, please release the project with your signature.

Signature	Date	Dept.	Signature	Date	Dept.
_____			_____		
_____			_____		
_____			_____		

**APN:** 0253-211-56  
**Applicant:** Timothy Howard/Cedar Technology Center  
**Community:** Bloomington / 5th Supervisorial District  
**Location:** Northeast corner of Cedar Avenue and Orange Street  
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**Rep:** Timothy Howard  
**Proposal:** This Conditional Use Permit is approved to construct a 184,770-square foot industrial warehouse building with 10,000 square feet of office space for a warehouse distribution facility on 9.8 acres.

To Building and Safety:  
Planning Division verifies all conditions and requirements are complete.  
Building permits may be issued.

\_\_\_\_\_  
Signature Date



# CONDITION COMPLIANCE RELEASE FOR OCCUPANCY/USE

This project requires authorization to occupy and/or use the project. In addition to the final clearance granted by Building and Safety, other reviewing agencies may have imposed certain requirements on your project that must be completed prior to issuance of said clearance. In order to ensure compliance with these conditions, you are asked to obtain a release from the agencies that have assigned pre-occupancy/pre-use requirements to your project.

A release must be obtained from the agencies underlined below:

- |  |   |
|--|---|
| 1. <u>Traffic Division/Dept. of Public Works</u>   | 5. <u>Land Development Engineering/Roads</u>              |
| 2. <u>Fire Department/Hazardous Materials</u>      | 6. <u>Land Development Engineering/Drainage</u>           |
| 3. <u>Fire Department/Fire Protection Planning</u> | 7. <u>Building &amp; Safety Div./Land Use Svcs. Dept.</u> |
| 4. <u>Planning Division/Land Use Svcs. Dept.</u>   | 8. <u>Solid Waste Mgmt./Dept. of Public Works</u>         |

Coordinate the completion of all pre-occupancy/pre-use conditions and requirements with the agencies identified above. After the requirements have been satisfied, obtain the signature of the releasing authority, and return this form to the project planner. Allow at least ten (10) working days for planner review. Upon verification that the requirements have been completed, your project will be released for permit authorization.

### FOR STAFF USE ONLY

The project referenced below is being reviewed to authorize the occupancy/use of the proposal. If the pre-occupancy/pre-use conditions and requirements have been completed, please release the project with your signature.

Signature	Date	Dept.	Signature	Date	Dept.
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

**APN:** 0253-211-56  
**Applicant:** Timothy Howard/Cedar Technology Center  
**Community:** Bloomington / 5th Supervisorial District  
**Location:** Northeast corner of Cedar Avenue and Orange Street

**Project No:** P201600435/CUP  
**Staff:** Aron Liang, Senior Planner

**Rep:** Timothy Howard

**Proposal:** This Conditional Use Permit is approved to construct a 184,770-square foot industrial warehouse building with 10,000 square feet of office space for a warehouse distribution facility on 9.8 acres.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Tom Dodson and Associates'  
Response Including the  
County's Mitigated Negative  
Declaration for the Project**

**Attachment 4**

RECEIVED

2019 JAN -3 PH 3: 35

LOCAL AGENCY  
FORMATION COMMISSION

**TOM DODSON & ASSOCIATES**  
2150 N. ARROWHEAD AVENUE  
SAN BERNARDINO, CA 92405  
TEL (909) 882-3612 • FAX (909) 882-7015  
E-MAIL [tda@tdaenv.com](mailto:tda@tdaenv.com)



January 3, 2019

Mr. Sam Martinez  
Executive Officer  
Local Agency Formation Commission  
1170 West 3<sup>rd</sup> Street, Suite 150  
San Bernardino, CA 92415-0490

Dear Sam:

LAFCO SC#436 consists of a proposal by the City of Rialto (City) to extend sewer service to a site of about 9.81 acres generally located at the northeast corner of Cedar Avenue and Orange Street (APN 0253-211-56), within the City's southern sphere of influence, in the community of Bloomington. The area proposed to receive sewer service through an out-of-area service agreement is being developed with an 184,770 square foot industrial warehouse building. The site will be developed in accordance with a Conditional Use Permit issued by San Bernardino County on December 14, 2017.

The County also adopted a Mitigated Negative Declaration (MND) for the project in December 2017. If the Commission approves LAFCO SC#436, the project site in Bloomington can be developed with the above referenced project and receive sewer service which is a condition of approval established by the County. The closest sewer connection is in Larch Avenue, which is located a few hundred feet east of the project site. Based on the surrounding level of development as determined by a site visit and review of aerial photos, a limited potential exists to induce growth from this lateral extension to the proposed development site.

The County's MND Study which concluded that implementation of the proposed project would not result in significant adverse environmental impacts to the environment with implementation of mitigation measures (such as biology). These mitigation measures must be implemented under the County's jurisdiction, even with extension of sewer service by the City. Therefore, I am recommending that the Commission consider the adopted MND as a CEQA Responsible Agency as the appropriate CEQA environmental determination for LAFCO SC#436.

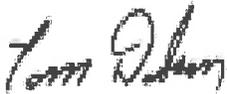
Based on my review of LAFCO SC#436 and the pertinent sections of CEQA and the State CEQA Guidelines, I believe it is appropriate for the Commission's CEQA environmental determination to cite the County's MND as adequate environmental documentation in accordance with the Commission's CEQA Responsible Agency status. The CEQA review process was carried out in 2017. Based on a field review and review of the environmental issues in the County's document, I could not identify any substantial changes in circumstances that may have occurred since its adoption that would require additional environmental documentation. The County's Notice of Determination was filed on December 19, 2017. Under this situation, I recommend that the Commission take the following steps if it chooses to approve LAFCO SC#436, acting as a CEQA Responsible Agency:

1. Indicate that the Commission staff and environmental consultant have independently reviewed the County's Mitigated Negative Declaration/Initial Study and found them adequate for the extension of service decision.

2. The Commission needs to indicate that it has considered the Mitigated Negative Declaration and environmental effects, as outlined in the Initial Study, prior to reaching a decision on the project and finds the information substantiating the Mitigated Negative Declaration adequate for approval of the extension of service decision.
3. The Commission should indicate that it does not intend to adopt alternatives or mitigation measures for this project. Mitigation measures were required for this project and it will remain the responsibility of the County to implement these measures.
4. File a Notice of Determination with the County Clerk of the Board as a CEQA Responsible Agency.

If you have any questions regarding these recommendations, please feel free to give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Dodson". The signature is written in a cursive, slightly slanted style.

Tom Dodson  
President

TD/cmc

**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) 387-3067

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): NA

Project Title: Cedar Technology Center / P201600435 / CUP

Project Applicant: Timothy Howard

Project Location (include county): Northeast corner of Cedar Avenue and Orange Street

Project Description: Conditional Use Permit to construct a 184,770 –square foot industrial warehouse building With 10,000 square feet of office space for a warehouse distribution facility on 9.8 acres.

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

described project on 12/14/2017 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: Senior Planner

Aron Liang

Date: 12-19-2017 Date Received for filing at OPR: N/A

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

**DATE FILED & POSTED** Revised 2011  
Posted On: 12/19/17  
Removed On: 2/3/18 1/30/18  
Receipt No: 36-121917-733

COUNTY OF SAN BERNARDINO  
CLERK OF THE BOARD OF SUPERVISORS  
2017 DEC 19 AM 11:26

# SAN BERNARDINO COUNTY INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM

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

## **PROJECT LABEL:**

<b>APN:</b>	0253-211-56
<b>APPLICANT:</b>	Howard Industrial Partners
<b>COMMUNITY:</b>	Bloomington/5 <sup>th</sup> Supervisorial District
<b>LOCATION:</b>	Northeast corner of Cedar Avenue and Orange Street
<b>PROJECT NO:</b>	P201600435
<b>STAFF:</b>	Aron Liang
<b>REP(S):</b>	Jeremy Krout, EPD Solutions, Inc.
<b>PROPOSAL:</b>	Conditional Use Permit to construct a 180,770-square-foot industrial building with 10,000 square feet of office area to be used as a concrete tilt-up warehouse center on approximately 9.8 acres.

**USGS Quad:** Fontana  
**T, R, Section:** T1S  
R5W  
Sec. 22  
San Bernardino Baseline and Meridian  
**OLUD:** BL/IC (Bloomington/Community Industrial)  
**Planning Area:** Bloomington Community Plan  
**Overlays:** N/A

## **PROJECT CONTACT INFORMATION:**

**Lead Agency:** San Bernardino County  
Land Use Services Department – Current Planning Division  
385 North Arrowhead Avenue, First Floor  
San Bernardino, CA 92415-0182

**Contact Person:** Aron Liang, Senior Planner  
**Phone No:** (909) 387-0235  
**E-mail:** Aron.Liang@lus.sbcounty.gov

**Fax No:** (909) 387-3249

**Project Sponsor:** Howard Industrial Partners  
155 N. Riverview Drive  
Anahelm Hills, CA 92808

**Consultant:** EPD Solutions, Inc.  
2030 Main Street, Suite 1200  
Irvine, CA 92614

## **PROJECT DESCRIPTION**

The Cedar Avenue Technology Center project proposes the construction and operation of a 184,770-square-foot (sf) concrete tilt-up warehouse center, which includes 10,000 sf of office/administrative uses. The project site is approximately 9.8 acres (Assessor Parcel Number [APN] 0253-211-56), and is located on the northeast corner of the intersection of Cedar Avenue and Orange Street in the unincorporated community of Bloomington in San Bernardino County (County). The site is generally bound to the north by the Union Pacific Railroad Yard (including tracks and vacant property), to the south by Orange Street, to the east by Cedar Avenue and a vacant lot beyond, and to the west by Vine Street, with an existing industrial building beyond.

**ENVIRONMENTAL/EXISTING SITE CONDITIONS**

The project site is located in the Valley Region of San Bernardino County, which contains most of the County's incorporated areas and population. Specifically, the project site is in the unincorporated community of Bloomington, within the City of Rialto's Sphere of Influence. The City of Fontana is to the west, the City of Rialto is to the east, and the City of Jurupa Valley is to the south. The project site is just south of Interstate 10 (I-10). **Figure 1: Regional Map** and **Figure 2: Project Site** depict the project location in a regional and local context, respectively.

The project site consists of an approximately 9.8-acre irregularly-shaped parcel of vacant land. The site is relatively flat, and sits at an elevation of approximately 1,080 feet above mean sea level (amsl). The site generally slopes downward to the southeast at a gradient of less than 2 percent.

The parcel contains broken asphalt/concrete pavement from a preexisting residential and development. Church Street trends north-south through the center of the site, and Park Street trends east-west. The roads intersect at the center of the site, and neither road extends beyond the property. The remaining ground cover consists of exposed soil and sparse to moderate vegetation growth. The on-site vegetation consists almost entirely of non-native grassland and two small patches of riparian/ornamental-associated vegetation. The site also contains scattered debris. A dedicated but unimproved right-of-way surrounds the perimeter of the site.

The site's land use designation is BL/IC (Bloomington/Community Industrial). According to the County of San Bernardino General Plan, the Community Industrial designation purports to establish areas suited for industrial activities, concentration of industrial uses to promote efficiency of transportation and other factors, and prevent incompatible uses in those areas suited for industrial areas. The site is also within the Bloomington Community Plan, which is consistent with the General Plan.

Land uses bordering the site include a vacant lot to the west of Cedar Avenue, Colton Joint Unified School administrative buildings, Bloomington Junior High School, and Slover Mountain High School, which includes an adult continuation program, to the south of Orange Street, an existing office/warehouse building east of Vine Street, and a Union Pacific Railroad yard to the north. **Table 1: Existing Land Use and Land Use Zoning Districts** and **Figure 3: Existing Land Use Zoning Designations** depict the zoning and land use of the site and adjacent uses.

<b>AREA</b>	<b>EXISTING LAND USE</b>	<b>LAND USE DISTRICT</b>
<b>SITE</b>	Vacant land	BL/IC (Bloomington/Community Industrial)
<b>North</b>	Railroad property and railroad tracks	BL/IR (Bloomington/Regional Industrial)
<b>South</b>	Orange Avenue; Colton Joint Unified School	BL/IN (Bloomington/Institutional)
<b>East</b>	Vine Street; existing industrial building	BL/IC (Bloomington/Community Industrial)
<b>West</b>	Cedar Avenue; vacant land	BL/IC (Bloomington/Community Industrial)

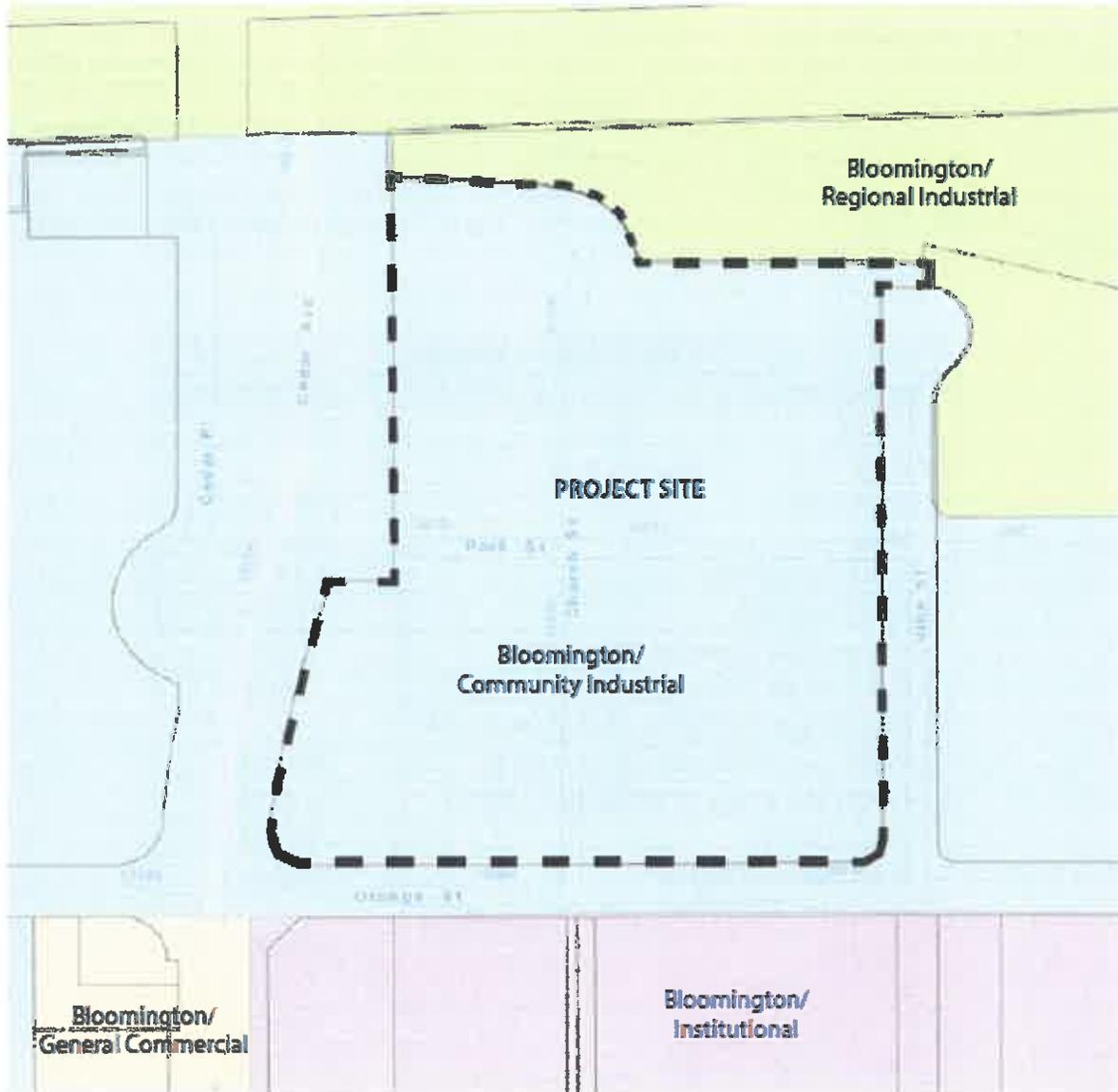
Figure 1: Regional Map



Figure 2: Project Site



Figure 3: Existing Land Use Zoning Designations

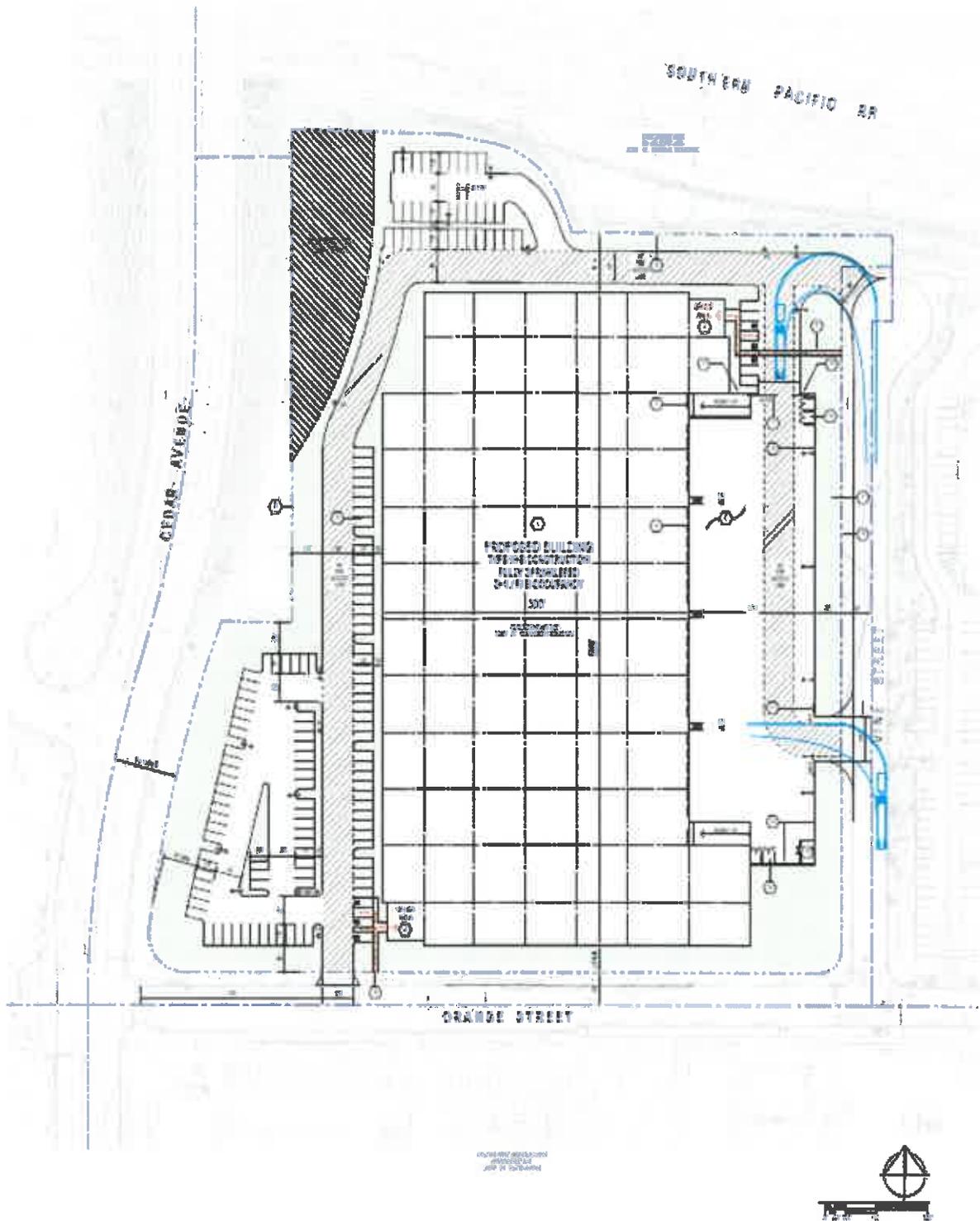


**PROJECT OVERVIEW**

The project is construction of a 184,770 sf painted concrete tilt-up structure on approximately 9.8 acres of land. Associated facilities and improvements include two small office areas, parking, bicycle racks, and landscaping. The project building would be approximately 600 feet long (north-to-south) and 300 feet wide (east-to-west). There would be 27 dock doors along the east side of the warehouse. The site would allow access for loading and unloading from trucks and trailers along the east side of the warehouse. A concrete paved 400-foot-long dockyard would be located along the eastern side of the building, and would include several trailer storage stalls, dock high doors, and 2 grade level ramps. **Table 2: Project Summary** and **Figure 4: Site Plan** contain project details.

<b>Table 2: Project Summary</b>	
<b>Project Element</b>	<b>Quantity</b>
Site area	9.813 ac
<b>Building Area</b>	
Warehouse	174,770 sf
Office	10,000 sf
<b>Total Building Area</b>	<b>184,770 sf</b>
<b>Building Coverage</b>	<b>43.23%</b>
<b>Building Height: Maximum Permitted</b>	<b>75 ft.</b>
<b>Building Height: Proposed</b>	<b>44 ft.</b>
<b>Passenger Vehicle Parking: Required (stalls)</b>	
Warehouse: 1* 40,000 sf @ 1:1,000 sf	40 stalls
Warehouse: above 40,000 sf @ 1:4,000 sf	34 stalls
Office: 1:250 sf	40 stalls
<b>Total Required Parking</b>	<b>114 stalls</b>
<b>Passenger Vehicle Parking: Provided (stalls)</b>	
Standard	145 stalls
Van Accessible	1 stall
Accessible	5 stalls
<b>Total Provided Parking</b>	<b>151 stalls</b>
<b>Landscape (sf)</b>	<b>104,426 sf (24.43%)</b>
ac: acre; sf: square feet; ft: feet; in: inch; n/a: not applicable	
Source: RGA Office of Architectural Design, 2016.	

Figure 4: Site Plan



### **Site Access**

Vehicular access would be provided at the following locations. All points on ingress/egress would be unsignalized.

- Orange Street: One full access inbound/outbound driveway would be located on Orange Street. This passenger vehicle entrance would provide a 30-foot-wide driveway leading to the main parking area. Employee parking could be accessed from this location.
- Vine Street: Two access points are proposed on Vine Street. The northern inbound/outbound access would be located at the cul-de-sac terminus of Vine Street. The southern access is located north of the intersection of Orange Street at Vine Street. Both are joint truck and passenger vehicle entrances with 40-foot-wide driveways. Truck access would be from Vine Street. Employee parking could also be accessed from this location.

### **Parking**

All passenger vehicle and truck trailer parking would be provided on site. The project would provide 151 parking stalls for employees and visitors, inclusive of handicap parking stalls, exceeding County parking requirements by 37 stalls. Passenger vehicle parking would be located primarily on the west side of the warehouse, with additional parking on the northwest corner of the parcel and in directly in front of the northernmost office space at the northeast corner of the building.

### **Landscaping, Fencing, and Lighting**

The County of San Bernardino requires a minimum of 15 percent landscaping coverage. Approximately 2.39 acres of the 9.8-acre project site (more than 24%) would be landscaped with drought-tolerant plants, as shown in **Figure 5: Landscape Plan**. Trees, shrubs, accents, and groundcover would be provided along the street frontages of Cedar Avenue to the west, Orange Street to the south, and Vine Street to the east. Additional landscaping would be provided along the northern site border, within the passenger vehicle parking areas to the west and north, and bordering the building on its north, west, and south sides.

The truck yard would be screened to the north, south, and east with a 12-foot-high painted concrete tilt-up wall to obscure the visibility of this area from public view. The interior north and west property line of the project site would be bound by an 8-foot black vinyl chain link fence. As mentioned above, drought-tolerant landscaping would provide for additional screening.

Site lighting would be used to provide adequate lighting for circulation, safety, and security. Outdoor lighting for the parking areas would be provided consistent with the requirements of the County.

### **Hours of Operations and Employees**

The tenant(s) of the warehouse distribution facility has not been identified, so the precise nature of the facility operation cannot be determined at this time. The estimated number of employees is approximately 50.



### **Infrastructure and Off-site Improvements**

The site will utilize an on-site underground stormwater infiltration system to dispose of stormwater. The majority of runoff would surface flow into one of two on-site catch basins into a private underground storm drain system. The project site includes two detention/infiltration basins: one basin (Basin A) on the east side of the property in the truck yard area, and one basin (Basin B) at the southwest corner of the property in the larger employee parking lot area. Any overflow from Basin A would flow into Basin B. Any additional overflow from both basins would flow into a concrete spillway that outlets to Orange Avenue, and ultimately conveyed to the existing off-site municipal storm drain.

The existing water line running east-west through the center of the project site would be moved and would connect to the existing line in Vine Street for domestic service to provide water extension to the project site.

Wastewater management would be handled through a connection to the City of Rialto wastewater collection system. A sewer line connection would be constructed in Orange Street from the project driveway proximate to Cedar Avenue, and would extend east to the existing manhole in the intersection of Orange Street at Larch Avenue. These off-site improvements would be located within the street right-of-ways.

### **Construction Schedule**

For purposes of this environmental analysis, construction is assumed to commence in 2019 with a construction duration of approximately twelve months. Initial site improvements including grading and underground infrastructure and utility improvements would be followed by construction activities. Total grading for the project is estimated to require 8,430 cubic yards (cy) of cut and 10,500 cy of fill, with a net difference of 2,070 cy of imported fill. When accounting for over-excavation, shrinkage, and subsidence, the grading quantities are expected to balance on site.

### **Project Approvals**

The County of San Bernardino is the Lead Agency under CEQA and is responsible for reviewing and approving this Initial Study/Mitigated Negative Declaration.

In addition to the approvals identified above, the project is subject to other ministerial actions by the County as part of project implementation. Subsequent activities would be examined in light of the Initial Study/Mitigated Negative Declaration to determine whether additional CEQA review would be required pursuant to the requirements of Section 21166 of the CEQA Statutes (i.e., *Public Resources Code* § 21166) and Sections 15162 and 15168 of the State CEQA Guidelines (i.e., 14 CCR) for subsequent approvals, including but not limited to the following:

- Grading Permits
- Building Permits
- Occupancy Permits
- Utility Connections

## **EVALUATION FORMAT**

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. The project is evaluated based upon its effect on 17 major categories of environmental factors. Each factor in the Initial Study Checklist is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The effect of the project is categorized into one of the following four categories of possible determinations:

- Potentially Significant Impact
- Less than Significant Impact with Mitigation
- Less than Significant Impact
- No Impact

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

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

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

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

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

**DETERMINATION:**

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

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- The proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- The proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature (prepared by): Aron Liang, Senior Planner

10/17/2017  
Date

Signature: Dave Prusch, Supervising Planner

Dave Prusch  
10/17/2017  
Date

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>I. AESTHETICS - Would the project</b>				
I a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION** (Check  if project is located within the viewshed of any Scenic Route listed in the General Plan):

I-a) **Less Than Significant Impact.** The County of San Bernardino General Plan (General Plan) does not identify any scenic vistas or viewpoints near or adjacent to the project site. According to the General Plan, scenic resources include roadways that provide a vista of undisturbed natural areas, and distant vistas like mountain backdrops that provide relief from less attractive views of nearby features such as urban areas.

Pursuant to the General Plan, the backdrop of the San Bernardino mountains to the north and east from Cedar Avenue could be considered a scenic resource. The existing view from Cedar Avenue looking east is of the distant San Bernardino mountains, however, the view is mostly blocked by surrounding industrial development and landscaping to the east. Furthermore, the hazy air quality frequently present in the project vicinity and other cloudy weather patterns often completely block the already obstructed and distant view of the San Bernardino mountains. Thus, the project would not result in a significant obstruction of the scenic resource because the existing view of the mountains is impaired by the predominately built-out nature of the surrounding area and the varying air quality and weather patterns. Additionally, the project would not impair views of the San Bernardino mountains to passing vehicles driving north on Cedar Avenue. Therefore, the project would have a less than significant impact on the scenic resource of the San Gabriel mountain backdrop.

The 2007 Bloomington Community Plan (Community Plan) designates Cedar Avenue a County Scenic Route from Bloomington Avenue to the Riverside County line. Cedar Avenue is adjacent to the west of the project site. Bloomington Avenue is approximately 0.5 mile north of the project site, and the County line is approximately 2.25 miles to the south. Thus, the scenic route portion of Cedar Avenue is adjacent to the project site.

Routes are designated as "scenic" in order to protect them from excessive development with intrusive land uses like advertising infrastructure and roadway services. The Community Plan requires that proposed development along a scenic route such as Cedar Avenue must "meet specific standards regarding sign placements and dimensions, utility placement, architectural

design, grading and landscaping characteristics.” The project would not involve advertising infrastructure such as billboards or roadway services like a convenience store or gas station. Instead, the project proposes to construct a 184,770 sf concrete tilt-up warehouse and office space on approximately 9.8 acres of currently vacant land. Since the project would not involve the construction of advertising infrastructure or a roadway service structure, it would not interfere with the “scenic nature” of the Cedar Avenue corridor, as defined by the Bloomington Community Plan (2007). Potential impacts on scenic vistas would therefore be less than significant.

I-b) **No Impact.** There are no officially-designated or eligible for designation State scenic highways proximate to the project site<sup>1</sup>. Potential scenic resources associated with the project site include 2 small patches of riparian/ornamental-associated vegetation and broken asphalt/concrete pavement from a preexisting development that intersects perpendicularly in the middle of the site. There are no rock outcroppings on the project site. However, the vegetation on site is non-native and sparse. Because the project site is not within or adjacent to a state scenic highway, implementation of the project does not have the potential to substantially damage scenic resources. There are no impacts related to a state scenic highway.

I-c) **Less Than Significant Impact.** The project would alter the visual character of the project site from a vacant property adjacent to roads, railroad tracks, and a freeway to a developed site with a warehouse center. The project site is vacant and contains broken asphalt/concrete pavement from a preexisting development that intersects perpendicularly at the center of the site. The site is generally level and entirely graded/disturbed. Most of the remaining groundcover consists of exposed soil, sparse non-native grassland, and scattered debris from evident dumping. There are two small patches of riparian/ornamental-associated vegetation.

Construction of the project may create temporary aesthetic nuisances associated with construction activities. Exposed surfaces, construction debris, equipment, and trucks may be visible. This visual impact associated with the construction of the project would be characteristic of development activities found at a typical building construction site. However, these activities would cease upon project completion and would not result in a substantial degradation to the site or surrounding area.

The project site’s surroundings are mostly urbanized and contain industrial and institutional land uses, with a vacant parcel is located to the west of Cedar Avenue that will be developed as an industrial building similar to the project. The building height would be 44 ft., which is 31 ft. under the maximum permitted building height. The truck yard ingress and egress activity would take place on Vine Street to the east of the parcel, which is a cul-de-sac off of Orange Street. Additionally, the truck yard would be screened on the north, south, and east with a 12-foot-high painted concrete tilt-up wall to obscure the visibility of this area from public view. The interior north and west property line of the project site would be bound by an 8-foot black vinyl chain link fence. The project would incorporate more than 24% (the minimum required is 15%) coverage with drought-tolerant landscaping to provide additional screening, as well as enhance the appearance of the site. Development would be compatible with existing and planned land uses in the area as described in Section X, Land Use and Planning. Impacts on the visual character or quality of the site or its surroundings would therefore be less than significant.

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<sup>1</sup> California Scenic Highway Mapping System, [http://www.dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm), accessed June 23, 2017.

- I-d) **Less Than Significant Impact.** Regarding nighttime lighting conditions and daytime glare conditions, "light" refers to artificial light emissions, or the degree of brightness, generated by a given source. The Illuminating Engineering Society of North America defines "glare" as the sensation produced by luminance in the visual field that is sufficiently greater than the luminance to which the eye has adapted to cause annoyance, discomfort, or loss of visual performance and visibility.

The existing site is vacant and does not contain lighting, and the project would introduce nighttime lighting. However, surrounding uses include a vacant lot that will be developed into an industrial building to the west of Cedar Avenue, Colton Joint Unified School administrative buildings, and Slover Mountain High School, which has an adult continuation program, to the south of Orange Street, an office/warehouse building to the east of Vine Street, and a Union Pacific Railroad yard to the north of the site. There are no light sensitive uses adjacent to the project site, and various sources contribute to nighttime lighting in the area, including existing warehouse, institutional uses, and street and freeway lighting associated with the I-10 and freeway overcrossing.

The primary source of light associated with the project would be from exterior sources (e.g., street lighting, parking lot lighting, building accent lighting, security lighting, and landscape accent lighting). The project would involve lighting throughout the site that would be constructed in accordance with Bloomington Community design standards and the County's Development Code, which requires that outdoor lighting for commercial or industrial land uses be fully shielded to preclude light pollution or light trespass on any public right-of-ways. The project would provide shielded lighting required for security and safety, and would not interfere with oncoming traffic on adjacent roadways such as Cedar Avenue and Orange Street. The truck yard would be screened to the north, south, and east with a 12-foot-high painted concrete tilt-up wall to obscure the visibility of this area from public view, while also reducing visibility of lighting on surrounding land uses. The project would also not use building materials (i.e., reflective glass) or lighting that would cause glare. The County requires a professionally prepared outdoor lighting plan would be submitted to the County Planning Division, and would be subject to approval for conformance with County standards prior to issuance of a building permit. Therefore, the introduction of new light sources to the project site and glare impacts would be less than significant.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES</b>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION** (Check  if project is located in the Important Farmlands Overlay):

II-a) **No Impact.** No agricultural resources exist on the project site. The project site is identified as Urban and Built Up Land on the Farmland Mapping and Monitoring Program map prepared by the Department of Conservation<sup>2</sup>. This farmland category defines Urban and Built-Up Land as land developed at a density of at least 1 dwelling unit (du) per 1.5 acres, or approximately 6 structures to a 10-acre parcel. Land uses include but are not limited to residential, industrial, office/commercial, institutional, and public administration. The project site does not contain any land that is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide

<sup>2</sup> California Department of Conservation, California Important Farmland Finder, <http://maps.conservation.ca.gov/cliff/cliff.html>, accessed June 2, 2016.

Importance as mapped by the State Department of Conservation Farmland Mapping and Monitoring Program. Therefore, the project has no potential to convert such lands to a non-agricultural use, and no impact would occur.

- II-b) **No Impact.** Pursuant to the California Land Conservation Act of 1965, a Williamson Act contract between local governments and private land owners restricts specified parcels of land to agricultural or related open space use in return for a lower property tax assessments based on farming and open space uses as opposed to full market valley. The project site is zoned BL/IC (Bloomington/Community Industrial) and is not under a Williamson Act land conservation contract. Development of the project would not conflict with either existing zoning for agricultural uses or with lands under a Williamson Act Contract. Therefore, no impact would occur.
- II-c) **No Impact.** The property site was previously developed and the surrounding area is predominately urbanized. The property located to the west of Cedar Avenue is currently vacant but has been approved for construction of an industrial warehouse. There are no forest or timberland areas proximate to the project. The project site is zoned BL/IC (Bloomington/Community Industrial). Also, the project site does not contain trees. Such vegetation is not characterized as a timberland or forestry resource. Project implementation would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. No impacts would occur.
- II-d) **No Impact.** No forest land occurs within or adjacent to the project site. The project site is zoned for industrial uses. No loss or conversion of forest land to non-forest use would occur upon implementation of the project. The project site has been previously developed and has not historically been utilized as forest land. In addition to broken asphalt/concrete pavement that remains from previous development, the site is covered with mostly soil and non-native grassland, with two small patches of riparian/ornamental-associated vegetation. Therefore, no impact would occur.
- II-e) **No Impact.** The project site does not contain any forest land or land used for agricultural production. The project would not involve changes to the environment which due to their location or nature could result in the conversion of farmland to non-agricultural use. The General Plan land use designation for the project area is IC which allows the development of an industrial warehouse. Therefore, implementation of the project would not result in the conversion of farmland to non-agricultural use.

**No significant adverse impacts are identified and no mitigation measures are required.**

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

An *Air Quality Impact Analysis* (Appendix A) was prepared for the project by Michael Baker International (Michael Baker, August 2017). The *Health Risk Assessment* is Appendix B to the Air Quality Impact Analysis. The results are summarized herein.

III-a) **Less Than Significant Impact.** The U.S. EPA requires that each state with nonattainment areas for federal Clean Air Act (CAA) standards prepare and submit a State Implementation Plan (SIP). California's CAA also requires air attainment plans to be prepared for areas in nonattainment for federal and state ambient air quality standards.

The project is located in the South Coast Air Basin (SCAB), which is regulated by the South Coast Air Quality Management District (SCAQMD). The SCAQMD's Air Quality Management Plan (AQMP) adopted in 2012 establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving California State and federal air quality standards. The AQMP's control measures and emission reduction estimates are based on emissions projections for a future development scenario that considers land use, population, and employment characteristics determined from local government consultations.

A project is considered consistent with SCAQMD's AQMP (2012) when:

1. The project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP; *and*
2. The proposed project will not exceed the assumptions in the AQMP or increments based on the years of the project buildout phase.

Consistency with Criterion No. 1

Consistency Criterion No. 1 refers to violations of the California ambient air quality standards (CAAQS) and the national ambient air quality standards (NAAQS). As demonstrated in Section III-b) of this Initial Study Checklist, the project would result in short-term construction and long-term pollutant emissions that would be less than the CEQA significance emissions thresholds established by SCAQMD. The project would not result in an increase in the frequency or severity of any air quality standards violation and would not cause a new air quality standard violation. Therefore, the project would be consistent with the first criterion.

Consistency with Criterion No. 2

The project would involve the construction and operation of a 184,770 SF warehouse with office space on 9.8 acres. The project is consistent with the land use designation Community Industrial (IC) and development density presented in the County of San Bernardino General Plan, Bloomington Community Plan, and is also consistent with the growth projections utilized in the AQMP (2012).

Therefore, the project would be consistent with both criteria establishing compliance with the AQMP (2012). A less than significant impact would occur with implementation of the project.

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

The SCAQMD has established the following thresholds of significance for emissions generated by the construction and operational activities of land use development in **Table III-1**. These thresholds are applicable to the project. Emissions generated by the project for construction and operation were modeled using the California Emissions Estimator Model (CalEEMod) version 2016.3.1. Results are shown in **Table III-2**.

**Table III-1 SCAQMD Regional Significance Thresholds**

Air Pollutant	Construction Activities	Operations
Reactive Organic Gases (ROG)	75 pounds/day	55 pounds/day
Carbon Monoxide (CO)	550 pounds/day	550 pounds/day
Nitrogen Oxides (NO <sub>x</sub> )	100 pounds/day	55 pounds/day
Sulfur Oxides (SO <sub>x</sub> )	150 pounds/day	150 pounds/day
Coarse Particulates (PM <sub>10</sub> )	150 pounds/day	150 pounds/day
Fine Particulates (PM <sub>2.5</sub> )	55 pounds/day	55 pounds/day

Source: SCAQMD (South Coast Air Quality Management District), 1993, (PM<sub>2.5</sub> threshold adopted June 1, 2007)

Construction Emissions

Construction of the project would result in the short-term generation of emissions from site grading and excavation, road paving, building construction, architectural coating, and motor vehicle exhaust from construction equipment and worker trips over an approximately twelve-month period.

Grading of the project site would be balanced and no soil import or export would be required. Architectural coatings would occur sporadically throughout the building phase on an as-needed basis.

Table III-2 identifies the maximum daily construction emissions (pounds per day) associated with the project, and accounts for the quantifiable PM-reducing requirements of SCAQMD Rule 403. The maximum daily emissions resulting from project construction would not exceed the SCAQMD maximum daily thresholds. Impacts to regional air quality from construction would be less than significant.

Table III-2 Construction-Related Emissions

Construction Activities	Maximum Emissions (pounds per day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )
Year 1 (2017)	18.19	59.68	8.69	5.70	49.43	0.10
Year 2 (2018)	17.20	52.41	5.65	3.31	46.78	0.10
SCAQMD Thresholds	75	100	150	55	550	150
Exceed Threshold?	No	No	No	No	No	No
Notes:						
1. Emissions calculated using CalEEMod version 2016.3.1. Emission estimates account for the quantifiable PM-reducing requirements of SCAQMD Rule 403, including watering exposed surfaces three times daily; cleaning trackout on adjacent streets; covering stock piles with tarps; watering all haul roads twice daily; and limiting speeds on unpaved roads to 15 miles per hour. Site requirements for soil movement would include imported soil. Architectural coatings are assumed to be applied sporadically throughout the duration of building construction.						
Refer to Appendix A for daily emission model outputs.						

To evaluate potential localized impacts, a modeling analysis was conducted in accordance with the recommended approach in the Localized Significance Threshold (LST) Methodology. The source receptor area (SRA) for the LSTs applicable to the project area is the Central San Bernardino area (SRA 34). As shown in Table III-3, emissions of CO, NO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> from project construction would not exceed the applicable LSTs. Therefore, production of construction emissions with implementation of the project would not result in a significant localized impact.

Table III-3 Localized Significance of Emissions

Project Size	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
1 Acre (construction/operations)	118/118	657/657	4/1	3/1
2 Acres (construction/operations)	170/170	957/957	7/2	4/1
5 Acres (construction/operations)	270/270	1,720/1,720	14/4	8/2
Source: SCAQMD (South Coast Air Quality Management District), Localized Significance Threshold Appendix C – Mass Rate LST Look-up Tables, 2009. Website: <a href="http://www.aqmd.gov/csga/handbook/LST/LST.html">www.aqmd.gov/csga/handbook/LST/LST.html</a>				

The project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation because the proposed use does not exceed established thresholds of concern as established by the SCAQMD. Furthermore, Conditions of Approval 2 and 3 would apply.

Long-Term Operational Emissions

Long-term air quality emissions are associated with the operation of the project. Long-term emissions are caused by the following primary sources: area source emissions, energy use emissions, mobile source emissions, and operational emissions resulting from automobile, truck, and other vehicle sources associated with daily trips to and from the warehouse. Project-

generated vehicle emissions were estimated using CalEEMod. Trip generation rates associated with the project were based on traffic data within the Traffic Impact Analysis (Michael Baker 2016). Table III-4 presents a summary of the maximum daily operational emissions estimated for the project. As shown in the table, the emissions of all pollutants would be below the SCAQMD's regional significance thresholds without mitigation required. Impacts would be less than significant.

Table III-4 Long-Term Operational Emissions

Source	Pollutant (pounds/day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )
<b>Summer Emissions</b>						
Area Source	4.23	0.00	0.00	0.00	0.04	0.00
Energy Use	0.01	0.10	0.00	0.00	0.09	0.00
Mobile Source	1.94	12.30	6.09	1.69	25.99	0.09
Offroad (Forklifts)	0.64	5.71	0.44	0.41	4.78	0.00
<b>Total</b>	<b>6.82</b>	<b>18.11</b>	<b>6.55</b>	<b>2.10</b>	<b>30.90</b>	<b>0.09</b>
<b>Winter Emissions</b>						
Area Source	4.23	0.00	0.00	0.00	0.04	0.00
Energy Use	0.01	0.10	0.00	0.00	0.09	0.00
Mobile Source	1.71	12.45	6.10	1.69	22.50	0.08
Offroad (Forklifts)	0.64	5.71	0.44	0.41	4.78	0.00
<b>Total</b>	<b>6.60</b>	<b>18.26</b>	<b>6.55</b>	<b>2.10</b>	<b>27.41</b>	<b>0.08</b>
Potentially Significant Impact Threshold (Daily Emissions)	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No
Notes:						
1. Emissions calculated using CalEEMod version 2016.3.1.						
Refer to Appendix A for daily emission model outputs.						

III-c) **Less Than Significant Impact.** Pursuant to requirements of the Federal CAA, the SCAQMD has developed strategies to reduce criteria pollutant emissions as outlined in the AQMP (2012). The project area is currently in non-attainment for O<sub>3</sub> and PM<sub>2.5</sub>. SCAQMD recommends that any project's potential contribution to cumulative impacts be assessed using the same criteria as for project-specific impacts. Individual projects that do not generate construction or operational emissions exceeding the SCAQMD's daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in the emissions of non-attainment pollutants. As discussed in section III-b) and shown in Tables III-2, III-3, and III-4 the project would not generate construction or operational emissions exceeding the SCAQMD's daily thresholds for project-specific impacts, and therefore implementation of the project would not cause a cumulatively considerable increase in the emissions of those pollutants that are in non-attainment within the SCAB. Therefore, the project would not result in a cumulatively considerable increase of the criteria pollutant in non-attainment for the SCAB, O<sub>3</sub> and PM<sub>2.5</sub>. **Conditions of Approval III-1, III-2, III-3, and III-4** would apply to the project, and reduce impacts related to a cumulatively considerable net increase of any criteria pollutant. With implementation of these Conditions of Approval, impacts would be less than significant.

III-d) **Less Than Significant Impact.** Sensitive receptors are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of sensitive receptors are

residences, schools, hospitals, and daycare centers. Sensitive receptors near the project site include a school campus to the south of Orange Street consisting of Colton Joint Unified School District administrative buildings and Slover Mountain High School (Continuation). Other sensitive land uses near the project site include the residences approximately 750 feet to the south and 770 feet to the north, across the I-10. The following provides an analysis of the project's potential to expose sensitive receptors to substantial pollutant concentrations during project construction and long-term operation, based on the LSTs established by the State of California and SCAQMD.

#### Construction-Generated Air Toxics

Construction-generated diesel PM emissions contribute to negative health effects when construction occurs over lengthy periods of time. The use of diesel-powered equipment during construction would be temporary, episodic, and would occur over several locations isolated from one another. The project would necessarily comply with California regulations limiting idling to no more than 5 minutes, which would reduce sensitive receptors' exposure to PM. Construction would not be a substantial source of other CARB-identified toxic air contaminants.

Construction projects on less than 5 acres are considered to pose less than significant health impacts because of 1) limitations on off-road diesel equipment able to operate, reducing diesel PM, 2) reduced amount of dust-generating ground disturbance compared to larger construction sites, and 3) reduced duration of construction activities compared to larger sites. Due to these factors, and the nature of diesel fumes which rapidly disperse over relatively short distances, diesel PM generated by construction activities would not be expected to cause conditions where the probability of contracting cancer is greater than 10 in 1 million for nearby sensitive receptors. **Table III-3** shows that project construction would disturb up to 3.5 acres daily. Furthermore, Condition of Approval 2 would reduce impacts.

As previously discussed in III-b), results of the LST analysis indicated that the project would not exceed the SCAQMD LSTs for NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. Therefore, there would be a less than significant impact on sensitive receptors during project construction.

#### CO Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near congested roadways and intersections may reach unhealthy levels, and could adversely affect sensitive receptors. However, as of 2007, the Basin has been designated as an Attainment/Maintenance area for the federal CO standards, and an Attainment area for state standards due to declining CO emissions from major control programs (e.g. exhaust standards, cleaner burning fuels, and motor vehicle inspection and maintenance programs). The highest CO concentrations in the Basin are at the Wilshire Boulevard/Veteran Avenue intersection in the City of Los Angeles (4.6 parts per million [ppm]), which is still well below the 35 ppm 1-hour CO federal standard. It can be reasonably inferred that CO hotspots would not occur at any intersections near the project site from the addition of approximately 658 trips per day. Therefore, impacts would be less than significant.

#### Operational Diesel PM

The Health Risk Assessment (HRA) prepared by Michael Baker International (2016) evaluated the increased potential for cancer risk and non-carcinogenic hazards from implementation of the project. Cancer risk calculations were based on a 9-year exposure period at the sensitive receptors located directly south of the site. The anticipated annual average diesel PM<sub>2.5</sub> emission concentrations at the closest sensitive receptor (the school campus directly south of the project site) would be 0.03 µg/m<sup>3</sup> at the greatest. As shown in **Table III-5**, impacts related to cancer risk

and PM<sub>2.5</sub> concentrations from heavy trucks (assuming 135 daily heavy truck deliveries) would be less than significant at the school campus. Also, the risk level is conservative based on the fact that the nature of the sensitive receptor is a continuation school, and would therefore have a shorter exposure period that would result in lower risk levels.

**Table III-5 Maximum Operation Health Risk at the Southerly School Campus**

Exposure Scenario	Maximum Cancer Risk (Risk per Million) <sup>1</sup>	Significance Threshold (Risk per Million)	Exceeds SCAQMD Significance Threshold?
Slover Mountain High School (Continuation), across Orange Street (9-Year Exposure)	6.93	10	No
Notes: 1. Refer to Appendix B, Health Risk Assessment.			

There are also residential neighborhoods in the vicinity of the project located approximately 300 feet to the southwest across Cedar Avenue, 750 feet to the south beyond the school campus, and 770 feet to the north across the I-10. At these sensitive receptors, the average diesel PM<sub>2.5</sub> emissions concentrations would be 0.006 µg/m<sup>3</sup>, 0.005 µg/m<sup>3</sup> and 0.002 µg/m<sup>3</sup>, respectively. As depicted in Table III-6, impacts related to cancer risk and PM<sub>2.5</sub> concentrations from heavy trucks would be less than significant at these sensitive receptors.

**Table III-6 Maximum Operational Health Risk at Project Vicinity Residences**

Exposure Scenario	Maximum Cancer Risk (Risk per Million) <sup>1</sup>	Significance Threshold (Risk per Million)	Exceeds SCAQMD Significance Threshold?
<b>Residential Neighborhood to the North across I-10</b>			
70-Year Exposure	0.88	10	No
30-Year Exposure	0.83	10	No
9-Year Exposure	0.80	10	No
<b>Residential Neighborhood to the Southwest across Cedar Avenue</b>			
70-Year Exposure	2.48	10	No
30-Year Exposure	2.07	10	No
9-Year Exposure	1.49	10	No
<b>Residential Neighborhood to the South beyond School Campus</b>			
70-Year Exposure	2.95	10	No
30-Year Exposure	2.48	10	No
9-Year Exposure	1.79	10	No
Notes: 1. Refer to Appendix B, Health Risk Assessment.			

Non-cancer chronic impacts are calculated by dividing the annual average concentration by the Reference Exposure Level (REL) for that substance. The REL is the concentration at which no adverse non-cancer health effects are anticipated. An acute or chronic hazard index of 1.0 is considered individually significant. The HRA determined that the highest maximum chronic and acute hazard index associated with the emissions from the project would be 0.006 and 0.158, respectively. Therefore, non-carcinogenic hazards are calculated to be within acceptable limits, and a less than significant impact would occur.

Although the increased cancer risk from heavy trucks would be below the applicable significance threshold, because the school facilities south of the project are 60 feet away, Condition of Approval 1 is recommended to enforce existing regulation and reduce the generation of diesel particulate matter.

- III-e) **Less Than Significant Impact.** The SCAQMD CEQA Air Quality Handbook (SCAQMD 1993) identifies certain land uses as sources of odors such as agricultural operations, wastewater treatment plants, landfills, and certain industrial operations (e.g., manufacturing uses that produce chemicals, paper, etc.). The project is a warehouse center, and it is not anticipated to produce odors that would substantially affect the nearby sensitive receptors of educational facilities 60 feet south of the site, and residences located 300 feet to the southwest, 750 feet to the south, and 770 feet to the north. The project does not propose to include any odor-inducing uses on the site. Additionally, the project would be required to comply with SCAQMD Rule 402 (Nuisance), which purports to reduce the release of odorous emissions into the atmosphere. Adherence to Condition of Approval 5. would ensure that the project would not create objectionable odors affecting a substantial number of people. Therefore, impacts would be less than significant.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable SCAQMD requirements and County of San Bernardino regulations and conditions of approval.**

#### **Conditions of Approval**

AQ-1. The Project shall comply with County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c) – Diesel Exhaust Emissions Control Measures] . Adherence to SBCC § 83.01.040 (c) – Diesel Exhaust Emissions Control Measures will reduce the generation of diesel particulate matter.

AQ-2. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 403, "*Fugitive Dust.*" Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads. Rule 403 is intended to reduce PM<sub>10</sub> emissions from any handling, construction, or storage activity that has the potential to generate fugitive dust. Pursuant to Rule 403, the developer will prepare, submit, and obtain approval from San Bernardino County Planning of a Dust Control Plan (DCP) consistent with the SCAQMD guidelines, and a letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP.

AQ-3. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 431.2, "*Sulfur Content of Liquid Fuels.*" Adherence to Rule 431.2 limits the release of sulfur dioxide (SO<sub>x</sub>) into the atmosphere from the burning of fuel.

AQ-4. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 1113, "*Architectural Coatings.*" Adherence to Rule 1113 limits the release of volatile organic compounds (VOCs) into the atmosphere during painting and application of other surface coatings.

AQ-5. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402 "*Nuisance.*" Adherence to Rule 402 reduces the release of odorous emissions into the atmosphere.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES – Would the project:</b>				
a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

A *Habitat Suitability Evaluation* was prepared by Ecological Sciences (Ecological Sciences, January 2017). The Habitat Suitability Evaluation is included as Appendix B and the results are summarized herein.

- a) **Less Than Significant Impact With Mitigation Incorporated.** The California Department of Fish and Wildlife (CDFW) and the U.S. Fish and Wildlife Service (USFWS) may list species as threatened or endangered under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA), respectively. The USFWS can designate critical habitat that identifies specific areas that are essential to the conservation of a listed species. The field survey conducted for the Habitat Suitability Evaluation (Ecological Sciences, 2017) evaluated the project site for potential Delhi Sands Flower-loving Fly (DSFF) and Burrowing Owl (BUOW) habitat.

The USFWS lists the DSFF as an endangered species. The subject site is located within an area designated as the Colton Recovery Unit (RU), which contains several areas that currently support DSFF populations, and additional areas have been proposed for restoration in the DSFF Recovery Plan. However, RUs do not include residential and commercial development, or areas that have been otherwise permanently altered by human actions (FWS 1997). The project site has been previously developed as a residential area. Furthermore, existing site conditions present are not consistent with those known or expected to support DSFF. Although a few native plant species are present that are often associated with potential DSFF habitat, the context in which these species occur (e.g., scattered within highly disturbed site conditions) does not constitute a native plant community most commonly associated with potential DSFF habitat.

The BUOW is considered a California Species of Special Concern, Federal Species of Concern, Partners in Flight Priority Bird Species, and Fish and Wildlife Service Species of Management Concern because of declines of suitable habitat, as well as localized and statewide population declines. While this special-status species is not protected by state or federal endangered species acts, the BUOW is protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and California Department of Fish and Game/Wildlife (CDFG/CDFW) Code sections 3503, 3503.5, and 3800. These sections prohibit take, possession, or destruction of birds, their nests or eggs.

No direct observations or burrowing owl sign were recorded during the BUOW habitat assessment, primarily due to various recurring and historic anthropogenic disturbances. Although the BUOW is well known to occur in certain disturbed situations, the BUOW generally prefers moderately to heavily grazed grasslands for nesting and roosting and generally avoids areas supporting dense vegetation. Monitoring of the site and adjacent areas during peak BUOW activity times did not reveal any indication that this species was present or utilizing the site for foraging purposes. Although the occurrence potential for BUOW is considered low, a BUOW pre-construction survey (as previously detailed) is recommended following CDFW protocol prior to development (**BIO-1**).

The project site is heavily disturbed and consists of a bare field that was formerly used for residential uses. No sensitive species were observed during the habitat assessment. No special-status plant species are expected on site due to the absence of suitable habitat, and no impacts would occur. No other special-status wildlife species were directly recorded on site and no special-status wildlife species are expected because of the developed nature of the site. Site development would not eliminate any habitat for special-status species, nor reduce population sizes below self-sustaining levels on a local or regional basis.

Non-native grasslands present on site could provide potential nesting sites for common native bird species. The potentially occurring common native birds are not protected by state or federal endangered species acts; however many native species are protected under the

federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and CDFG Code sections 3503, 3503.5, and 3800 which prohibits take, possession, or destruction of birds, their nests or eggs (in particular raptor species). If site preparation activities occur during the nesting season (generally February 1 through August 31), a pre-construction nesting bird survey would be required as identified in **BIO-2**. Therefore, impacts would be mitigated to a less than significant level.

- b) **No Impact.** Based on the Habitat Assessment (Ecological Sciences, 2017), USACE "waters of the United States" per Sections 401-404 of the Federal Clean Water Act and "streambeds" per Section 1600-1603 of the CDFW Code were not observed on the property. No jurisdictional wetlands were recorded on site. There would be no impact.
- c) **No Impact.** As noted above, the project does not contain wetlands or jurisdictional features. Therefore, the project would not have a substantial adverse effect on federally protected wetlands and there would be no impact.
- d) **Less Than Significant Impact.** Wildlife corridors are linear features that connect areas of open space and provide avenues for the migration of animals and access to additional areas of foraging. The project site is not located in an area that provides any significant or biologically important habitat corridors or nursery sites. The project site itself does not contain, or adjacent to, any wildlife corridors. The project site is surrounded by roadways, residential, and industrial development, and does not provide a linkage to any open space or habitat area.

No concentrations of wildlife tracks or sign were observed, and no established corridors or connectivity to larger conservation areas of the region were observed. The project site lies in an urbanized area where undeveloped land is heavily fragmented. The isolated nature of the project site surrounded by development precludes corridor potential. Therefore, development of a building onsite would not impede regional wildlife movement, impact any designated corridors or habitat linkages, or impede the use of native wildlife nursery sites.

Nesting birds of a wide range of species are protected by the Migratory Bird Treaty Act (MBTA). Potential migratory ground-nesting birds that may be transitory within the project area are protected through mandated compliance with the MBTA. Disturbance of any active bird nest during the breeding season is also prohibited by the California Fish & Game Code. To ensure development of the Project Site does not violate the MBTA, **BIO-2**, requiring pre-construction surveys for nesting birds is included as part of the project. With the implementation of **BIO-2**, impacts to nesting birds would be less than significant.

- e) **No Impact.** The project would not conflict with any local policies or ordinances protecting biological resources, as the site have been previously disturbed and there are no identified biological resources that are subject to such regulation. No impact would occur.
- f) **No Impact.** With the exception of the RU for the federally endangered DSFF, the project site is not subject to a conservation plan and no plans have been adopted in the area of the project site. No DSFF were found on site and all on-site habitats were classified as unsuitable for DSF. No impact would occur.

**Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant.**

**MM# Mitigation Measures**

**BIO-1 Burrowing Owl Pre-Construction Survey.** A pre-construction surveys for Burrowing Owl (BUOW) shall be required 30 days before the start of grading activities to confirm the absence of BUOW from the site. Preconstruction BUOW surveys shall be conducted according to the 2012 CDFW Staff Report on Burrowing Owl Mitigation guidelines onsite prior to construction or site preparation activities.

The results of the survey will be submitted to the County of San Bernardino and the California Department of Fish & Wildlife (CDFW) within 14 days following completion. If active burrows are detected, protective measures shall be required to ensure compliance with the Migratory Bird Treaty Act (MBTA) and other applicable California Department of Fish and Game (CDFG) Code requirements.

- a. In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.
- b. In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow California Department of Fish and Wildlife relocation protocol. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow California Department of Fish and Wildlife relocation protocol. The biologist shall confirm in writing to the County of San Bernardino Planning Department that the species has fledged or been relocated prior to the issuance of a grading permit.

**BIO-2 Nesting Bird Pre-Construction Survey.** As a condition of approval for all grading permits, vegetation clearing, or ground disturbance, within 30 days prior to such activities occurring during the nesting/breeding season (Mid-February through August 31), a migratory bird nesting survey must be completed in accordance with the following requirements:

- a. A migratory nesting bird survey of the Project's impact footprint shall be conducted by a qualified biologist within three business (3) days prior to initiating vegetation clearing or ground disturbance.
- b. A copy of the migratory nesting bird survey results report shall be provided to the County of San Bernardino Planning Department. If the survey identifies the presence of active nests, then the qualified biologist shall provide the Planning Department with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the Planning Department and shall be no less than a 300-foot radius around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and Planning Department verify that the nests are no longer occupied and the juvenile birds can survive independently from the nests.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES – Would the project</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

A Historical/Archaeological Resources Survey Report (Cultural Report) was prepared by CRM Tech (March 2017). The findings are summarized below and the study is included as Appendix C to this Initial Study. The CRM Tech (March 2017) was reviewed and agreed to by the San Manuel Band of Mission Indians on March 15, 2017.

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

The historical/archaeological resources records search was conducted at the South Central Coastal Information Center (SCCIC), which is the State of California's official cultural resource records repository for the County of San Bernardino. Maps and records on file at the SCCIC were searched for a complete inventory of previously identified historical/archaeological resources and existing cultural resources studies within a one-mile radius of the project area.

According to records on file at the SCCIC, two linear surveys for a pipeline and a fiber-optic cable were previously completed along the northern project boundary in 1999 and 2000, but the project area as a whole had not been surveyed systematically for cultural resources prior to the Cultural Report (CRM Tech, 2017). The nearest historical/archaeological sites within a one-mile radius includes the original campus of the former Bloomington Middle School, which was constructed in 1936-1937 (Marvin 2003; Hollins 2008). The site is now occupied by offices of the Colton Joint Unified School District at 10435 Cedar Avenue, across Orange Street from the project location. Although a 2003 study found the cluster of three buildings to be eligible for the National Register of Historic Places as a property associated with New Deal-era work-relief programs and embodying Art Deco architecture of the 1920s-1930s (Marvin 2003:5), a 2008 study found the primary building in the group not to meet the requirements of those criteria (Hollins 2008:2).

Another site near the project area consisted of the segment of the former Southern Pacific Railroad mainline in San Bernardino County, now a part of the Union Pacific Railroad system. Lying just to the north of the project location, this rail line was constructed in 1875 as a part of the Southern Pacific mainline between California and Texas. A 1999 study concluded that the

site was eligible for the National Register due to the important role that the Southern Pacific Railroad once played in the growth of the southern California region (Ashkar 1999:2). Subsequent studies focusing on various segments of the rail line, however, typically found these segments not to be eligible for the lack of historic integrity (Harper 2008:1; Tibbet 2010:2; Paul 2012:2).

The intensive-level field survey produced negative results for potential historical resources. It was confirmed during the survey that the only features surviving from the former residential neighborhood in the project area were the asphalt-paved remnants of Park Street and Church Street, two nondescript, minor suburban residential streets. No other features or artifacts more than 50 years of age were encountered within or adjacent to the project boundaries. Scattered modern refuse was noted over much of the project area, but none of these items is of any historical/archaeological interest.

The historical research conducted demonstrated clear signs of human activities in the project vicinity at least by the 1850s, when several roads were noted traversing to the north and the south of the project location. By the mid-1890s, a lone building had appeared in the southernmost portion of the project area, probably a farmstead. In the late 1930s, more than a dozen buildings lined Cedar Avenue, Orange Street, Vine Street, Park Street, and Church Street. The number of buildings on the project site continued to grow through the 1950s, and resembled a densely populated suburban housing tract. In 1966-1967, some of the residences on the western edge were removed for realignment of Cedar Avenue. From 1980 to 1994, the 30 buildings that remained were removed, leaving only the abandoned Park Street and Church Street. From 1994 to the present time, the entire project site has been vacant and undeveloped.

Because the project involves development of a previously developed site, it is not anticipated that intact subsurface historic or archaeological resources would be encountered during excavation and grading activities, and historical and archaeological sites are not known to exist in the area. Therefore, there is a less than significant potential impact involving disturbance of undiscovered resources during grading and excavation activities.

- V-b) **Less than Significant Impact.** Archaeological sites are locations that contain resources associated with former human activities, and may contain such resources as human skeletal remains, waste from tool manufacturing, tool concentrations, and/or discoloration or accumulation of soil or food remains.

The records search conducted for the project found that more than 20 previous studies on various tracts of land and linear features have been completed within a 1-mile radius of the project site. However, collectively these studies covered less than 20% of the land within the scope of the records search. Based on past studies in the project area, 42 historical/archaeological sites were recorded within the 1-mile radius, all dating to the historic period. Most of these (36) consisted of buildings or groups of buildings, and the other 6 sites included structural remains, refuse scatters, irrigation features, and the Union Pacific (formerly Southern Pacific) Railroad. No prehistoric cultural resources were identified within the scope of the records search.

The nearest sites, 36-020331 and 36-021607 represent the original campus of the former Bloomington Middle School constructed in 1936-1937, which is now occupied by offices of the Colton Joint Unified School District at 10435 Cedar Avenue, across Orange Street from the project site. The Cultural Report (CRM Tech 2017) discusses that this site was found by one study to be eligible for the National Register of Historic Places as a property associated with

New Deal-era work-relief programs and embodying Art Deco architecture of the 1920s-1930s, however, a later study found the buildings did not meet the requirements of those criteria.

A third site recorded just north of the project area, 36-010330 (CA-SBR-10330H) consisted of the segment of the former Southern Pacific Railroad mainline in San Bernardino County, which is now part of the Union Pacific Railroad system. This rail line was constructed in 1875 as a part of the Southern Pacific mainline between California and Texas. Although an early report concluded the site was eligible for the National Register due to the important role that the Southern Pacific Railroad once played in the growth of the southern California region, subsequent studies focusing on various segments of the rail line found them ineligible for lack of historic integrity, and the other previously recorded sites were not in the immediate project vicinity.

The project area is predominately urbanized, vacant, has been previously disturbed from prior grading activities and developed, and is not located within the County's Cultural Resource Overlay area. The intensive modification and disturbance associated with the grading and surface modification of the project site has eradicated any near-surface record of prehistoric, ethnohistoric, or historic-era behavioral activities that may have otherwise been preserved as archeological sites, deposits, or features. As a result, the potential for encountering buried archaeological resources is very low. If buried resources are encountered, they are likely to be disturbed or secondary contexts, considering the entire surface of the site has been heavily modified, graded, and previously developed. In the unlikely event that substantial deposits of buried cultural materials, such as concentrated deposits of historic-period refuse, are encountered during earth-moving operations associated with the project, all work in that area should be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the finds. Therefore, impacts related to archaeological resources would be less than significant.

- V-c) **Less Than Significant Impact.** Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium grained marine, lake, and stream deposits, such as limestone, siltstone, sandstone, or shale, and in ancient soils. They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium sediments. Fossils are rarely preserved in igneous or metamorphic rock units. Fossils may occur throughout a sedimentary unit and, in fact, are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance, amateur collecting, or natural causes such as erosion.

No paleontological resources are known to be on or adjacent to the project site. It is assumed that if these resources were located in these areas, they would have been discovered during original or subsequent ground disturbing activities in this urbanized area. If evidence of paleontological resources is encountered during grading and construction, operations would be required to cease, and the County of San Bernardino and County Museum would be required to be contacted for determination of appropriate procedures. Compliance with the County's standard conditions would preclude significant impacts to paleontological resources. Therefore, impacts would be less than significant.

- V-d) **Less Than Significant Impact.** The project site is not located within a known or suspected cemetery and there are no known human remains within the site. As discussed in V-a), the project site has been significantly disturbed by grading during previous development activities; therefore, the potential for uncovering human remains at the project site would be considered

low. Nevertheless, the remote potential exists that human remains could be unearthed during grading and excavation activities associated with project construction.

In the event that human remains are discovered during project grading or other ground disturbance activities, the project would be required to comply with Section 7050.5 of the California Health and Safety Code (CHSC) and Public Resources Code (PRC) §5097 et. seq. CHSC Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin of discovered human remains. PRC Section 5097 states that remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made by the Coroner.

If the Coroner determines the remains to be Native America, the Native American Heritage Commission (NAHC) would be contracted pursuant to PRC Section 5097.98, and the NAHC must then immediately notify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains.

Based on this analysis and with implementation of the CHSC and PRC sections mentioned, the impact would be less than significant.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all relevant County of San Bernardino regulations and conditions of approval.**

#### **Conditions of Approval**

CR-1. If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards [36 CFR § 6]) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

CR-2. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

CR-3. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input.

CR-4. If significant Native American historical resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, an SOI-qualified archaeologist shall be retained

to develop an cultural resources Treatment Plan, as well as a Discovery and Monitoring Plan, the drafts of which shall be provided to San Manuel Band of Mission Indians for review and comment.

- a. All in-field investigations, assessments, and/or data recovery enacted pursuant to the finalized Treatment Plan shall be monitored by a San Manuel Band of Mission Indians Tribal Participant(s).
- b. The Lead Agency and/or applicant shall, in good faith, consult with San Manuel Band of Mission Indians on the disposition and treatment of any artifacts or other cultural materials encountered during the project.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS – Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18 1-B of the California Building Code (2001) creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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A geotechnical investigation, *Geotechnical Investigation Proposed Commercial/Industrial Building: NEC Cedar Avenue and Orange Street*, was prepared by Southern California Geotechnical (SoCalGeo) (October 2014). The intent of the Geotechnical Investigation was to assess on-site geotechnical conditions and provide preliminary recommendations for design, future grading, and construction. The report is provided in Appendix D.

VI-a) i) **No Impact.** According to the most recent Alquist-Priolo Earthquake Fault Zone Map, the project site is not located within an Alquist-Priolo Earthquake Fault Zone. Therefore, the project site is not expected to be subject to rupture. No impacts are anticipated with respect to fault rupture.

ii) **Less Than Significant Impact.** The project site, like most of Southern California, is located in a seismically active region. Active faults are defined as those that have experienced surface displacement within Holocene time (approximately the last 11,000 years) and/or are in a State-designated Alquist-Priolo Earthquake Fault Zone. There are faults capable of generating moderate to large earthquakes in the project vicinity. The nearest fault zone is the San Jacinto fault zone located approximately five miles north of the project site.

The project would be required to comply with the building design standards of the 2013 California Building Code (CBC) for the construction of new buildings/and or structures as well as any applicable standards for seismic forces. All project construction would be conducted according to the standard building design and engineering techniques required for compliance with the CBC. Although some structural damage is typically not avoidable during a large earthquake, compliance with applicable ordinances and the CBC is intended to protect against building collapse and major injury during a seismic event. The CBC includes specific design measures, which are based on determination of Site Classification and Seismic Design Categories specific to the project site. These design measures are intended to maximize structural stability in the event of an earthquake. Further, the *Geotechnical Investigation* (SoCalGeo 2014) has included specific recommendations to reduce the risk of structural damage as a result of strong seismic shaking, pursuant to the CBC. Conditions of approval would ensure that the project would adhere to CBC requirements and implementation of the seismic design parameters recommended in the *Geotechnical Investigation* (SoCalGeo 2014), which would reduce the risks related to strong seismic shaking to a less than significant level.

iii) **Less Than Significant Impact.** Liquefaction is the loss of soil strength or stiffness due to a buildup of water pressure between soil particles during severe ground shaking. This condition is associated primarily with loose (low density), saturated, fine- to medium-grained, cohesionless soils that often make up alluvial materials. Liquefaction can cause ground and structure settlement, flotation of buoyant structures, and cracking of the ground surface. The general liquefaction susceptibility of the site was determined by research of the *San Bernardino County Official Land Use Plan, General Plan, Geological Overlay*. The map for the Fontana Quadrangle indicates that the project site is not located within a liquefaction hazard zone. The potential for impacts from liquefaction are considered less than significant. Additionally, adherence to the *California Building Code* would further reduce any potential impacts of seismic-related ground failure, including liquefaction to less than significant levels.

iv) **No Impact.** The project site is relatively flat with slopes of less than two percent. The site ranges in elevation from 1,094 amsl in the northwest corner to 1,073 amsl in the southeast corner. The overall topographic relief of the site is approximately 21 feet. The topography of surrounding properties is similar with no unusual geographic features. Therefore, project

implementation would not expose people or structures to potential substantial adverse effects involving landslides, and no impacts would occur.

The project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving; (i) rupture of a known earthquake fault, (ii) strong seismic ground shaking, (iii) seismic-related ground failure, including liquefaction or (iv) landslides, because there are no such geologic hazards identified in the immediate vicinity of the project site. The project would be reviewed and approved by County Building and Safety with appropriate seismic standards.

- VI-b) **Less Than Significant Impact.** The primary concern in regards to soil erosion or loss of topsoil would be during the construction phase of the project. Grading and earthwork activities associated with project construction activities would expose soils to potential short-term erosion by wind and water.

The project would be subject to compliance with the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit for construction activities. The NPDES Storm Water Construction Permit requires preparation of a Storm Water Pollution Prevention Plan, which would identify specific erosion and sediment control Best Management Practices (BMPs) that would be implemented to protect storm water runoff during construction activities. Compliance with the California Building Code and NPDES permit conditions would minimize effects from erosion and ensure consistency with the Regional Water Quality Control Board Water Quality Control Plan. By following compliance with NPDES requirements via Conditions of approval 2 and 3, project implementation would result in less than significant impacts regarding soil erosion.

Substantial soil erosion or loss of topsoil is not expected to occur during long-term operation. The majority of the project site would be covered with structures or paved, and the remaining pervious areas would be landscaped, which would minimize impacts to a less than significant level.

- VI-c) **Less Than Significant Impact.** The project is not identified as being located on a geologic unit or soil that has been identified as being unstable or having the potential to result on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. As discussed above, the *Geotechnical Investigation* (SoCalGeo 2014) found that impacts due to liquefaction to be less than significant and there would be no impacts from landslides because the site is flat. Additionally, the *Geotechnical Investigation* (SoCalGeo 2014) found that the impacts of lateral spreading and subsidence to be less than significant.

- VI-d) **Less Than Significant Impact.** Expansive soils can be a problem, as variation in moisture content would cause a volume change in the soil. Expansive soils heave when moisture is introduced and contract as they dry. According to the *Geotechnical Investigation* (SoCalGeo 2014) the project site is underlain by soils with very low expansion potential. Therefore, no design considerations related to expansive soils are required. Impacts are less than significant.

- VI-e) **Less Than Significant Impact.** The project would install onsite sewer lines that would connect to an extension east to the existing manhole at the intersection of Orange Street at Larch Avenue. The project would not utilize septic tanks or alternative wastewater disposal systems. Thus, impacts would not occur.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

#### **Conditions of Approval**

GS-1. The Project is required to comply with the California Building Standards Code as adopted by the County of San Bernardino to preclude significant adverse effects associated with seismic hazards. A design-phase geotechnical report will be produced and its recommendations will be implemented during site grading and construction. The following conditions are recommended:

- Once project grading and foundation plans are prepared and available, the project geotechnical consultant shall review the grading and foundation plans relative to the geotechnical recommendations in the above referenced report and provide an updated report and/or supplement if determined to be necessary. The geotechnical consultant shall stamp and wet-sign the grading and foundation plans which shall be submitted the County for review and approval as part of the plan check process.
- The Project Geotechnical Engineer shall perform inspection and density testing during grading. Upon completion of rough grading, the Geotechnical Engineer shall prepare a compaction report that includes the results of compaction testing and a plat or other suitable map showing the location of compaction tests. In addition, the report shall summarize the results of in-grading inspections and shall indicate whether the grading has been conducted in accordance with the recommendations of the approved geotechnical report. The report shall be submitted to Building and Safety with appropriate fees for review and approval.
- The Project Geotechnical Engineer shall inspect and approve footing excavations prior to placement of forms, steel, or pouring of concrete.

GS-2. The project would comply with National Pollutant Discharge Elimination System (NPDES) requirements for control of discharges of sediments and other pollutants during construction. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared and submitted to the State Water Resources Control Board. The project will obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) in effect at the time of grading permit application. The SWPPP will require preparation of an Erosion & Sediment Control Plan. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance.

GS-3. The project would comply with NPDES requirements for control of discharges of sediments and other pollutants during operations of the facility through preparation and implementation of a Water Quality Management Plan (WQMP) in compliance with the

**Municipal Separate Storm Sewer System (MS4) Permit in effect for the Santa Ana Regional Water Quality Control Board (RWQCB) at the time of grading permit application.**

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

**SUBSTANTIATION:**

A *Greenhouse Gas (GHG) Emissions Report* was prepared for the project by Michael Baker International (August 2017). The findings of the GHG Report are summarized in this Initial Study, and the report is included as Appendix E.

VII-a) **Less than Significant Impact.** In September 2006, the California State Legislature enacted the Global Warming Solutions Act (Assembly Bill or AB 32) to address greenhouse gasses (GHG) caused by human activity and implicated in global climate change. AB 32 requires that GHG emissions in California be reduced to 1990 levels by 2020, and is part of a larger State plan to reduce emissions to 80 percent below 1990 levels by 2050.

The Climate Action Reserve established general and industry-specific protocols for assessing and reporting GHG emissions. GHG sources are either direct (i.e., from the project site and activities associated with operations) and indirect (i.e., not directly associated with the project, but impacted by its operations).

The project would result in direct and indirect emissions from CO<sub>2</sub> (from gasoline and diesel combustion), and N<sub>2</sub>O and CH<sub>4</sub> (from limited vehicle tailpipe emissions). Direct GHG emissions would result from construction activities, area sources, and mobile sources. Indirect emissions would result from electricity consumption, water demand, and solid waste generation. Operational emissions sources would be from natural gas usage and mobile emissions.

CalEEMod quantified the indirect and direct emissions that would be produced with implementation of the project, including construction and operational emissions. The measure MTCO<sub>2e</sub> per year is used to account for variations in the effectiveness of the aforementioned gases on climate change.

In December 2011, the County Board of Supervisors adopted a Greenhouse Gas Emissions Reduction Plan (GHG Reduction Plan) that establishes 3,000 MTCO<sub>2e</sub> as the screening threshold for projects to be considered consistent with the Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. The County's Screening Table point system was used to evaluate the project's compliance with the GHG Plan. The proposed project's design features incorporate 100 points on the Screening Tables for Implementation of GHG Reduction Measures for Commercial Development through the application of Modestly Enhanced Window Insulation (7 points), All Rooms Daylighted (7 points), Water Efficient Irrigation Systems (5 points), Employee Bicycle/Pedestrian Programs (1 point), and Provide Eight (8) Public Charging Stations for Use by an Electric Vehicle (38 points). Because the project design features exceed 100 points, the

project is considered consistent with the GHG Plan and is therefore determined to have a less than significant individual and cumulative impact for GHG emissions. The GHG reduction measures proposed by the Applicant through the Screening Tables Review Process have been included in the project design or would be included as Conditions of Approval for the project.

As shown in Table VII-1 the total amount of GHG emissions that would result from direct and indirect sources with implementation of the project would total 1,973.85 MTCO<sub>2e</sub> per year, which is below the County's 3,000 MTCO<sub>2e</sub> per year screening threshold. Projects that do not exceed the County threshold are considered to have a less than significant individual and cumulative impact for GHG emissions. Because the project would produce GHG emissions less than the County's screening threshold, impacts would be less than significant and no mitigation measures would be required.

Table VII-1 Project Greenhouse Gas Emissions

Source	CO <sub>2</sub>	CH <sub>4</sub>		N <sub>2</sub> O		Total Metric Tons of CO <sub>2</sub> eq
	Metric Tons/yr	Metric Tons/yr	Metric Tons of CO <sub>2</sub> eq	Metric Tons/yr	Metric Tons of CO <sub>2</sub> eq	
<b>PROJECT GHG EMISSIONS</b>						
<b>Direct Emissions</b>						
▪ Construction (amortized over 30 years)	24.93	0.00	0.00	0.00	0.00	24.93
▪ Mobile Sources	1,346.53	0.07	1.78	0.00	0.00	1,348.31
<b>Total Unmitigated Direct Emissions</b>	<b>1,371.46</b>	<b>0.07</b>	<b>1.78</b>	<b>0.00</b>	<b>0.00</b>	<b>1,373.24</b>
<b>Indirect Emissions</b>						
▪ Area	0.01	0.00	0.00	0.00	0.00	0.01
▪ Energy	200.66	0.01	0.20	0.00	0.57	201.63
▪ Waste	35.26	2.08	82.09	0.00	0.00	88.43
▪ Water Demand	190.82	1.40	34.99	0.03	10.25	237.50
▪ Off-Road (Forklifts)	71.38	0.02	0.57	0.00	0.00	71.97
<b>Total Unmitigated Indirect Emissions</b>	<b>498.33</b>	<b>3.51</b>	<b>87.84</b>	<b>0.04</b>	<b>10.82</b>	<b>600.54</b>
<b>TOTAL NET GHG EMISSIONS</b>	<b>1,973.85 MTCO<sub>2e</sub>/yr</b>					
Notes: Emissions calculated using CalEEMod computer model. Totals may be slightly off due to rounding. Refer to Appendix A, Greenhouse Gas Emissions Data, for detailed model input/output data.						

VII-b) Less than Significant Impact.

*GHG Reduction Plan*

As mentioned in VII-a), the County of San Bernardino adopted a Greenhouse Gas Emissions Reduction Plan (GHG Plan) on December 6, 2011 that became effective on January 6, 2012. The GHG Plan establishes an emissions reduction target for the year 2020 that is 15 percent below 2007 emissions levels. Achieving this goal would ensure that GHG emissions from activities covered by the GHG Plan would not be cumulatively considerable.

The County's GHG Plan is achieved through applying reduction requirements to projects during the Development Review Process. All new development is required to quantify a project's GHG emissions. Certain projects are required to use Screening Tables, which assign points to various activities that reduce GHGs, to determine the necessary reduction measures that would be adopted as mitigation to reduce project emissions to below a level of significance. As shown in Table VII-1, the project would generate less than the 3,000 MTCO<sub>2e</sub> per year standard. As described in Appendix F of the GHG Plan, projects that generate less than 3,000 MTCO<sub>2e</sub> per year of GHG emissions are

deemed to be consistent with the GHG Plan and do not require mitigation; for this reason, the GHG Plan states that the use of Screening Tables to determine GHG reduction measures is not required for projects below this threshold. Therefore, a less than significant impact would occur.

AB 32 requires that state GHG emissions be reduced to 1990 levels by 2020. The County's GHG Plan was established for consistency with AB 32's target. SB 32, which became effective in September 2016, established the emissions target of 40 percent below 1990 levels by 2030.

SCAG's *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)*, adopted April 7, 2016, is a long-range visioning plan for the Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties. It establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035, and establishes an overall GHG target for the region that is consistent with both the AB 32 (2020) and SB 32 (2030) targets.

The project would not conflict with the goals of the RTP/SCS, and thus would not interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets outlined in the 2016 RTP/SCS. Therefore, impacts associated with project construction and operation would be less than significant, and no mitigation measures would be required.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

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

**SUBSTANTIATION:**

*A Phase I Environmental Assessment, 8.82-acre Vacant Parcel, Eastern Corner of Orange Street and Cedar Avenue, Bloomington, California 92316 (APN 0253-211-56) (Phase I ESA)* was prepared by SCS Engineers (July 2016) for the project site. The findings of the Phase I ESA are summarized in the Initial Study; the report is included as Appendix F.

- VIII-a) **Less Than Significant Impact.** The project is a warehouse distribution center and is not expected to transport, use, or dispose of significant amounts of hazardous materials as defined by the Hazardous Materials Transportation Uniform Safety Act. If such uses are proposed on the site in the future, they would be subject to permit and inspection by the Hazardous Materials Division of the San Bernardino County Fire Department (SBCFD), and subsequent land use review by the County may be required.

During construction, the project would involve the transport of common construction materials such as concrete, wood, metal, and fuel for construction equipment. These substances are considered hazardous, but not acutely hazardous. Although they would be stored in temporary storage tanks/sheds located on the project site, these materials could have the potential for accidental spillage that could expose workers. However, the use, storage, transport, and disposal of these hazardous construction materials would be carried out in accordance with federal, state, and county regulations. Furthermore, no extremely hazardous substances (i.e., those governed by Title 40, Part 335 of the Code of Federal Regulations) are anticipated to be produced, used, stored, transported, or disposed of as a result of project construction. As required by the SBCFD Hazardous Materials Division, Material Safety Data Sheets for all applicable hazardous materials present onsite would be readily available to onsite personnel. Additionally, non-hazardous construction debris generated by the project would be disposed of at local landfills. Sanitary waste would be managed using portable toilets, with waste disposed of at approved sites.

During operation, the warehouse distribution center would produce non-hazardous waste that would be disposed of at local landfills.

The project would be required to comply with all applicable federal, state, and county laws, ordinances, and regulations, and therefore would result in less than significant impacts related to creating significant hazards through routine transport, use, or disposal of hazardous materials.

- VIII-b) **Less Than Significant Impact.** As noted in VIII-a), the project would not involve the use, storage, or disposal of hazardous materials. Only construction-related materials such as fuels, lubricants, adhesives, and solvents would be used during the construction phase of the project. The toxicity and potential release of these construction materials would depend on the quantity of material, type of storage container, safety protocols used onsite, location and/or proximity to residences, frequency and duration of spills or storage leaks, and the reactivity of hazardous substances with other materials. However, compliance with regulations and standard protocols during the storage, transportation, or use of any hazardous construction materials would ensure that no substantial impacts would occur.

The project site was developed with residential uses and a Catholic church until the 1980s. The site has been vacant since 1990, with only remnants of two cul-de-sac roads crossing the property remaining. No recognized environmental conditions (REC) or obvious indications of environmental issues that would affect the environmental condition of the property were observed during the Phase I ESA inspection (SCS 2016). The nearest railroad track is located approximately 45 feet to the north of the project site on the opposite side of a dirt berm. Based

on the distance and visual inspection, the Phase I ESA determined it to be unlikely that a release of chemicals and products transported or used to prevent vegetation growth on the tracks at the adjoining railroad right-of-way has affected the environmental condition of the project site.

Any proposed use or construction activity that could involve hazardous materials is subject to permit and inspection by the Hazardous Materials Division of the County Fire Department, and standard construction practices would be observed so that any materials released would be appropriately contained and remediated as required by local, State, and federal law. As such, there would be a less than significant impact associated with creating a significant hazard to the public or the environment through foreseeable upset and accident conditions.

- VIII-c) **Less Than Significant Impact.** The project site is located approximately 50 feet north across Orange Street of Slover Mountain High (Continuation) School and northwest of the Bloomington Head Start program, both located at 18829 Orange Street. Thus, the project site is located within one-quarter (0.25) mile from an existing or proposed school. As discussed in VIII-a) and -b) above, all hazardous or potentially hazardous materials would comply with all applicable federal, State, and local agencies and regulations with respect to hazardous materials. Construction of the project would not involve the use of acutely hazardous substances. Warehouse distribution operations would not be expected to emit or handle hazardous or acutely hazardous materials. However, to ensure that the project would reduce impacts relating to the issue of accidental release of hazardous materials, Condition of Approval 1, below would be implemented.

Additionally, as discussed in Section III, Air Quality, impacts related to cancer risk and PM<sub>2.5</sub> concentrations from heavy trucks would be less than significant at the school campus, and non-carcinogenic hazards were calculated to be within acceptable limits in the HRA. Although the increased cancer risk from heavy trucks would be below the applicable significance threshold, because the school facilities south of the project are 60 feet away, Air Quality Condition of Approval 1. would enforce existing regulation and reduce the generation of diesel particulate matter.

Implementation of Air Quality Condition of Approval 1 and Condition of Approval 1, below would ensure that impacts would remain less than significant.

- VIII-d) **No Impact.** The project site is not included on any list of hazardous materials sites compiled pursuant to Government Code Section 65962.5<sup>3</sup> (EnviroStor). Therefore, no impact would occur.
- VIII-e) **No Impact.** The project site is not located within an airport land use plan or within two miles of a public or public use airport. The nearest public-use airport is San Bernardino International Airport, approximately 8 miles east of the project site. No impacts would occur.
- VIII-f) **No Impact.** The project site is not located within the vicinity of a private airstrip or related facilities. The nearest private heliport is Johnson Heliport, approximately 5 miles to the southeast. Therefore, the project would not result in safety hazards for people residing or working in the project area as a result of proximity to an airport, and no impacts would occur.

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<sup>3</sup> California Department of Toxic Substances Control, [http://www.dtsc.ca.gov/SiteCleanup/Cortese\\_List.cfm](http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm), accessed July 13, 2017.

- VIII-g) **Less Than Significant Impact.** The project would not affect any emergency response or evacuation plans. Emergency vehicles would continue to have access to project-related and surrounding roadways upon completion of the project. The Bloomington Community Plan (2007) designates the Valley Boulevard, Slover Avenue, and the I-10 as an Emergency Evacuation Routes.<sup>4</sup> However, other roadways within the community may be used as evacuation routes, and evacuation authorities will designate specific evacuation routes during emergency to respond to the needs and circumstances of the situation. These routes will be communicated to residents at the time of an emergency and will be handled pursuant to the County Emergency Management Plan procedures.

The project site is approximately 0.2 miles south of Valley Boulevard, 0.13 miles north of Slover Avenue, and 0.07 miles south of the I-10. Although project construction and operational traffic would utilize these routes, the traffic use would not impair implementation of or physically interfere with, the County's emergency evacuation routes.

Section XVI, Traffic and Transportation, summarizes the Traffic Impact Analysis, which analyzed project traffic impacts. Under Existing Plus Project conditions, the addition of project-related trips would not result in significant impacts at the study intersections. Although the addition of project-related traffic for Opening Year 2019 would result in a deficient level of service at Cedar Avenue / I-10 Eastbound Ramp in the AM peak hour, this intersection is included in the SANBAG Rialto Sphere Nexus Study Development Impact Fee (DIF) program, and payment of the DIF for this intersection mitigates the project's potential to contribute to significant impacts. Under Horizon Year 2035 conditions, assuming the I-10/Cedar Avenue interchange improvements are built prior to Year 2035, the addition of project-related trips would not result in significant impacts at the study intersections. Construction notice to proceed for the interchange improvements is scheduled for February 2020 and complete for beneficial use is scheduled for January 2022 based on the March 2017 Project Status prepared by the San Bernardino County Transportation Authority.

Because overall traffic impacts would be less than significant, the existing roads have sufficient capacity to accommodate project traffic. Therefore, impacts to emergency response or evacuation plans would be less than significant.

- VIII-h) **No Impact.** The project site is not within an area of high or very high fire hazard, as designated by CAL FIRE. The project area is predominately built out and no wildlands occur within or adjacent to the project site. Project implementation would introduce additional ornamental landscaping, which is not anticipated to create hazardous fire conditions. The project would also conform with the San Bernardino's General Plan Safety Element (primarily Title 2, Division 3, "Fire Protection and Explosives and Hazardous Materials"). Through compliance with these requirements, the risk associated with wildfires on the project site would be reduced to a less than significant impact.

**Less than significant Impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

#### **Conditions of Approval**

*See Section III, Air Quality Condition of Approval 1 and 3.*

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<sup>4</sup> Bloomington Community Plan, 61, April 12, 2007, <http://www.sbcounty.gov/Uploads/lus/CommunityPlans/BloomingtonCP.pdf> accessed July 13, 2017.

**HAZ-1. The project is subject to all applicable federal, state, and local laws and regulations regarding hazardous materials including but not limited to requirements imposed by the Environmental Protection Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.**

IX.	HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structure that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- j) Inundation by seiche, tsunami, or mudflow?

**SUBSTANTIATION:**

*A Preliminary Water Quality Management Plan for Cedar Avenue Technology Park (WQMP) was prepared by FM Civil Engineers Inc. (September 2017); refer to Appendix G. A Preliminary Drainage Study was prepared by FM Civil Engineers Inc. (August 2017); refer to Appendix H.*

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

Construction

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

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

In addition, the project would be required to comply with the Santa Ana Regional WQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin WQCP involves the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) for construction-related activities, including grading. The SWPPP would specify the Best Management Practices (BMPs) that the project would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. As discussed in Section VI, Geology and Soils, Condition of Approval 2 would ensure that BMPs contained in the SWPPP would be complied with.

The SWPPP is required for plan check and approval by the City's Building and Safety Department, prior to provision of permits for the project, and would include construction BMPs such as:

- Silt fencing, fiber rolls, or gravel bags
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage
- Stockpile management

- Spill prevention and control
- Solid waste management
- Concrete waste management

Adherence to the existing requirements and implementation of the appropriate BMPs that are required by the County's permitting process would ensure that potential water quality degradation associated with construction activities would be minimized, and impacts to water quality would be less than significant.

#### Operation

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

After construction, the majority of runoff would surface flow into various on-site catch basins into a private on-site storm drain system. The project site includes two detention/infiltration basins: one basin (Basin A) near the northeast corner of the property adjacent to Cedar Place, and one basin (Basin B) at the southeast corner of the property adjacent to the corner of Orange Avenue at Cedar Avenue. Any overflow from Basin A would flow into Basin B. Any additional overflow from both basins would flow into a concrete spillway that outlets to Orange Avenue, and ultimately conveyed to the existing off-site municipal storm drain.

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

The project would be required to incorporate post-construction (or permanent) Low Impact Development (LID) site design, source control, and treatment control BMPs into the project. The LID site design would to minimize impervious surfaces and provide infiltration of runoff into landscaped areas. These BMPs are discussed in more detail in the Preliminary WQMP, attached as Appendix G. As discussed in Section VI, Geology and Soils, Condition of Approval 3 would ensure that BMPs contained in the WQMP would be adhered to.

Based on the analysis above, with implementation of Section VI, Geology and Soils, Condition of Approval 2 and 3, impacts would be less than significant and no mitigation measures are required.

- IX-b) **Less Than Significant Impact.** The project site is located within the service area of the West Valley Water District. The Water District uses groundwater for approximately 70 percent of its water supply. Groundwater is extracted from groundwater production wells from five regional adjudicated and managed groundwater basins, and the District treats surface water from Lytle Creek and State Water Project (SWP) water at its 14.4 mgd Water Filtration Facility. The Water District anticipates that there is sufficient capacity in the existing water system to serve the expected growth within its service area without substantially depleting groundwater supplies. All municipal water entities that exceed their safe yield incur a groundwater replenishment obligation, which is used to recharge the groundwater basin with water from the State Water Project sources. Thus, the project's demand for domestic water service would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that

there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts would be less than significant.

According to the *Geotechnical Investigation* (SoCalGeo 2014), groundwater was not encountered in the on-site exploratory borings drilled to 30 feet deep, even though the soil type is classified as the most pervious. The status groundwater table at this site is not expected to impact the grading or foundation construction activities of the project.

An increase of 10.42 cfs is expected with implementation of the project due to an increase of the imperviousness ratio from vacant and undeveloped to developed with a 184,770 sf building. Because the project site's soil class provides satisfactory infiltration flows, the project would construct an infiltration system with two underground chambers that will ultimately allow the treated flows to infiltrate.

The project would change the majority of the site from pervious to impervious surfaces due to paving and building construction. However, the project would have two detention/ infiltration basins to capture the excess runoff created by the additional on-site impervious surfaces; the basins would minimize any potential impacts the project could have on local groundwater recharge. Impacts would therefore be less than significant.

- IX-c) **Less Than Significant Impact.** There are no streams, rivers, creeks, or any other waterbodies on or adjacent to the project site. The project site is relatively flat and slopes slightly from north to south. Flows drain south towards Orange Street where flows collect in the gutter and travel east onto Larch Avenue. Afterwards, flows travel south on Larch Avenue and then east on Slover Avenue for approximately 1,400 feet until flows enter a concrete drainage ditch where they ultimately merge with the Rialto Channel, and then the Santa Ana River.

After construction, the project site would continue to drain across the site, and flows from the parking lots would and would enter one of the two on-site infiltration basins and landscaping in the parking medians and landscaping areas lining the perimeter of the site and north and west sides of the building. In addition, the proposed on-site infiltration basins to the east and west of the building would limit the release of storm water from the site; therefore, minimizing the potential for flooding to occur on site or off site. After passing through the infiltration basins that would filter pollutants, flows would be routed via one of two new onsite storm drains. The infiltration basins and landscaping onsite has been designed to slow and retain runoff. Therefore, the project would not alter the existing drainage pattern in the project area, and would not result in substantial erosion or siltation on- or off-site. With implementation of Section VI, Geology and Soils, Conditions of Approval 2 and 3, impacts would be less than significant and no mitigation measures would be required.

- IX-d) **Less Than Significant Impact.** As described in IX-c), there are no natural drainages (i.e., streams or rivers) on site. The project would use a drainage collection system that would collect the storm water runoff in two detention/infiltration basins, one located in the northeastern portion of the site, the other located in the southeastern portion of the site. The drainage basins and landscaping onsite have been designed to slow and retain runoff. Flows into the basins would be retained, and storm water would percolate into the groundwater basin.

For overflow, a large flow through planter is used to treat storm water before it enters the storm drain system providing a reduction in peak runoff. By collecting the incremental increase in storm water runoff caused by the increase in impervious surface as well as disconnected

pervious surfaces, the project would minimize the amount of off-site flows and allow downstream facilities to accept the remaining discharge.

Therefore, the project would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. Based on the analysis above, and with implementation of Section VI, Geology and Soils, Conditions of Approval 2 and 3, there would be no significant alteration of the site's existing drainage pattern, and impacts due to on- and offsite flooding would be less than significant.

- IX-e) **Less Than Significant Impact.** As described above, the project would install infiltration basins that have been sized pursuant to capture and filter runoff and discharge into two new storm drains that would be installed on the project site. The infiltration basins and landscaping onsite has been designed to slow and retain runoff. Impacts related to the exceedance of stormwater drainage capacity would not occur.

In addition, as described above, the project would implement a WQMP as required by Section VI, Geology and Soils, Condition of Approval 3, which would ensure that appropriate operational BMPs are implemented to eliminate or minimize the introduction of pollutants that may result in water quality impacts. Therefore, impacts related to substantial additional sources of polluted runoff would be less than significant. Based on the analysis above, with implementation of Section VI, Geology and Soils, Conditions of Approval 2 and 3, impacts would be less than significant.

- IX-f) **Less Than Significant Impact.** The project would not otherwise substantially degrade water quality because appropriate measures relating to water quality protection, including erosion control measures have been required. The WQMP describes the project's compliance with the requirements of the San Bernardino County's NPDES Stormwater Program. With implementation of Section VI, Geology and Soils, Conditions of Approval 2 and 3, impacts would be less than significant.

- IX-g) **No Impact.** The project would not place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. No housing is proposed and the project site is not within identified FEMA designated flood hazard areas as shown on the *San Bernardino County Land Use Plan General Plan Hazard Overlays Map* (Map FH29B). Therefore, no impact would occur.

- IX-h) **No Impact.** The project would not place structures within a 100-year flood hazard area. The project site is not within an identified FEMA designated flood hazard area, as shown on the *San Bernardino County Land Use Plan General Plan Hazard Overlays Map* (Map FH29B). Therefore, no impact would occur.

- IX-i) **No Impact.** As noted in IX-g) and -h), the project site is not subject to flooding. According to the *San Bernardino County Land Use Plan General Plan Hazard Overlays Map* (Map FH29B), the project site and surrounding area is not located within a designated dam inundation area. The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam, and no levee or dam are located in the vicinity of the project. Therefore, no impact would occur.

- IX-j) **No Impact.** The project site is not located proximate to any enclosed or semi-enclosed bodies of water. Further, the project site is located 40 miles east from the Pacific Ocean, and therefore

would not be subject to tsunami impacts. The project site and surrounding area are relatively flat and the project site is not positioned downslope from an area of potential mudflow. The nearest large body of surface water to the project site is Lake Mathews, approximately 15 miles to the south. Due to the distance of Lake Mathews from the project site, a seiche in Lake Mathews would have no impact on the project. Therefore, no impact would occur.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

**Conditions of Approval**

*See Section VI, Geology and Soils Conditions of Approval 2 and 3.*

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No impact
<b>X. LAND USE AND PLANNING – Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

X-a) **No Impact.** The project would not physically divide an established community because the project site is located in an unincorporated part of the County with no abutting residential uses, and the project would occupy an area that is currently vacant. The project site is surrounded by a developed area with various industrial and institutional uses. Implementation of the project would not result in the closure of any public rights-of-way or otherwise impede movement in the area. Due to the site's proximity to I-10 and other existing and permitted warehouse uses, development of the project site with a warehouse would be compatible with the surrounding uses and would not physically divide an established community. The project would have no impact.

X-b) **Less Than Significant Impact.** The project site is vacant and has a General Plan land use zoning designation of "Community Industrial" (IC). The Community Industrial designation is designed to accommodate industrial, distribution, and manufacturing uses. The project would construct a 184,770-sf concrete tilt-up warehouse center, including 10,000 sf of office/administrative uses. Per the County of San Bernardino Development Code, Section 85.06.050, projects greater than 80,000 sf in Community Industrial (IC) land use zoning districts must be processed through a Conditional Use Permit, and therefore this project requires a Conditional Use Permit. The warehouse is a conditionally permitted use under the existing land use designation. The project complies with all hazard protection, resource preservation and land use modifying Overlay District regulations. Therefore, the project would be consistent with the proposed General Plan and Zoning Code designation with County approval of a CUP, and would not conflict with any policy adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.

Furthermore, as demonstrated throughout this Initial Study, the project would otherwise not conflict with any applicable goals, objectives, and policies of the General Plan or Zoning Ordinance. With Mitigation Measures NSE-1, NSE-2, NSE-3, BIO-1, and BIO-2 as set forth in this Initial Study, the project would not conflict with any applicable policy document. Thus, the project would not conflict with any applicable land use plan, policy, or regulation adopted for the

purpose of avoiding or mitigating adverse environmental effects and impacts would be less than significant.

- X-c) **No Impact** With the exception of the recovery unit for the federally endangered Delhi Sands flower-loving fly (DSFF), the project site is not subject to a conservation plan; no plans have been adopted in the area of the project site. No Delhi Sands were found on site and all on-site habitats were classified as unsuitable for DSFF. There would be no impact.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

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

**SUBSTANTIATION:**

XI-a) **No Impact.** The project site is not utilized for mineral extraction, nor has it been identified as containing important resources. The project site is not located within an area known to be underlain by regionally- or locally-important mineral resources, or within an area that has the potential to be, as disclosed by the County of San Bernardino's General Plan and the associated General Plan FEIR. Accordingly, implementation of the project would not result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State of California. No impacts would occur.

XI-b) **No Impact.** Development of the project site would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. The project site is zoned Community Industrial (IC) and is not located within a Mineral Resource Overlay (MR) area. No impacts would occur.

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XII. NOISE – Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

Urban Crossroads prepared a *Noise Impact Analysis* (July 2017). The *Noise Impact Analysis* can be found in Appendix I.

**County of San Bernardino General Plan Noise Element**

The County of San Bernardino Noise Element of the General Plan limits community exposure to excessive noise levels. Common sources of environmental noise in San Bernardino County are associated with roads, airports, railroad operations, and industrial activities. To address these sources of noise, the following goals are identified in the General Plan Noise Element:

*N 1 – The County will abate and avoid excessive noise exposures through noise mitigation measures incorporated into the design of new noise-generating and new noise-sensitive land uses, while protecting areas within the County where the present noise environment is within acceptable limits.*

*N 1.5 – Limit truck traffic in residential and commercial areas to designated truck routes; limit construction, delivery, and through-truck traffic to designated routes; and distribute maps of approved truck routes to County traffic officers.*

*N 2 – The County will strive to preserve and maintain the quiet environment of mountain, desert, and other rural areas.*

These guidelines provide criteria to assess transportation noise on sensitive land uses.

### **County of San Bernardino Development Code**

The County Code, Title 8 Development Code, contains noise level limits for mobile, stationary, and construction-related noise sources. The Community Noise Equivalent Level (CNEL) is an adjusted average A-weighted sound level for a 24-hour day. It is calculated by adding a 5-dB adjustment to sound levels during evening hours (7:00 PM to 10:00 PM) and a 10-dB adjustment to sound levels during nighttime hours (10:00 PM to 7:00 AM). These adjustments compensate for the increased sensitivity to noise during the typically quieter evening and nighttime hours.

#### ***Transportation Noise Standards***

Section 83.01.080(d), Table 83-3 contains the County's mobile source-related standards. There are no exterior or interior noise level standards for the manufacturing or warehouse buildings of the project. Exterior transportation (mobile) noise level standards for residential land uses in the project study area are 60 dBA CNEL.

#### ***Operational Noise Standards***

The County of San Bernardino County Code, Title 8 Development Code, Section 83.01.080(c) establishes the noise level standards for stationary (operational) noise sources. Because the project's industrial land use could potentially impact adjacent noise-sensitive uses in the project area, the Noise Impact Analysis (Urban Crossroads 2017) relied on more conservative residential noise level standards to describe potential operational noise impacts. For residential properties, the exterior noise level shall not exceed 55 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) and 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.) for both the whole hour, and for not more than 30 minutes in any hour.

As shown in the **Table XII-1** below, the exterior noise level standards apply for a cumulative period of 30 minutes in any hour, as well as plus 5 dBA cannot be exceeded for a cumulative period of more than 15 minutes in any hour, or the standard plus 10 dBA for a cumulative period of more than 5 minutes in any hour, or the standard plus 15 dBA for a cumulative period of more than 1 minute in any hour, or the standard plus 20 dBA for any period of time.

Table XII-1 Operational Noise Standards

Land Use <sup>1</sup>	Time Period	Daytime Exterior Noise Level Standards (dBA) <sup>2</sup>					
		Leq (E. Avg.)	L <sub>10</sub> (30 mins)	L <sub>25</sub> (15 mins)	L <sub>5</sub> (5 mins)	L <sub>1</sub> (1 min)	L <sub>max</sub> (Anytime)
Residential	Daytime	55	55	60	65	70	75
	Nighttime	45	45	50	55	60	65
Professional Services	Anytime	55	55	60	65	70	75
Other Commercial	Anytime	60	60	65	70	75	80
Industrial	Anytime	70	70	75	80	85	90

<sup>1</sup> Source: Section 83.01.080(c) of the County of San Bernardino County Code, Title 8 Development Code (Appendix 3-1).  
<sup>2</sup> Leq represents a steady state sound level containing the same total energy as a time varying signal over a given sample period. The percent noise level is the level exceeded "n" percent of the time during the measurement period. L<sub>25</sub> is the noise level exceeded 25% of the time.  
 \*Daytime\* = 7:00 a.m. to 10:00 p.m.; \*Nighttime\* = 10:00 p.m. to 7:00 a.m.; \*E. Avg.\* = logarithmic (energy) average

**Construction Noise Standards**

Noise from construction activities are limited to the hours of operation provided in Section 83.01.080(g)(3) of the County of San Bernardino Development Code, which indicates that construction activity is considered exempt from the noise level standards between the hours of 7:00 a.m. to 7:00 p.m. except Sundays and Federal holidays. Neither the County of San Bernardino General Plan nor County Code establish numeric maximum acceptable construction source noise levels at potentially affected receivers.

To evaluate whether the project could generate potentially significant construction noise levels at off-site sensitive receiver locations, a construction-related noise level threshold was used in the Noise Impact Analysis (Urban Crossroads 2017) from the *Criteria for Recommended Standard: Occupational Noise Exposure* prepared by the National Institute for Occupational Safety and Health (NIOSH). NIOSH identifies a noise level threshold based on the duration of exposure to the source. The construction related noise level threshold starts at 85 dBA for more than eight hours per day, and for every 3 dBA increase, the exposure time is cut in half. The results in noise level thresholds of 88 dBA for more than four hours per day, 92 dBA for more than one hour per day, 96 dBA for more than 30 minutes per day, and up to 100 dBA for more than 15 minutes per day. For purposes of the Noise Impact Analysis, the lowest, more conservative construction noise level threshold of 85 dBA Leq was used as an acceptable threshold for construction noise at the nearby sensitive receiver locations. The noise level threshold of 85 dBA Leq over a period of eight hours or more was used to evaluate the potential project-related construction noise level impacts at the nearby sensitive receiver locations.

**Vibration Standards**

Vibration-generating activities are typically evaluated against standards established under a jurisdiction's Municipal Code, so the County of San Bernardino Development Code vibration level standards were used in the Noise Impact Analysis to assess potential impacts at nearby sensitive receiver locations. The County of San Bernardino Development Code, Section 83.01.090(a) states that vibration shall be no *greater than or equal to two-tenths per second measured at or beyond the lot line*. To determine if the vibration levels due to the operation and construction of the project, the peak particle velocity (PPV) vibration level standard of 0.2 inches per second was used.

**Summary of Significance Criteria**

Thus, while the CEQA Guidelines and the County of San Bernardino General Plan Guidelines provide direction on noise compatibility and establish noise standards by land use type that are sufficient to assess the significance of noise impacts, neither one defines the levels at which increases are considered substantial. The significance criteria in Table XII-2 were used to determine whether the project would cause potential significant impacts.

Table XII-2 Significance Criteria Summary

Analysis	Receiving Land Use	Condition(s)	Significance Criteria	
			Daytime	Nighttime
Off-Site Traffic	Noise-Sensitive <sup>1</sup>	If ambient is < 60 dBA CNEL	≥ 5 dBA CNEL Project increase	
		If ambient is 60 - 65 dBA CNEL	≥ 3 dBA CNEL Project increase	
		If ambient is > 65 dBA CNEL	≥ 1.5 dBA CNEL Project increase	
	Non-Noise-Sensitive <sup>2</sup>	If ambient is < 65 dBA CNEL	≥ 5 dBA CNEL Project increase	
		If ambient is > 65 dBA CNEL	≥ 3 dBA CNEL Project increase	
Operational	Residential <sup>3</sup>	Hourly Leq	55	45
		≥ 30 Minutes L <sub>50</sub>	55	45
		≥ 15 Minutes L <sub>25</sub>	60	50
		≥ 5 Minutes L <sub>5</sub>	65	55
		≥ 1 Minute L <sub>2</sub>	70	60
		Anytime L <sub>max</sub>	75	65
	Noise-Sensitive <sup>2</sup>	if ambient is < 60 dBA	≥ 5 dBA Project increase	
		if ambient is 60 - 65 dBA	≥ 3 dBA Project increase	
		if ambient is > 65 dBA	≥ 1.5 dBA Project increase	
		Permitted between 7:00 a.m. to 7:00 p.m.; except Sundays and Federal holidays. <sup>3</sup>		
Construction	Noise-Sensitive	Noise Level Threshold <sup>4</sup>	85 dBA Leq	n/a
		Noise Level Increase <sup>5</sup>	12 dBA Leq	n/a
		Vibration Level Threshold <sup>6</sup>	0.2 in/sec PPV	n/a

<sup>1</sup> Source: FICOM, 1992.

<sup>2</sup> Source: Section 83.01.080 of the County of San Bernardino County Code, Title 8 Development Code (Appendix 3.1).

<sup>3</sup> Source: Section 83.01.080(g)(3) of the County of San Bernardino County Code, Title 8 Development Code (Appendix 3.1).

<sup>4</sup> Source: NIOSH, Criteria for Recommended Standard: Occupational Noise Exposure, June 1998.

<sup>5</sup> Source: Caltrans Traffic Noise Analysis Protocol, May 2011.

<sup>6</sup> Source: Section 83.01.090(a) of the County of San Bernardino County Code, Title 8 Development Code (Appendix 3.1).

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.; "n/a" = Project operation limited to the hours of 7:00 a.m. to 7:00 p.m. and construction activities are not permitted during the daytime hours; "PPV" = Peak Particle Velocity.

### Ambient Noise Measurements

Noise level measurements were positioned as close to the nearest sensitive receiver locations as possible to assess the existing hourly noise levels in the project area. Receivers represent a location of noise sensitive areas and were used to estimate the future noise level impacts. Collecting reference ambient noise level measurements at nearby sensitive receiver locations allowed for the comparison of the without and with project implementation noise levels.

Receiver location L1 represents the noise levels north of the Project site across Interstate 10 near existing residential homes south of Valley Boulevard. Location L2 represents the west of the Project site on Orange Street adjacent to existing residential homes. Location L3 represents the noise levels at the southern Project site boundary on Orange Street near Bloomington Junior High School. Located east of the Project site, location L4 represents the noise levels on Larch Avenue near existing industrial and residential uses. Location L5 represents the noise levels south of the Project site on Slover Avenue near existing residential homes. See Exhibit 5-A of the Noise Impact Analysis (Urban Crossroads 2017) in Appendix I of this Initial Study for the map of noise level measurement locations.

Table XII-3 identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location. The background ambient noise levels in the project study area are dominated by transportation-related noise associated with the arterial transportation network, which includes the I-10 and the Union Pacific Railroad lines, as well as background industrial land use activities.

**Table XII-3 24-Hour Ambient Noise Level Measurements**

Location	Distance to Project Boundary (Feet)	Energy Average Hourly Noise Level (dBA Leq)		CNEL
		Daytime	Nighttime	
L1	1,145'	63.2	62.2	69.1
L2	700'	66.3	64.6	71.7
L3	0'	60.4	59.2	66.3
L4	545'	60.4	59.5	66.4
L5	735'	64.9	61.0	68.7

XII-a), XII-d) **Less Than Significant with Mitigation Incorporated.** Impacts from noise are evaluated for short-term (temporary) impacts associated with project construction and long-term (permanent) impacts resulting from project operation.

**Receiver Locations**

To assess the potential for long-term operational and short-term construction noise impacts, five receiver locations were identified as representative locations. Sensitive receivers are defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, out-patient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses considered relatively insensitive to noise include business, commercial, and professional developments. Land uses typically unaffected by noise include industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

Representative sensitive receivers near the project site include single-family residential homes at locations R1, R2, and R5, and the Colton Joint Unified School District offices (R3) and Bloomington Junior High School (R4). Other sensitive land uses in the project study area that are located at greater distances would experience lower noise levels than the representative receivers due to the additional attenuation from distance and the shielding of intervening structures. The following describes the locations of the representative sensitive receivers in greater detail:

R1: Located approximately 739 feet north of the Project site, R1 represents existing residential home across I-10 on Church Street. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents an existing residential home southwest of the Project site at roughly 322 feet on Orange Street. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Location R3 represents the existing outdoor basketball court at Bloomington Junior High School situated south of the Project site at approximately 111 feet across Orange Street. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.

R4: Location R4 represents the existing classroom buildings of Bloomington Junior High School located south of the Project site at approximately 60 feet on Orange Street.

R5: Location R5 represents the existing residential homes located south of the Project site at approximately 763 feet, south of Slover Avenue. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.

Receiver locations are mapped in Exhibit 8-A of the Noise Impact Analysis (Urban Crossroads 2017).

#### **Short-Term Construction Impacts**

Construction of the project would occur over approximately twelve months, and would require the use of heavy equipment that would increase noise levels in the immediate project area. Noise from construction activity would fluctuate depending on the particular type, number, and duration of use of construction equipment. **Table XII-4** provides the noise levels produced by various types of construction equipment, including at a 50-foot distance between the equipment and the noise receptor.

**Table XII-4 Construction Reference Noise Levels**

ID	Noise Source	Reference Distance From Source (Feet)	Reference Noise Levels @ Reference Distance (dBA Leq)	Reference Noise Levels @ 50 Feet (dBA Leq) <sup>7</sup>
1	Truck Pass-By & Dozer Activity <sup>1</sup>	30'	63.6	59.2
2	Dozer Activity <sup>1</sup>	30'	68.6	64.2
3	Construction Vehicle Maintenance Activities <sup>2</sup>	30'	71.9	67.5
4	Foundation Trenching <sup>2</sup>	30'	72.6	68.2
5	Rough Grading Activities <sup>2</sup>	30'	77.9	73.5
6	Framing <sup>3</sup>	30'	66.7	62.3
7	Water Truck Pass-By & Backup Alarm <sup>4</sup>	30'	76.3	71.9
8	Dozer Pass-By <sup>4</sup>	30'	84.0	79.6
9	Two Scrapers & Water Truck Pass-By <sup>4</sup>	30'	83.4	79.0
10	Two Scrapers Pass-By <sup>4</sup>	30'	83.7	79.3
11	Scraper, Water Truck, & Dozer Activity <sup>4</sup>	30'	79.7	75.3
12	Concrete Mixer Truck Movements <sup>5</sup>	50'	71.2	71.2
13	Concrete Paver Activities <sup>5</sup>	30'	70.0	65.6
14	Concrete Mixer Pour & Paving Activities <sup>5</sup>	30'	70.3	65.9
15	Concrete Mixer Backup Alarms & Air Brakes <sup>5</sup>	50'	71.6	71.6
16	Concrete Mixer Pour Activities <sup>5</sup>	50'	67.7	67.7
17	Forklift, Jackhammer, & Metal Truck Bed Loading	50'	67.9	67.9

<sup>1</sup> As measured by Urban Crossroads, Inc. on 10/14/15 at a business park construction site located at the northwest corner of Barranca Parkway and Alton Parkway in the City of Irvine.

<sup>2</sup> As measured by Urban Crossroads, Inc. on 10/20/15 at a construction site located in Rancho Mission Viejo.

<sup>3</sup> As measured by Urban Crossroads, Inc. on 10/20/15 at a residential construction site located in Rancho Mission Viejo.

<sup>4</sup> As measured by Urban Crossroads, Inc. on 10/30/15 during grading operations within an industrial construction site located in the City of Ontario.

<sup>5</sup> Reference noise level measurements were collected from a nighttime concrete pour at an industrial construction site, located at 27334 San Bernardino Avenue in the City of Redlands, between 1:00 a.m. to 2:00 a.m. on 7/1/15.

<sup>6</sup> As measured by Urban Crossroads, Inc. on 9/9/15 during the demolition of an existing paved parking lot at 41 Corporate Park in Irvine.

<sup>7</sup> Reference noise levels are calculated at 50 feet using a drop off rate of 6 dBA per doubling of distance (point source).

Calculated construction noise levels at noise-sensitive receiver locations show that the highest construction noise levels will occur when construction activities occur at the closest point from the center of the project construction activity to each of the nearby receiver locations. Unmitigated construction noise levels are expected to range from 50.1 to 75.7 dBA Leq at the nearby receiver locations. The NIOSH noise level threshold of 85 dBA Leq was used as an acceptable threshold to evaluate whether the project would generate potentially significant noise impacts. As shown in Table XII-5, peak construction noise levels at potentially impacted receiver locations would satisfy the NIOSH 85 dBA Leq significance threshold during temporary project construction activities, and therefore is considered a less than significant impact.

**Table XII-5 Construction Equipment Noise Level Compliance (dBA Leq)**

Receiver Location <sup>1</sup>	Construction Noise Levels (dBA Leq)		
	Peak Activity <sup>2</sup>	Threshold <sup>3</sup>	Threshold Exceeded? <sup>4</sup>
R1	55.9	85	No
R2	62.7	85	No
R3	71.3	85	No
R4	75.7	85	No
R5	50.1	85	No

<sup>1</sup> Noise receiver locations are shown on Exhibit 10-A.

<sup>2</sup> Estimated construction noise levels during peak operating conditions, as shown on Table 10-7.

<sup>3</sup> Construction noise level threshold as shown on Table 4-2.

<sup>4</sup> Do the estimated Project construction noise levels exceed the construction noise level threshold?

To determine the temporary project construction noise level contributions to the existing ambient noise environment, the difference between the construction noise levels in **Table XII-5** and the existing daytime ambient noise level measurements at the off-site receiver locations was calculated. A temporary noise level increase of 12 dBA is considered a potentially significant impact based on the Caltrans substantial noise level increase criteria. No nighttime construction activity is permitted in the County of San Bernardino Development Code, and therefore, nighttime noise level increases were not analyzed. As presented in **Table XII-6**, project implementation would contribute unmitigated worst-case construction noise level increases approaching 15.4 dBA Leq during the daytime hours at the closest sensitive receiver location (R4). Location R4 represents the closest outdoor area and classroom buildings of Bloomington Junior High School at roughly 60 feet from the property line south of the project site, across Orange Street. Because the worst-case temporary noise level increases at this receiver location during project construction would exceed the 12 dBA Leq significance threshold, the unmitigated construction noise level increase would be considered a potentially significant noise impact at this receiver location.

**Table XII-6 Unmitigated Construction-Related Temporary Noise Level Increases**

Receiver Location <sup>1</sup>	Peak Project Construction Noise Level <sup>2</sup>	Measurement Location <sup>3</sup>	Reference Ambient Noise Levels <sup>4</sup>	Combined Project and Ambient <sup>5</sup>	Temporary Worst-Case Project Contribution <sup>6</sup>	Threshold Exceeded? <sup>7</sup>
R1	55.9	L1	63.2	63.9	0.7	No
R2	62.7	L2	66.3	67.9	1.6	No
R3	71.3	L3	60.4	71.6	11.2	No
R4	75.7	L3	60.4	75.8	15.4	Yes
R5	50.1	L5	64.9	65.0	0.1	No

<sup>1</sup> Noise receiver locations are shown on Exhibit 10-A.

<sup>2</sup> Peak unmitigated Project construction noise levels as shown on Table 10-8.

<sup>3</sup> Ambient noise level measurement locations as shown on Exhibit 5-A.

<sup>4</sup> Observed daytime ambient noise levels as shown on Table 5-1.

<sup>5</sup> Represents the combined ambient conditions plus the Project construction activities.

<sup>6</sup> The temporary noise level increase expected with the addition of the proposed Project activities.

<sup>7</sup> Based on the 12 dBA Leq temporary increase significance criteria as defined in Section 4.

Therefore, temporary construction noise **Mitigation Measures NSE-1, NSE-2, NSE-3** as detailed in this section are required to reduce impacts at receiver location R4. This would

Include the use of temporary construction noise mitigation barriers at the construction boundaries near the impacted receiver locations where project construction noise levels could potentially exceed the noise level thresholds. The construction noise analysis presents a conservative approach, with the highest noise-level producing equipment for each stage of the project construction operating at the closest point from construction activity to the nearby sensitive receiver locations. However, this scenario is unlikely to occur during typical construction activities, and likely overstates the construction noise levels which would be experienced at each receiver location. With implementation of the construction noise **Mitigation Measures NSE-1, NSE-2, and NSE-3** identified below, the worst-case construction noise level increases at the nearby residential receivers would be reduced.

With implementation of mitigation measures consisting of a temporary noise barrier constructed using frame-mounted materials such as vinyl acoustic curtains or quilted blankets attached to the construction site perimeter fence, peak construction noise level increases at the potentially impacted receiver location would be reduced to 11.7 dBA Leq to satisfy the 12 dBA Leq significant increase threshold during temporary project construction activities. Therefore, noise impacts from temporary project construction activities would be considered less than significant after mitigation.

**Long-Term Operational Impacts**

Stationary source (operational) noise impacts include idling trucks, delivery truck activities, backup alarms, loading and unloading of dry goods, parking lot vehicle movements, and rooftop air conditioning units. The County of San Bernardino County Code, Title 8 Development Code, Section 83.01.080(c) establishes the noise level standards for stationary sources, as summarized in **Table XII-2**. Reference noise levels for various activities involved with warehouse operations are described in **Table XII-7**.

**Table XII-7 Reference Noise Level Measurements**

Noise Source	Duration (h:mm:ss)	Dist. From Source (Feet)	Noise Source Height (Feet)	Hourly Activity (Mins) <sup>1</sup>	Hourly (dBA Leq)	
					Reference Noise Level	@ 50'
Unloading/Docking Activity <sup>2</sup>	00:15:00	30'	8'	60	67.2	62.8
Roof-Top Air Conditioning Unit <sup>3</sup>	96:00:00	5'	5'	39	77.2	57.2
Parking Lot Vehicle Movements <sup>4</sup>	01:00:00	10'	5'	60	52.2	41.7

<sup>1</sup> Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the Project site based on the reference noise level measurement activity.

<sup>2</sup> Reference noise level measurements were collected from the existing operations of the Motivational Fulfillment & Logistics Services distribution facility located at 6810 Bickmore Avenue in the City of Chino on 1/7/2015.

<sup>3</sup> As measured by Urban Crossroads, Inc. on 7/27/2015 at the Santee Walmart located at 170 Town Center Parkway.

<sup>4</sup> As measured by Urban Crossroads, Inc. on 5/17/2017 at the Panasonic Avionics Corporation parking lot in the City of Lake Forest at typical lunch hour (12:00 p.m. to 1:00 p.m.).

As indicated in **Table XII-8**, project-only operational noise levels would range from 29.1 to 41.3 dBA Leq, 26.1 to 38.3 dBA L<sub>50</sub>, 28.6 to 41.2 dBA L<sub>25</sub>, 32.7 to 45.8 dBA L<sub>8</sub>, 36.9 to 49.7 dBA L<sub>2</sub>, and 42.5 to 54.8 dBA L<sub>max</sub> at the sensitive receiver locations. This analysis includes the barrier attenuation provided by the planned 12-foot high screen wall (noise barrier) that would enclose

the truck yard, and the project building itself. Based on the results of this analysis, operational noise levels associated with the project would satisfy the County of San Bernardino Development Code daytime and nighttime exterior noise level standards at all receiver locations.

**Table XII-8 Unmitigated Operational Noise Level Compliance**

Receiver Location <sup>1</sup>	Noise Level at Receiver Locations (dBA) <sup>2</sup>						Threshold Exceeded? <sup>3</sup>
	Leq (E. Avg.)	L <sub>50</sub> (30 mins)	L <sub>25</sub> (15 mins)	L <sub>5</sub> (5 mins)	L <sub>1</sub> (1 min)	L <sub>max</sub> (Anytime)	
Daytime	55	55	60	65	70	75	-
Nighttime	45	45	50	55	60	65	-
R1	37.1	34.1	37.0	41.6	45.5	50.6	No
R2	30.3	27.2	28.6	32.7	38.0	48.3	No
R3	39.2	36.3	37.9	40.6	44.0	53.1	No
R4	41.3	38.3	41.2	45.8	49.7	54.8	No
R5	29.1	26.1	28.8	33.1	36.9	42.5	No

<sup>1</sup> See Exhibit 9-A for the receiver and noise source locations.

<sup>2</sup> Estimated Project operational noise levels as shown on Table 9-2.

<sup>3</sup> Do the estimated Project operational noise levels meet the operational noise level standards (Table 3-1)?

"E. Avg." = Logarithmic (energy) average

Furthermore, the project would generate daytime and nighttime operational noise level increases at the nearby receiver locations of up to 0.1 dBA Leq. Since the project-related operational noise level contributions would satisfy the significance criteria summarized in Table XII-2, the increases at the sensitive receiver locations would be less than significant. On this basis, project operational stationary source noise would not result in a substantial temporary/periodic or permanent increase in ambient noise levels in the project area above levels existing without the project, and impacts would be less than significant.

XII-b) **Less Than Significant Impact.** The effects of ground-borne vibration include discernable movement of building floors, rattling of windows, shaking of items on shelves or hanging on walls, and rumbling sounds. Vibration related problems generally occur due to resonances in the structural components of a building because structures amplify groundborne vibration. Within the "soft" sedimentary surfaces of much of Southern California, ground vibration is quickly damped out. Groundborne vibration is almost never annoying to people who are outdoors (Federal Transit Administration [FTA] 2006).

Because vibration is typically not an issue, very few jurisdictions have adopted vibration significance thresholds. A vibration descriptor commonly used to determine structural damage and human annoyance is the peak particle velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in in/sec.

**Operational Vibration Impacts**

As described in Table XII-2, the vibration impacts from truck haul trips associated with operational activities was assessed using the threshold of 0.2 in/sec PPV. Truck activity at normal traffic speeds would approach 0.001 in/sec PPV. Trucks transiting on-site would travel

at very low speeds, and therefore it is expected that delivery truck vibration impacts at nearby homes would satisfy the vibration threshold, and would be less than significant.

**Construction Vibration Impacts**

Construction activities generate ground-borne vibration when heavy equipment travels over unpaved surfaces or when it is engaged in soil movement. Construction activity can result in varying degrees of ground vibration depending on the equipment and methods used, distance to the affected structures, and soil type. Groundborne vibrations from construction activities rarely reach levels that can damage structures.

It is expected that ground-borne vibration from project construction activities would cause only intermittent, localized intrusion. The construction activities associated with the project that would most likely cause vibration impacts are heavy construction equipment and trucks.

The *Noise Impact Analysis* (Urban Crossroads 2017) determined the expected project-related vibration levels at nearby receiver locations below in **Table XII-9**. A large bulldozer would represent the peak source of vibration with a reference velocity of 0.089 in/sec PPV at 25 feet. At distances ranging from 78 to 790 feet from project construction activities, construction vibration velocity levels would be expected to approach 0.02 in/sec PPV, which is below the vibration standard of 0.2 in/sec PPV at all receiver locations during project construction.

**Table XII-9 Construction Equipment Vibration Levels**

Receiver Distance to Const. Activity (Feet) <sup>1</sup>	Receiver PPV Levels (in/sec) <sup>2</sup>					Threshold Exceeded? <sup>3</sup>
	Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Peak Vibration	
760'	0.00	0.00	0.00	0.00	0.00	No
350'	0.00	0.00	0.00	0.00	0.00	No
130'	0.00	0.00	0.01	0.01	0.01	No
78'	0.00	0.01	0.01	0.02	0.02	No
790'	0.00	0.00	0.00	0.00	0.00	No

<sup>1</sup>Receiver locations are shown in Exhibit 10-A of the Noise Impact Analysis (Appendix I).

<sup>2</sup>Based on the Vibration Source Levels of Construction Equipment Included on Table 6-8 of the Noise Impact Analysis.

<sup>3</sup>Whether the peak vibration exceeds the County of San Bernardino maximum acceptable vibration threshold.

Further, project-related construction vibration levels would not be capable of building damage. Peak project construction vibration levels approaching 0.02 in/sec PPV are below the FTA vibration levels for building damage at the residential homes near the project site. The impacts at the site of the closest sensitive receptors are unlikely to be sustained during the entire construction period, but rather would occur only during the times that heavy construction equipment is operating adjacent to the project site perimeter. Because construction at the project site would be restricted to daytime hours consistent with County requirements, potential vibration impacts would be eliminated during the sensitive nighttime hours. Project-related vibration impacts would be less than significant during short-term construction activities at the project site.

Therefore, overall impacts from both operational and construction vibration impacts would be less than significant.

XII-c) **Less Than Significant Impact.** Traffic generated by project operation would influence traffic noise levels in surrounding off-site areas. To quantify the changes, 10 study-area roadway

segments were calculated based on the change in the average daily traffic (ADT) volumes. Traffic noise levels were based on the traffic forecasts found in the Cedar Avenue Technology Park Traffic Impact Analysis (Michael Baker 2017), included as Appendix J of this Initial Study. The project would generate approximately 658 trips per day, with 56 AM peak hour trips and 59 PM peak hour trips. The net project generation would include 135 truck trips per day from the project building site. To assess the off-site noise level impacts with implementation of the project, noise contour boundaries were developed for Existing, Opening Year 2019, and Horizon Year 2035 traffic conditions.

Existing without project exterior noise levels would be expected to range from 58.5 to 72.0 dBA CNEL without accounting for any noise attenuation features such as noise barriers or topography. Existing with project conditions would range from 58.9 to 72.0 dBA CNEL. Thus, implementation of the project would generate noise level increases of up to 4.1 dBA CNEL on the study area road segments. Based on the significance criteria in **Table XII-2**, project-related traffic noise level increases represent a less than significant impact under existing plus project conditions.

Without the project, exterior noise levels without accounting for noise attenuation features would be expected to range from 58.6 to 72.2 dBA CNEL for Opening Year 2019. With implementation of the project, conditions would range from 59.0 to 72.2 dBA CNEL. Based on the significance criteria in **Table XII-2**, project-related traffic noise level increases of up to 4.0 dBA CNEL represent a less than significant impact under Opening Year 2019 with project conditions.

Without accounting for noise attenuation features, exterior noise levels for Horizon Year 2035 would be expected to range from 59.5 to 72.8 CNEL without the project. With the project, noise level contours would range from 59.8 to 72.8 dBA CNEL. Based on the significance criteria in **Table XII-2**, project-related traffic noise level increases of up to 3.5 dBA CNEL represent a less than significant impact under Horizon Year 2035 conditions.

Therefore, all project-generated traffic noise increases would be lower than the applicable thresholds of significance. Project-related traffic noise level increases under all traffic scenarios would be less than significant.

XII-e), XII-f) **Less Than Significant Impact.** The project site is not located within two miles of a nearby airport or airport land use plan. The largest closest operational airports to the project site are the San Bernardino International Airport to the east and the LA/Ontario International Airport to the west. The project site is located outside the 60 dBA CNEL noise contours of both airports. Additionally, an industrial use is not sensitive to noise, so implementation of the warehouse project would not require special measures to mitigate aircraft-generated noise. No airport-related noise sources affect the project site or surrounding properties.

Furthermore, there are no other private airstrips or airfields in the project vicinity, and a private airstrip is not proposed as part of the project. The project would not expose people to excessive noise levels associated with operations at a private airstrip. Therefore, impacts would be less than significant.

**Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as conditions of project approval to reduce these impacts to a level below significant.**

**MM# Mitigation Measures**

- NSE-1** Install minimum 6-foot high temporary construction noise barriers at the Project's southern site boundary adjacent to sensitive receivers on Orange Street, as shown on Exhibit 10-A, for the duration of Project construction. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows:
- The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts;
  - The noise barrier must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired;
  - The noise control barrier and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.
- NSE-2** During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.
- NSE-3** The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project site during all Project construction (i.e., to the north).

		Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XIII.</b>	<b>POPULATION AND HOUSING - Would the project:</b>				
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

XIII-a) **Less Than Significant Impact.** The project is a warehouse located adjacent to existing roads and a freeway. Implementation of the project would not directly or indirectly induce substantial population growth through the introduction of housing because no housing is associated with the development. The project is consistent with the growth projections in the *Bloomington Community Plan*. The tenant(s) of the warehouse distribution facility has not been identified; therefore, the precise number of employees cannot be determined at this time. For the purpose of this analysis, the estimated number of employees is approximately 50. Employees would be full-time and/or part-time depending on the tenant.

Unemployment is currently 4.5 percent in the Riverside-San Bernardino-Ontario Metropolitan Statistical Area (May 2017); within the Bloomington community area, the unemployment rate is 6.4 percent. It is possible that the new jobs would be absorbed by the employment needs of the community and County<sup>5</sup>, and that employment generated from the project may incidentally contribute to population growth. However, this growth is not anticipated to be significant, and job opportunities likely arising from the project are relatively common throughout Southern California, and would likely be filled by the existing personnel pool within Bloomington and/or other adjacent cities in San Bernardino County. Any increase in employment opportunities resulting from the project would tend to improve the existing employment/housing imbalance within Bloomington and the County of San Bernardino as a whole.

The project would develop the property in accordance with the land use designation of Community Industrial applied to the site by the County of San Bernardino General Plan and Bloomington Community Plan. Accordingly, the project would not result in growth that was not already anticipated by the County of San Bernardino General Plan and evaluated by the General Plan FEIR. Therefore, the project's potential to noticeably alter the location,

<sup>5</sup> California Employment Development Department, *Monthly Labor Force Data for Cities and Census Designated Places*, <http://www.labormarketinfo.edd.ca.gov/geography/lmi-by-geography.html>, accessed June 7, 2016.

distribution, density, or growth rate of community, county, or regional populations would be less than significant.

- XIII-b), **No Impact.** There are no existing residential units on the project site. Therefore, implementation of the project would not displace a substantial number of existing homes, and it would not necessitate the construction of replacement housing elsewhere. The project would not displace any land uses or persons from the property. No impacts would occur.
- XIII-c)

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

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

Fire Protection

The SBCFD provides fire protection services to the Bloomington Community, including the project area. San Bernardino County Fire Station 76 is the closest fire station to the project site, located at 10174 Magnolia Street, Bloomington, CA 92316, approximately 0.3 mile from the site. Development of the project would place an additional demand on existing fire services. Consistent with standard County requirements, to offset the increased demand for fire protection services, the project would be conditioned to provide fire safety and fire suppression, including compliance with State and local fire codes, fire sprinklers, fire hydrant system, paved access, and secondary access routes. Property tax revenues generated from development of the site would also provide funding to offset increases in the demand for fire protection with implementation of the project. Therefore, a less than significant impact would occur and no mitigation measures would be required.

Police Protection

The San Bernardino County Sherriff's Department provides police protection services to the Community of Bloomington, including the project area. The nearest San Bernardino County Sheriff station is the Fontana Station, located at 17780 Arrow Boulevard, Fontana, CA 92335, approximately 2.70 miles to the northwest of the project site. The Fontana Station is staffed by one secretary, five clerks, one motor pool assistant, one Sheriff's Service Specialist, 27 deputy positions, five detectives, seven sergeants, one lieutenant, and one captain. Fontana Station deputies also work closely with the surrounding agencies of Fontana Police, Rialto

Police, Rancho Cucamonga Police, and Riverside Sheriff. The Stations is also supported by volunteer groups such as Citizen's on Patrol, Search and Rescue, Explorers, and Line Reserves. The project would not be expected to significantly increase demand on police protection services because of the nature of land use as an industrial warehouse with a limited number of employees. However, development of the project site would increase tax revenues that would provide funding to offset any increases in demands for police protection generated by implementation of the project. Therefore, a less than significant impact would occur and no mitigation measures would be required.

#### Schools

The project is located within the Colton Joint Unified School District. However, no students would be directly generated from implementation of the project because the project is a commercial development of an industrial warehouse facility. Assembly Bill 2926 (passed in 1986) allows school districts to collect impact fees from developers of commercial/industrial building space. The Leroy F. Greene School Facilities Act of 1998 (SB 50) and Proposition 1A (also passed in 1998) provide a comprehensive school facilities financing and reform program. SB 50 prohibits local agencies from denying legislative or adjudicative land use approvals on the basis that school facilities are inadequate. Government Code Section 65996 provides that the payment of school impact fees constitutes complete mitigation of any project-related impacts to schools' services. The applicable rate is \$0.54 per square foot of commercial/industrial. The project would be required to pay this mandated development fees, which would reduce the project's impacts to school facilities to a less than significant level.

#### Parks

The project is an industrial warehouse, and no new residents would be generated that would increase demands for neighborhood or regional parks or other recreational facilities. It is possible that employees could occasionally use public parks or facilities between shifts. However, the use would likely be negligible compared to existing conditions. The project would not involve the construction of housing or the introduction of a temporary or human population into the area. Impacts to existing neighborhood and regional parks or other recreational facilities generated by employees of the project would be less than significant.

#### Other Public Facilities

Implementation of the project would not result in a direct increase in the resident population of significant increase in the local workforce. Therefore, implementation of the project would not substantially increase the demand for public facilities such as libraries or health services. Due to the nature of the land use as an industrial warehouse, impacts on other public facilities would be less than significant.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

		Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XV.</b>	<b>RECREATION</b>				
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

- XV-a) **Less Than Significant Impact.** As previously addressed, the project does not include a residential component and would not generate population growth beyond what has been anticipated for the community of Bloomington and would therefore not create an increased demand for recreational facilities. Impacts to existing neighborhood and regional parks or other recreational facilities generated by employees of the project would be minimal. Therefore, impacts would be less than significant.
- XV-b) **Less Than Significant Impact.** The project does not include, nor does it require, the construction or expansion of recreational facilities because the project proposes to construct an industrial warehouse. Use of the project site would not result in a direct increased demand for recreational facilities. Therefore, impacts would be less than significant.

**Less than significant Impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC – Would the project:</b>				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

The *Traffic Impact Analysis Report, Cedar Avenue Technology Center (TIA)* was prepared by Michael Baker International (July 25, 2017) to evaluate potential traffic impacts. The TIA was reviewed by Caltrans, which provided comments. Caltrans comments were addressed in the final draft of the TIA. The TIA is summarized below and is included in Appendix J to this Initial Study. The analysis evaluated traffic conditions for the following scenarios:

- Existing Conditions
- Existing Plus Project Conditions
- Opening Year 2019 Conditions Without Project
- Opening Year 2019 Conditions With Project

- Horizon Year 2035 Conditions Without Project
- Horizon Year 2035 Conditions With Project

**Traffic Study Area**

The following traffic study area intersections are evaluated:

1. Cedar Avenue at Valley Boulevard
2. Cedar Avenue at I-10 Westbound Ramps
3. Cedar Avenue at I-10 Eastbound Ramps
4. Cedar Avenue at Orange Street
5. Cedar Avenue at Slover Avenue
6. Cedar Avenue at Vine Street
7. Orange Street at Project Driveway #1
8. Vine Street at Project Driveway #2
9. Vine Street at Project Driveway #3

The intersections of Cedar Avenue at Valley Boulevard, Cedar Avenue at the I-10 westbound ramps, Cedar Avenue at the I-10 eastbound ramps, Cedar Avenue at Orange Street, and Cedar Avenue at Slover Avenue are signalized. The intersections of Cedar Avenue at Vine Street, Orange Street at Project Driveway #1, and Vine Street at Project Driveway #2 are stop controlled. Vine Street at Project Driveway #3 is a cul-de-sac.

**Levels of Service**

The San Bernardino County Traffic Impact Study (TIS) Guidelines require that an intersection analysis be performed to identify the level of service (LOS) and delay. For signalized intersections, using the TIS Guidelines, **Table XVI-1** provides the 2010 Highway Capacity Manual (HCM) LOS thresholds for signalized intersections. For unsignalized intersections, the two-way stop-controlled (TWSC) intersection analysis level of service is computed for each movement and the most critical level of service is the one that describes the effectiveness of that intersection. The all-way stop-controlled intersection analysis level of service is defined by the control delay of the whole intersection. **Table XVI-1** provides the HCM 2010 levels of service criteria.

**Table XVI-1 Level of Service & Delay Ranges**

LOS	Delay (seconds/vehicle)	
	Signalized Intersections	Un-signalized Intersections
A	≤ 10.0	≤ 10.0
B	> 10.0 to ≤ 20.0	> 10.0 to ≤ 15.0
C	> 20.0 to ≤ 35.0	> 15.0 to ≤ 25.0
D	> 35.0 to ≤ 55.0	> 25.0 to ≤ 35.0
E	> 55.0 to ≤ 80.0	> 35.0 to ≤ 60.0
F	> 80.0	> 50.0

Source: 2010 Highway Capacity Manual.

### **Thresholds of Significance**

San Bernardino County and Caltrans considers LOS D or better to be acceptable intersection operating conditions during peak traffic periods. Any intersection that is operating at LOS "E" or "F" was considered deficient for the TIA.

To determine whether the addition of project-generated trips results in a significant impact at a study intersection, and thus requires mitigation, San Bernardino County TIA Guidelines utilizes the following thresholds of significance. Caltrans does not have specific significance thresholds for determining project-related impacts, therefore, the County's thresholds were applied to the I-10 / Cedar Avenue interchange.

### **Signalized Intersections**

Any study intersection that is operating at a LOS 'A', 'B', 'C' or 'D' for any study scenario without project traffic in which the addition of project traffic causes the intersection to degrade to a LOS 'E' or 'F' shall mitigate the impact to bring the intersection back to at least LOS 'D'. Any study intersection that is operating at LOS 'E' or 'F' for any study scenario without project traffic shall mitigate any impacts so as to bring the intersection back to the overall level of delay established prior to project traffic being added.

### **Un-signalized Intersections**

An impact is considered significant if the study determines that either section a) or both sections b) and c) occur.

- a.) The addition of project related traffic causes the intersection to move from a LOS 'D' or better to a LOS 'E' or worse **OR**
- b.) The project contributes additional traffic to an intersection that is already projected to operate at a LOS 'E' or 'F' with background traffic **AND**
- c.) One or both of the following conditions are met:
  - 1.) The project adds ten (10) or more trips to any approach
  - 2.) The intersection meets the peak hour traffic signal warrant after the addition of project traffic

### **Planned Improvements In the Traffic Study Area**

Improvements to the I-10 / Cedar Avenue interchange are currently in the design phase and projected to decrease congestion and improve traffic operations. The I-10 / Cedar Avenue interchange project includes widening the Interstate 10 overcrossing, roadway improvements along Cedar Avenue from Bloomington Avenue to Slover Avenue, and adding lanes to the freeway ramps.

According to the San Bernardino Associated Governments (SANBAG) Federal Transportation Improvement Program, the I-10 / Cedar Avenue interchange project is fully funded and currently in design review. Construction notice to proceed is scheduled for February 2020 and complete for beneficial use is scheduled for January 2022 based on the March 2017 Project Status prepared by the San Bernardino County Transportation Authority. The I-10 Eastbound Ramp / Cedar Avenue intersection is included in the SANBAG Rialto Sphere Nexus Study Development Impact Fee (DIF) program, therefore, payment of the DIF for this intersection mitigates the project's potential contribution to significant impacts. SANBAG's DIF program is implemented by the County through the Regional Transportation Development Mitigation Plan Fee, contained

in County Code Section 16.0215B(b). The payment of required DIF fees related to traffic impacts is identified in Condition of Approval 1:

**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 by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$6.01 per square foot for industrial use, which includes the 184,770 sq. ft. building per the site plan dated 08/07/2017.

The estimated Regional Transportation Fees for the Project is \$1,110,468.00 (\$6.01 per sq. ft. x 184,770 sq. ft.). The current Regional Transportation Development Mitigation Plan can be found at the following website:

<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

**Trip Generation**

To determine the trips forecast to be generated with implementation of the project, the trip generation rates in Table XVI-2 were used, based on the trip rates from the Institute of Transportation Engineers (ITE) Trip Generation (9<sup>th</sup> Edition, 2012).

**Table XVI-2 Trip Generation Rates**

Vehicle Type Breakdown <sup>1</sup>		Daily Trip Rate <sup>2</sup>	AM Peak Hour <sup>3</sup>		PM Peak Hour <sup>3</sup>	
			Rate	In : out	Rate	In : out
Passenger Car	79.57%	2.833 /KSF	0.239	79% : 21%	0.255	25% : 75%
2 Axle Truck	3.46%	0.123 /KSF	0.010		0.011	
3 Axle Truck	4.64%	0.165 /KSF	0.014		0.015	
4+ Axle Truck	12.33%	0.439 /KSF	0.037		0.039	
Total Trucks	20.43%	0.727 /KSF	0.061		0.065	
<b>Total</b>	<b>100%</b>	<b>3.56 /KSF</b>	<b>0.30</b>		<b>0.32</b>	

Notes:

KSF= Thousand Square Feet

<sup>1</sup>Source: Truck Trip Generation Study, City of Fontana, August 2003

<sup>2</sup>Source: ITE Trip Generation Manual, 9th edition. Land Use Code 150

Passenger car equivalent (PCE) factors were applied to the trip generation. As summarized in Table XVI-3, the project is expected to generate 863 average daily trips, which includes 74 AM (60 inbound and 14 outbound) peak hour trips and approximately 77 PM (20 inbound and 57 outbound) peak hour trips. No trip reductions were applied to the trip generation since the site is vacant and undeveloped.

**Table XVI-3 Project Trip Generation**

**Trip Generation in Vehicles**

Warehouse Center			Daily Trips	AM Peak Hour			PM Peak Hour			
Vehicle Type Breakdown <sup>1</sup>	Intensity	184.77 KSF		Volume	Inbound	Outbound	Volume	Inbound	Outbound	
Passenger Car	79.57%			523	44	35	9	47	12	35
2 Axle Truck	3.46%			23	2	2	0	2	1	2
3 Axle Truck	4.64%			31	3	2	1	3	1	2
4+ Axle Truck	12.33%			81	7	6	1	7	2	5
Total Trucks	20.43%			135	12	10	2	12	3	9
Total	100%			658	56	45	11	59	15	44

Notes:

<sup>1</sup>Source: Truck Trip Generation Study, City of Fontana, August 2008

**Trip Generation in PCE's**

Warehouse Center			Daily Trips	AM Peak Hour			PM Peak Hour			
Vehicle Type Breakdown <sup>1</sup>	PCE <sup>2</sup>	184.77 KSF		Volume	Inbound	Outbound	Volume	Inbound	Outbound	
Passenger Car	79.57%		1.00	523	44	35	9	47	12	35
2 Axle Truck	3.46%		1.50	35	3	2	1	3	1	2
3 Axle Truck	4.64%		2.00	62	6	5	1	6	2	5
4+ Axle Truck	12.33%		3.00	243	21	18	3	21	5	16
Total Trucks	20.43%			340	30	25	5	30	8	23
Total	100%			863	74	60	14	77	20	57

Notes:

<sup>1</sup>Source: Truck Trip Generation Study, City of Fontana, August 2008

<sup>2</sup>PCE=Passenger Car Equivalent- Source: San Bernardino Association of Governments (SANBAG)

XVI- **Less Than Significant Impact.**

a), **Existing Conditions**

XVI-b) Intersection capacity analyses were conducted for the traffic study area intersections to determine the existing intersection LOS based on existing intersection geometrics and the AM and PM peak hour traffic volumes. **Table XVI-4** identifies existing traffic conditions in the traffic study area. As shown in **Table XVI-4**, all study intersections currently operate at acceptable levels of service (LOS D or better).

**Table XVI-4 Existing Peak Hour Intersection Conditions**

Study Intersection	Traffic Control	Existing Conditions	
		AM Delay <sup>1</sup> - LOS	PM Delay <sup>1</sup> - LOS
1 - Cedar Ave. / Valley Blvd.	Signal	36.3 - D	42.6 - D
2 - Cedar Ave. / I-10 WB Ramps	Signal	35.6 - D	28.6 - C
3 - Cedar Ave. / I-10 EB Ramps	Signal	42.5 - D	38.4 - D
4 - Cedar Ave. / Orange St.	Signal	12.2 - B	12.3 - B
5 - Cedar Ave. / Slover Ave.	Signal	27.9 - C	32.5 - C
6 - Orange St. / Vine St.	OWSC	0.2 - A	0.2 - A
7 - Orange St. / Project Dwy. 1		Does Not Exist	
8 - Vine St. / Project Dwy. 2		Does Not Exist	
9 - Vine St. / Project Dwy. 3		Does Not Exist	

Note: Deficient Intersection operation indicated in bold.

<sup>1</sup> Average seconds of delay per vehicle.

LOS = level of service.

OWSC = One-Way Stop Control, worst approach delay and LOS is reported.

### Existing Plus Project Conditions

Project-generated trips were added to the existing conditions volumes to determine the Existing Plus Project operating conditions at the analyzed intersections, as summarized in Table XVI-5 below. An ambient growth factor of 3.3% was applied to the existing traffic volumes to account for area wide growth. Table XVI-5 summarizes the Existing Plus Project AM and PM peak hour intersection LOS for the study intersections.

Table XVI-5 Existing Plus Project Peak Hour Intersection Conditions

Study Intersection	Traffic Control	Existing Plus Project Conditions	
		AM Delay <sup>1</sup> - LOS	PM Delay <sup>1</sup> - LOS
1 - Cedar Ave. / Valley Blvd.	Signal	38.0 - D	45.5 - D
2 - Cedar Ave. / I-10 WB Ramps	Signal	39.0 - D	30.9 - C
3 - Cedar Ave. / I-10 EB Ramps	Signal	48.6 - D	43.0 - D
4 - Cedar Ave. / Orange St.	Signal	20.5 - C	15.6 - B
5 - Cedar Ave. / Slover Ave.	Signal	29.3 - C	34.8 - C
6 - Orange St. / Vine St.	OWSC	9.2 - A	9.1 - A
7 - Orange St. / Project Dwy. 1	OWSC	9.0 - A	9.4 - A
8 - Vine St. / Project Dwy. 2	OWSC	8.3 - A	8.6 - A
9 - Vine St. / Project Dwy. 3	OWSC	8.3 - A	8.4 - A

Note: Deficient intersection operation indicated in bold.

<sup>1</sup> Average seconds of delay per vehicle.

LOS = level of service.

OWSC = One-Way Stop Control, worst approach delay and LOS is reported.

As shown in Table XVI-5, all study intersections are projected to operate at acceptable LOS (D or better) under the Existing Plus Project conditions. The results of the Existing Plus Project conditions analysis show that the addition of project-related trips to existing traffic volumes

would not result in significant impacts at the study intersections. Therefore, no mitigation would be needed under Existing Plus Project conditions.

**Opening Year 2019 Peak Hour Intersection Conditions With and Without Project**

To determine Opening Year 2019 conditions, forecasted traffic associated with San Bernardino County, the City of Rialto, and the City of Fontana approved or pending projects were added to existing traffic volumes. County staff identified the list of projects that would generate traffic in the project area by its opening year (approximately 2019). Cumulative project traffic data was based on information from traffic impact studies prepared for the cumulative projects where available. The eight cumulative projects are expected to generate approximately 18,079 trips per day, which includes 1,342 AM peak hour trips, and 1,433 PM peak hour trips.

The cumulative project trips were added to the existing traffic volumes at the intersections and roadway segments within the project study to determine the Opening Year 2019 operating conditions. The Opening Year 2019 (without and with the project) scenarios assumes a 1.1 percent annual growth rate. As identified in Table XVI-6 below, the addition of project-related traffic would result in a deficient level of service at Cedar Avenue / I-10 Eastbound Ramp in the AM peak hour. However, the Cedar Avenue / I-10 Eastbound Ramp intersection is included in the SANBAG Rialto Sphere Nexus Study Development Impact Fee (DIF) program, therefore, payment of the DIF (as required by Condition of Approval 1) for this intersection mitigates the project's potential to contribute to significant impacts. As such, impacts at this intersection are considered less than significant and mitigation measures would not be required.

**Table XVI-6 Opening Year 2019 Peak Hour Intersection Conditions Without and With Project**

Study Intersection	Opening Year 2019 Without Project Conditions		Opening Year 2019 With Project Conditions		Significant Impact? <sup>2</sup>	
	AM	PM	AM	PM	AM	PM
	Delay <sup>1</sup> - LOS	Delay <sup>1</sup> - LOS	Delay <sup>1</sup> - LOS	Delay <sup>1</sup> - LOS		
1 - Cedar Ave. / Valley Blvd.	37.4 - D	47.1 - D	38.2 - D	47.5 - D	No	No
2 - Cedar Ave. / I-10 WB Ramps	52.7 - D	37.3 - D	53.3 - D	38.6 - D	No	No
3 - Cedar Ave. / I-10 EB Ramps <sup>3</sup>	55.9 - E	48.3 - D	58.6 - E	49.8 - D	No	No
4 - Cedar Ave. / Orange St.	16.1 - B	18.4 - B	26.3 - C	23.8 - C	No	No
5 - Cedar Ave. / Slover Ave.	47.6 - D	45.6 - D	48.5 - D	46.0 - D	No	No
6 - Orange St. / Vine St.	0.3 - A	9.2 - A	9.2 - A	9.0 - A	No	No
7 - Orange St. / Project Dwy. 1	Does Not Exist		9.0 - A	9.4 - A	No	No
8 - Vine St. / Project Dwy. 2	Does Not Exist		8.3 - A	8.6 - A	No	No
9 - Vine St. / Project Dwy. 3	Does Not Exist		8.3 - A	8.4 - A	No	No

Note: Deficient intersection operations indicated in bold and LOS = level of service.

<sup>1</sup>Average seconds of delay per vehicle.

<sup>2</sup>Significance criteria are provided in County of San Bernardino Traffic Impact Study Guidelines (Revised April 9, 2014).

<sup>3</sup>The Cedar Ave. / I-10 EB Ramps intersection is fully funded and included in the SANBAG DIF program, therefore, the intersection is considered not to be significantly impacted by the project. Interchange improvements are detailed in Table XVI-7.

Table XVI-7 summarizes the intersection operations at the Cedar Avenue / I-10 Eastbound Ramp interchange with the assumed improvements. Although the Cedar Avenue / I-10 Westbound Ramps are not significantly impacted by the project, Table XVI-7 also summarizes the operational improvements at this location.

Table XVI-7 Summary of Intersection Improvements

Int. #	Intersection	Peak Hour	Without Project Without Improvements	With Project Without Improvements	Funded Caltrans Improvements <sup>(2)</sup>	With Project With Improvements	Project Responsibility
			Delay <sup>(1)</sup> - LOS	Delay <sup>(1)</sup> - LOS		Delay <sup>(1)</sup> - LOS	
<b>Opening Year 2019 Conditions</b>							
2	Cedar Ave. / I-10 WB Ramps	AM	52.7 - D	53.3 - D	NB Approach: Widen to provide dual left-turn lanes & three (3) through lanes. SB Approach: Widen to provide three through lanes and dual right-turn lanes.	19.5 - B	Pay Development Impact Fee
		PM	37.3 - D	38.6 - D		18.8 - B	
3	Cedar Ave. / I-10 EB Ramps	AM	55.8 - E	58.6 - E	NB Approach: No change to existing lane geometry. SB Approach: Widen to provide dual left-turn lanes and three (3) through lanes.	27.5 - C	Pay Development Impact Fee
		PM	48.3 - D	49.8 - D		25.4 - C	

Note: Deficient intersection operation shown in bold.

<sup>(1)</sup> Seconds of delay per vehicle.

<sup>(2)</sup> Minimum Build Alternative is assumed in this analysis based on the Supplemental Traffic Operations Report of the Cedar Avenue Interchange on Interstate 10 dated May 11, 2016 prepared by Parsons.

**Horizon Year 2035 Conditions – Without and With Project**

Analysis of Horizon Year 2035 conditions was based on the build-out of San Bernardino County’s General Plan land uses and Circulation Element Roadway network. Horizon Year 2035 forecast daily traffic volumes from the San Bernardino Transportation Analysis Model (SBTAM) were used. At the I-10/Cedar Avenue Interchange, the “Minimum Build Alternative” improvements evaluated in Caltrans Supplementation Traffic Operations Report dated May 11, 2016 prepared by Parsons is assumed in the Horizon Year 2035 Without and With Project conditions since improvements are anticipated to be constructed prior to Year 2035. Construction notice to proceed is schedule for February 2020 and complete for beneficial use is scheduled for January 2022 based on the March 2017 Project Status prepared by the San Bernardino County Transportation Authority. The following I-10/Cedar Avenue Interchange improvements that are part of the SANBAG Rialto Sphere Nexus Study Development Impact Fee (DIF) program were assumed in the Horizon Year 2035 analysis only:

**Cedar Avenue/Interstate 10 Westbound Ramps**

- Northbound: Widen to provide dual left-turn lanes and three (3) through lanes
- Southbound: Widen to provide three (3) through lanes and dual right-turn lanes
- Westbound: Widen off-ramp to provide a dedicated left-turn lane, shared through/left-turn lane, and dual right-turn lanes.

**Cedar Avenue/Interstate 10 Eastbound Ramps**

- Northbound: No change to existing lane geometry
- Southbound: Widen to provide dual left-turn lanes and three (3) through lanes
- Eastbound: Widen off-ramp to provide a dedicated left-turn lane, shared through/left-turn lane, and one (1) dedicated right-turn lane.

Table XVI-7 summarizes the results of Horizon Year 2035 intersection LOS analysis at study intersections.

Table XVI-7 Horizon Year 2035 Peak Hour Intersection Conditions Without and With Project

Study Intersection	Year 2035 Without Project Conditions		Year 2035 With Project Conditions		Significant Impact? <sup>2</sup>	
	AM	PM	AM	PM	AM	PM
	Delay <sup>1</sup> - LOS	Delay <sup>1</sup> - LOS	Delay <sup>1</sup> - LOS	Delay <sup>1</sup> - LOS		
1 - Cedar Ave. / Valley Blvd.	49.3 - D	50.9 - D	50.9 - D	53.0 - D	No	No
2 - Cedar Ave. / I-10 WB Ramps <sup>3</sup>	21.2 - C	18.4 - B	21.4 - C	19.0 - B	No	No
3 - Cedar Ave. / I-10 EB Ramps <sup>3</sup>	31.6 - C	30.7 - C	32.0 - C	31.0 - C	No	No
4 - Cedar Ave. / Orange St.	24.3 - C	22.9 - C	35.4 - D	29.6 - C	No	No
5 - Cedar Ave. / Slover Ave.	48.6 - D	52.5 - D	50.2 - D	52.8 - D	No	No
6 - Orange St. / Vine St.	0.3 - A	9.6 - A	9.4 - A	9.2 - A	No	No
7 - Orange St. / Project Dwy. 1	Does Not Exist		9.1 - A	9.6 - A	No	No
8 - Vine St. / Project Dwy. 2	Does Not Exist		8.3 - A	8.6 - A	No	No
9 - Vine St. / Project Dwy. 3	Does Not Exist		8.3 - A	8.4 - A	No	No

Note: Deficient intersection operations indicated in bold.

<sup>1</sup> Average seconds of delay per vehicle.

<sup>2</sup> Significance criteria are provided in County of San Bernardino Traffic Impact Study Guidelines (Revised April 9, 2014)

<sup>3</sup> At the I-10/Cedar Avenue Interchange, the "Minimum Build Alternative" Improvements per Caltrans Supplemental Traffic Operations Report dated May 11, 2016 prepared by Parsons are assumed in this analysis to be constructed prior to the Horizon Year 2035 conditions.

LOS = level of service.

As shown in Table XVI-7, all study intersections are forecast to operate at acceptable levels of service (LOS D or better) under Horizon Year 2035 conditions without and with the project. This analysis assumes the I-10/Cedar Avenue interchange improvements are built prior to Year 2035. Construction notice to proceed is scheduled for February 2020 and complete for beneficial use is scheduled for January 2022 based on the March 2017 Project Status prepared by the San Bernardino County Transportation Authority. A less than significant impact would occur and no mitigation measures would be required.

Additionally, signal warrants were analyzed at the Orange Street/Vine Street intersection under Year 2035 With Project Conditions. Using the *California Manual on Uniform Traffic Control Devices (MUTCD) 2014*, signal warrants were not satisfied at this intersection in the AM or the PM peak hour. The analysis shows that the intersection is forecast to operate acceptably (LOS C) as a one-way stop controlled intersection under the Horizon Year 2035 conditions with the project. Therefore, a signal would not be needed or recommended at this location.

- XVI-c) **No Impact.** The nearest airport is San Bernardino International Airport, approximately 8 miles east of the project site. Due to the distance to San Bernardino Airport, the project would not alter air traffic patterns, and would not result in substantial safety risks. No impact would occur.
- XVI-d) **Less Than Significant Impact.** The project is to have access via a driveway on Orange Street and two driveways on Vine Street. All access routes to the site would be at unsignalized intersections. All road improvements and project driveways would be constructed according to County of San Bernardino design standards. Sight distance at each access point should not be

problematic, but would be reviewed with respect to standard of County of San Bernardino sight distance standards at the time of preparation of final grading, landscape, and street improvement plans. Therefore, the project would not substantially increase hazards due to a design feature or incompatible use, and impacts would be less than significant.

XVI-e) **Less Than Significant Impact.** The project site would be accessible via one driveway on Orange Street (Driveway 1) and two driveways (Driveways 2 and 3) on Vine Street. Driveway 1 on Orange Street would serve as an all-way access strictly for passenger cars, as it would provide a direct access to the surface parking lot serving employees and visitors. Driveway 2 on Vine Street would serve as an all-way access utilized by trucks and passenger cars, and is located at the northern end of the cul-de-sac. It would be difficult for larger trucks to use this driveway and maneuver on-site to/from the loading docks. Most of the truck traffic would use Driveway 3 via Vine Street, which would serve as an all-way access for trucks only. It would be approximately 175 feet north of Orange Street and would provide direct access to the loading docks facing Vine Street. Emergency access to the site would be provided in compliance with County requirements. No significant impacts would be anticipated.

XVI-f) **Less Than Significant Impact.**

#### Transit

Omnitrans provides transit services to western San Bernardino County, and serves the Bloomington Community with Routes 19 and 29. The nearest transit facility to the project site is a bus stop on Cedar Avenue south of Orange Street, and is serviced by Omnitrans Route 29. Route 29 originates and terminates at the South Fontana Transfer Center next to Kaiser Hospital off of Sierra Avenue, north of Valley Boulevard.

The project would not modify roads used by either of the community's bus routes. Although the project could potentially result in an increased use of the public transportation system, this increase would not be substantial and could be accommodated by the existing Omnitrans system. Therefore, the project is not anticipated to impact the effectiveness or performance of existing transit systems. Impacts would be less than significant.

#### Pedestrian and Bicycle Facilities

There are currently no Class II bike lanes in each direction of travel on Orange Street and Cedar Avenue in the project area. Sidewalks exist on the streets surrounding the project site, except on the north side of Orange Street east of Cedar Avenue, and the west side of Vine Street. The project would provide sidewalks along the project frontage on Vine Street and Orange Street. The project would not significantly impact the effectiveness or performance of existing pedestrian or bicycle facilities.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

#### **Conditions of Approval**

**TT-1. Regional Transportation Development Mitigation Plan Fee.** The project will pay the applicable traffic mitigation fee identified in Section 16.0215B(b) of the County Code:

**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 by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$6.01 per square foot for industrial use, which includes the 184,770 sq. ft. building per the site plan dated 08/07/2017.

The estimated Regional Transportation Fees for the Project is \$1,110,468.00 (\$6.01 per sq. ft. x 184,770 sq. ft.). The current Regional Transportation Development Mitigation Plan can be found at the following website:  
<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

**TT-2. Design Conditions.** The project will comply with the following conditions issued by the Traffic Division:

- a. General Conditions:
  - a. Project vehicles shall not back out into the public roadway.
  - b. Access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.
- b. Prior to Issuance of Building Permits:
  - a. A traffic signal modification plan is required for the intersection at the northeast corner of Cedar Avenue and Orange Street.
- c. Prior to Occupancy/Final Inspection:
  - a. The applicant shall construct, at 100% cost to the applicant, all roadway improvements as shown on their approved street improvement plans.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XVII. TRIBAL CULTURAL RESOURCES - Would the project:</b>				
a) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

A Historical/Archaeological Resources Survey Report (Cultural Report) was prepared by CRM Tech (March 2017). The findings are summarized below and the study is included as Appendix C to this Initial Study. The CRM Tech (March 2017) was reviewed and agreed to by the San Manuel Band of Mission Indians on March 15, 2017.

Chapter 532, Statutes of 2014 (i.e., Assembly Bill [AB] 52), requires that Lead Agencies evaluate a project's potential to impact "tribal cultural resources." Such resources include sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical resources or included in a local register of historical resources." AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource." Also per AB 52 (specifically PRC 21080.3.1), Native American consultation is required upon request by a California Native American tribe that has previously requested that the County provide it with notice of such projects.

The San Manuel Band of Mission Indians (SMBMI) requested consultation on the project. While no tribal cultural resources were identified on the site, SMBMI requested conditions of approval be placed on the project to minimize impacts to as-yet-undiscovered tribal resources; these conditions are incorporated into the project.

XVII- **Less Than Significant Impact.** As described above, the project site is vacant, undeveloped, and highly disturbed. A cultural resources assessment was prepared with a literature review and records search related to potential site-specific tribal cultural resources and a Sacred Lands search request obtained from the Native American Heritage Commission (NAHC). No historic, cultural, tribal resources were identified. Implementation of the project would not result in impacts to any historical resources.

XVII- **Less Than Significant Impact.** See discussion in Section V, *Cultural Resources* above. Past and on-going disturbance by human activities, and existing development of the Project Site and surrounding areas indicates that whatever resources may have been previously present, have likely since been disturbed and/or removed. No historic structures, archaeological resources, or paleontological resources are known to occur within the project site, nor would any offsite resources be affected by the project. On February 7, 2017, CRM TECH submitted a written request to the State of California NAHC for a records search in the commission's sacred lands file. Following the commission's recommendations and previously established consultation protocol, CRM TECH further contacted 11 tribal representatives in the region in writing on February 22 for additional information on potential Native American cultural resources in the project vicinity. The correspondence between CRM TECH and the Native American representatives is included in Appendix C, Historical/Archaeological Resources Survey Report (CRM TECH 2017).

The project is subject to State Health and Safety Code Section 7050.5, and in the unlikely event that human remains were discovered during ground disturbing activities, requirements pursuant to this regulation would ensure there are no significant impacts. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC within 24 hours. The NAHC would make a determination as to the Most Likely Descendant. To ensure that the project adheres to these requirements, the project would be subject to Section V, *Cultural Resources* Condition of Approval 2. regarding undiscovered human remains in section V. *Cultural Resources*.

Compliance with Section V, *Cultural Resources* Condition of Approval 2 would ensure that potential impacts to human remains would remain less than significant. Therefore, there are no significant impacts related to disturbance to tribal cultural resources on the project site, especially given that the site has been significantly graded and no resources were discovered. Therefore, no new impacts would result from development of the project site.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

#### **Conditions of Approval**

*See Section V, Cultural Resources Condition of Approval 2.*

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>XVIII. UTILITIES AND SERVICE SYSTEMS - Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

West Yost Associates (West Yost), a professional civil engineering firm providing consulting engineering services to the City of Rialto analyzed the sewer service capacity in the area. The results of the analysis are included as Appendix K to this Initial Study.

XVIII-a) **Less Than Significant Impact.** The project would develop a vacant site into a 184,770 sf concrete tilt-up warehouse center with 10,000 sf of office/administrative uses. Implementation of the project would generate an increase in the amount of wastewater generated from the site. The project would install onsite sewer lines that would connect to an extension from Larch Avenue. Wastewater would be conveyed by the extension of existing sewer lines to the City of Rialto sewer system.

Wastewater generated by the project would be typical of warehouse uses, and would not require treatment beyond that provided by the City of Rialto Water Resources Division treatment and collection services. Moreover, the project would be developed and operated in compliance with the

regulations of the County of San Bernardino and the standards of the Santa Ana Regional Water Quality Control Board (RWQCB).

According to the City of Rialto Urban Water Management Plan (2010), all wastewater is collected by the City of Rialto's local sewer mains and delivered to the Wastewater Treatment Plant. The City of Rialto is required to operate its treatment facilities in accordance with the waste treatment and discharge standards and requirements set forth by the Santa Ana RWQCB. West Yost reviewed the City of Rialto sewer system model prepared for the City of Rialto Sewer Master Plan to determine if sewer system capacity is available to accept flow from the project. The sewer system model results were examined for each scenario to determine if the sewer system capacity of the downstream gravity mains were able to accept the proposed project's development flows without exceeding the performance criteria that were established in the City of Rialto Sewer Master Plan. The modeling indicated that the existing City of Rialto sewer system is capable of accepting the estimated flows from the development under all existing and future flow conditions.

The project would not install or utilize septic systems or alternative wastewater treatment systems, and therefore would not have the potential to exceed the applicable wastewater treatment requirements established by the Santa Ana RWQCB. Accordingly, impacts would be less than significant.

- XVIII-b) **Less Than Significant Impact.** Water supply and wastewater treatment would be provided to the project site by the West Valley Water District (WVWD).

Water

The project site is a currently vacant but previously developed site, and an existing water line crosses the site horizontally from Cedar Avenue to Vine Street. The project would move this water line, which would connect to the existing line in Vine Street for domestic service. For fire suppression, the project would require a loop system, and would have a point of connection on Orange Street and another on Vine Street. Although moving the water line would be required to support the project, no extensions or expansions to the water pipelines supplying the project site would be required. The WVWD anticipates that there is sufficient capacity in the existing water system to serve the anticipated growth within the WVWD, which includes the project. No physical environmental effects would result with implementation of the project, other than those identified in other sections of this Initial Study.

Therefore, the 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.

Wastewater

As described in XVIII-a), the project would install onsite sewer lines that would connect to an extension east to the existing manhole at the intersection of Orange Street at Larch Avenue. A connection to the City of Rialto system would require approval of an Out of Agency Service Contract from San Bernardino County LAFCO. Wastewater would be conveyed by existing sewer lines that are part of the City of Rialto's sewer system to the Wastewater Treatment Plant (WTP). The WTP processes between 9 and 12 million gallons per day (mgd), and improvements to the WTP are provided for in the City of Rialto 2010-2014 CIP. The project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities as there is sufficient capacity in the existing system for the proposed use.

Therefore, although a sewer extension to Larch Avenue would be required, it would not result in the construction of new wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects, and impacts would be less than significant.

The City of Rialto Sewer Master Plan permits discharge of wastewater until a sewer line reaches 80 percent of capacity for gravity sewer pipes. The City also requires that the velocity in the line to be greater than 2 feet per second but less than 12 feet per second. There is an existing 8-inch sewer line in Larch Avenue and a 15-inch main line in Slover Avenue; the Larch Avenue line connects to the Slover Avenue line. The project would tie-in to the existing City of Rialto sewer system at the manhole located along the existing 8-inch gravity main at the intersection of Larch Avenue and Orange Street. The existing 8-inch gravity main extends south along Larch Avenue for approximately 650 feet where it increases to a 15-inch gravity main which flows east in Slover Avenue. The remaining portions of the gravity sewer main to the wastewater treatment plant vary in size from 12 to 30 inches in diameter.

Wastewater generated from the project is expected to be approximately 1,050 gallons per day (gal/day). Sewer modeling analysis was completed to determine whether sewer system capacity of the downstream gravity mains were able to accept the project flows without exceeding performance criteria established in the City of Rialto Sewer Master Plan (West Yost Associates 2016). The modeling indicated that the existing City of Rialto sewer system is capable of accepting the estimated flows from the development under all existing and future flow conditions. The limited sewer discharge that would occur from implementation of the project would not significantly impact the future capacity of the collection system or the City's wastewater treatment plant. Therefore, the flows associated with the project would not adversely impact the existing sewer system. Less than significant impacts would occur.

- XVIII-c) **Less Than Significant Impact.** The project would construct an onsite drainage collection system that would collect the storm water runoff in two detention/infiltration basins, one located in the northeastern portion of the site, the other located in the southwestern portion of the site. The drainage/infiltration basins have been designed and sized to accept storm water flows generated by improvements on the project site. Additionally, a flow-through planter is used to treat storm water before it enters the storm drain system providing a reduction in peak runoff. By collecting the incremental increase in storm water runoff caused by the increase in impervious surface, the project would minimize the amount of off-site flows and allow downstream facilities to accept the remaining discharge.

Construction of the onsite drainage facilities would result in physical impacts to the surface and subsurface of the project site. These impacts are part of the project's construction phase and are evaluated in the relevant sections of this Initial Study. In any instances where impacts have been identified for the project's construction phase, standard conditions, regulations, or mitigation measures would be required to reduce impacts to less than significant levels. Accordingly, additional measures beyond those identified through this Initial Study would not be required.

- XVIII-d) **Less Than Significant Impact.** Water service would be provided to the project site by the WWD. According to the Water Master Plan for the WWD (2012), the District relies on groundwater wells, Lytle Creek surface water and SWP water treated at the WFF, and purchased groundwater through the BLF pipeline. District groundwater wells have been the main source of water supply, providing approximately 60% of yearly production. The WWD distribution system includes eight pressures zones divided into a north and south system with the City of Rialto serving the area in between. The system includes 72.61 million gallons (mg) of storage, 12 booster pump

stations, 18 active production wells, and over 150 miles of transmission lines. The WVWD Water Master Plan analyzes projected new development including the project site, and various CIPs have been recommended to accommodate for future demands.

The District has identified that it has adequate water service capacity to serve the projected demand for the project, in addition to the Water District's existing commitments. The Water District has issued a will serve letter for the provision of potable water.

Thus, there would be sufficient water supplies available to serve the project from existing entitlements and resources; and new or expanded entitlements would not be required for the project. Impacts would be less than significant and no mitigation measures would be required.

- XVIII-e) **Less Than Significant Impact.** As previously addressed in XVIII-a) and -b), the project would connect to the City of Rialto sewer system. Wastewater would be conveyed by existing sewer lines that are part of the City of Rialto's sewer system to the WTP, which processes between 9 and 12 mgd.

The project is anticipated to discharge 1,050 gal/day. The capacity of the existing WTP would be able to accommodate the increase in demand with implementation of the project within the existing capacity. Therefore, implementation of the project would not result in impacts related to wastewater treatment provider capacity, and impacts would be less than significant.

- XVIII-f) **Less Than Significant Impact.** The project would be served by the Mid-Valley Landfill. The Mid-Valley Landfill is permitted to accept 7,500 tons of solid waste per day, and is estimated to close in 2033. The CalRecycle Business Group Waste Stream Calculator estimated that the warehouse facility and office space with 50 employees would generate 150 tons per year of solid waste. Current recycling regulations require a 50 percent diversion of solid waste away from landfills. Thus, the project would result in 75 tons of solid waste per year. In 2020, state regulations implemented pursuant to AB 341 will become effective, and will require diversion of 75 percent of solid waste from landfills. Thus, it would be anticipated that solid waste landfill disposal from operation of the project in 2020 would be reduced to approximately 37.5 tons per year. As described, the Mid-Valley Landfill has sufficient permitted capacity to accommodate the project's solid waste disposal needs, and impacts related to landfill capacity would be less than significant.

- XVIII-g) **Less Than Significant Impact.** The California Integrated Waste Management Act established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. The Act also established a 50% waste reduction requirement for cities and counties along with a process to ensure environmentally safe disposal of waste that could not be diverted. The County of San Bernardino Solid Waste Advisory Task-Force (SWAT) carries out the responsibilities mandated by the California Integrated Waste Management Act.

The project's waste hauler would be required to coordinate with the County of San Bernardino and develop a common schedule for collection of recyclable materials as required by federal, State, and local statutes and regulations related to solid waste. Recyclable materials that would be recycled by the project include paper products, glass, aluminum, and plastic.

Additionally, the project's waste hauler would be required to comply with all applicable local, State, and federal solid waste disposal standards, thereby ensuring that the solid waste transfer

to the Mid-Valley Landfill that serves the project are reduced in accordance with existing regulations.

The project's short-term construction activities would also produce short-term waste generation limited to minor quantities of construction debris, and would similarly be subject to applicable local, State, and federal solid waste regulations.

Accordingly, the project would comply with all federal state, and local statues and regulations related to solid waste, and impacts would be less than significant.

**Less than significant impacts have been identified or anticipated. The project would be conditioned to comply with all applicable County of San Bernardino regulations and conditions of approval.**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects, which will cause Substantial adverse effects on human beings, either directly Or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

- XIX-a) **Less Than Significant Impact With Mitigation Incorporated.** As discussed in Sections IV, the project could result in potentially significant impacts to nesting bird species and burrowing owls. These species are commonly found throughout the region, including in preserved habitat areas and protected open space covering hundreds of thousands of acres. With implementation of Mitigation Measures outlined in BIO-1 and BIO-2, the project would not degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section V, Cultural Resources, the project has no potential to eliminate important examples of the major periods of California history or prehistory as no such examples are present on the site. Implementation of Conditions of Approval would ensure that impacts would be less than significant.
- XIX-b) **Less Than Significant Impact With Mitigation Incorporated.** Cumulative impacts are defined as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

The project consists of development of a vacant site in an urban area near the I-10. The project would provide industrial warehousing uses, which would be consistent with the approved land uses and zoning for the site. As described above, all potential impacts related to implementation of the project would be less than significant with implementation of Mitigation Measures and Standard Conditions of Approval imposed by the County of San Bernardino.

The project would develop an area that has been previously graded and developed. Thus, impacts to environmental resources or issue areas would not be cumulatively considerable, and cumulative impacts related to the project would be less than significant.

XIX-c) **Less Than Significant Impact With Mitigation Incorporated.** The project proposes the construction and operation of an industrial warehouse building. The project would not consist of any use or activities that would result in a substantial negative effect on persons in the vicinity. All resource topics associated with the project have been analyzed in accordance with CEQA and the State CEQA Guidelines, and were found to pose no impacts or less than significant impacts with implementation of the standard development conditions that are required by the County; Mitigation Measures and Conditions of Approval. Consequently, the project would not result in any environmental effects that would cause substantial adverse effects on human beings directly or indirectly.

**XX. MITIGATION MEASURES**

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

**Self-Monitoring Mitigation Measures:**

**Conditions of Approval**

**Air Quality:**

AQ-1. Operation of all off-road and on-road diesel vehicles/equipment will comply with County Diesel Exhaust Control Measures [SBCC § 83.01.040 (c) – Diesel Exhaust Emissions Control Measures]. Adherence to SBCC § 83.01.040 (c)-Diesel Exhaust Emissions Control Measures will reduce the generation of diesel particulate matter

AQ-2. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 403, "Fugitive Dust." Rule 403 requires implementation of best available dust control measures during construction activities that generate fugitive dust, such as earth moving and stockpiling activities, grading, and equipment travel on unpaved roads. Rule 403 is intended to reduce PM<sub>10</sub> emissions from any handling, construction, or storage activity that has the potential to generate fugitive dust. Pursuant to Rule 403, the developer will prepare, submit, and obtain approval from San Bernardino County Planning of a Dust Control Plan (DCP) consistent with the SCAQMD guidelines, and a letter agreeing to include in any construction contracts/subcontracts a requirement that project contractors adhere to the requirements of the DCP.

AQ-3. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 431.2, "Sulfur Content of Liquid Fuels." Adherence to Rule 431.2 limits the release of sulfur dioxide (SO<sub>x</sub>) into the atmosphere from the burning of fuel

AQ-4. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 1113, "Architectural Coatings." Adherence to Rule 1113 limits the release of volatile organic compounds (VOCs) into the atmosphere during painting and application of other surface coatings.

AQ-5. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule 402 "Nuisance." Adherence to Rule 402 reduces the release of odorous emissions into the atmosphere

**Cultural Resources:**

CR-1. Undiscovered Cultural Resources. If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards [36 CFR § 6])) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

CR-2. If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

CR-3. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, San

Manuel Band of Mission Indians will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input.

### **Geology and Soils:**

GS-1. The Project is required to comply with the California Building Standards Code as adopted by the County of San Bernardino to preclude significant adverse effects associated with seismic hazards. A design-phase geotechnical report will be produced and its recommendations will be implemented during site grading and construction. The following conditions are recommended:

- Once project grading and foundation plans are prepared and available, the project geotechnical consultant shall review the grading and foundation plans relative to the geotechnical recommendations in the above referenced report and provide an updated report and/or supplement if determined to be necessary. The geotechnical consultant shall stamp and wet-sign the grading and foundation plans which shall be submitted the County for review and approval as part of the plan check process.
- The Project Geotechnical Engineer shall perform inspection and density testing during grading. Upon completion of rough grading, the Geotechnical Engineer shall prepare a compaction report that includes the results of compaction testing and a plat or other suitable map showing the location of compaction tests. In addition, the report shall summarize the results of in-grading inspections and shall indicate whether the grading has been conducted in accordance with the recommendations of the approved geotechnical report. The report shall be submitted to Building and Safety with appropriate fees for review and approval.
- The Project Geotechnical Engineer shall inspect and approve footing excavations prior to placement of forms, steel, or pouring of concrete.

GS-2. The project would comply with National Pollutant Discharge Elimination System (NPDES) requirements for control of discharges of sediments and other pollutants during construction. A Stormwater Pollution Prevention Plan (SWPPP) will be prepared and submitted to the State Water Resources Control Board. The project will obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) in effect at the time of grading permit application. The SWPPP will require preparation of an Erosion & Sediment Control Plan. Project contractors shall be required to ensure compliance with the SWPPP and permit periodic inspection of the construction site by County of San Bernardino staff or its designee to confirm compliance

GS-3. The project would comply with NPDES requirements for control of discharges of sediments and other pollutants during operations of the facility through preparation and implementation of a Water Quality Management Plan (WQMP) in compliance with the Municipal Separate Storm Sewer System (MS4) Permit in effect for the Santa Ana Regional Water Quality Control Board (RWQCB) at the time of grading permit application.

### **Hazards and Hazardous Materials**

HAZ-1. The project is subject to all applicable federal, state, and local laws and regulations regarding hazardous materials including but not limited to requirements imposed by the Environmental Protection

Agency, California Department of Toxic Substances Control, South Coast Air Quality Management District, and the Santa Ana Regional Water Quality Control Board.

**Transportation/Traffic:**

TT-1. 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 by a cashier's check to the Land Use Services Department. The Plan Fee shall be computed in accordance with the Plan Fee Schedule in effect as of the date that the building plans are submitted and the building permit is applied for. The Plan Fee is subject to change periodically. Currently, the fee is \$6.01 per square foot for industrial use, which includes the 184,770 sq. ft. building per the site plan dated 08/07/2017.

The estimated Regional Transportation Fees for the Project is \$1,110,468.00 (\$6.01 per sq. ft. x 184,770 sq. ft.). The current Regional Transportation Development Mitigation Plan can be found at the following website:

<http://cms.sbcounty.gov/dpw/Transportation/TransportationPlanning.aspx>

TT-2. Design Conditions. The project will comply with the following conditions issued by the Traffic Division:

- General Conditions:
  - Project vehicles shall not back out into the public roadway.
  - Access points to the facility shall remain unobstructed at all times, except a driveway access gate which may be closed after normal working hours.
- Prior to Issuance of Building Permits:
  - A traffic signal modification plan is required for the intersection of Cedar Avenue and Orange Street.
- Prior to Occupancy/Final Inspection:
  - The applicant shall construct, at 100% cost to the applicant, all roadway improvements as shown on their approved street improvement plans.

**MITIGATION MEASURES:**

**Biological Resources:**

BIO-1 Burrowing Owl Pre-Construction Survey: A pre-construction surveys for Burrowing Owl (BUOW) shall be required 30 days before the start of grading activities to confirm the absence of BUOW from the site. Preconstruction BUOW surveys shall be conducted according to the 2012 CDFW Staff Report on Burrowing Owl Mitigation guidelines onsite prior to construction or site preparation activities.

The results of the survey will be submitted to the County of San Bernardino and the California Department of Fish & Wildlife (CDFW) within 14 days following completion. If active burrows are detected, protective measures shall be required to ensure compliance with the Migratory Bird Treaty Act (MBTA) and other applicable California Department of Fish and Game (CDFG) Code requirements.

- a. In the event that the pre-construction survey identifies no burrowing owls in the impact area, a grading permit may be issued without restriction.
- b. In the event that the pre-construction survey identifies the presence of at least one individual but less than three (3) mating pairs of burrowing owl, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of

one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow California Department of Fish and Wildlife relocation protocol. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow California Department of Fish and Wildlife relocation protocol. The biologist shall confirm in writing to the County of San Bernardino Planning Department that the species has fledged or been relocated prior to the issuance of a grading permit.

**BIO-2 Nesting Bird Pre-Construction Survey:** As a condition of approval for all grading permits, vegetation clearing, or ground disturbance, within 30 days prior to such activities occurring during the nesting/breeding season (Mid-February through August 31), a migratory bird nesting survey must be completed in accordance with the following requirements:

- a. A migratory nesting bird survey of the Project's impact footprint shall be conducted by a qualified biologist within three business (3) days prior to initiating vegetation clearing or ground disturbance.
- b. A copy of the migratory nesting bird survey results report shall be provided to the County of San Bernardino Planning Department. If the survey identifies the presence of active nests, then the qualified biologist shall provide the Planning Department with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the Planning Department and shall be no less than a 300-foot radius around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and Planning Department verify that the nests are no longer occupied and the juvenile birds can survive independently from the nests.

#### **Noise**

**NSE-1.** Install minimum 6-foot high temporary construction noise barriers at the Project's southern site boundary adjacent to sensitive receivers on Orange Street, as shown on Exhibit 10-A, for the duration of Project construction. The noise control barriers must have a solid face from top to bottom. The noise control barriers must meet the minimum height and be constructed as follows:

- The temporary noise barriers shall provide a minimum transmission loss of 20 dBA (Federal Highway Administration, Noise Barrier Design Handbook). The noise barrier shall be constructed using an acoustical blanket (e.g. vinyl acoustic curtains or quilted blankets) attached to the construction site perimeter fence or equivalent temporary fence posts;
- The noise barrier must be maintained and any damage promptly repaired. Gaps, holes, or weaknesses in the barrier or openings between the barrier and the ground shall be promptly repaired;
- The noise control barrier and associated elements shall be completely removed and the site appropriately restored upon the conclusion of the construction activity.

**NSE-2** During all Project site construction, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the Project site.

NSE-3 The construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and noise-sensitive receivers nearest the Project site during all Project construction (i.e., to the north).

## GENERAL REFERENCES

Alquist-Priolo Special Studies Zone Act Map Series (PRC 27500).

California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975.

California Standard Specifications, July 1992.

County of San Bernardino, Countywide Integrated Waste Management Plan.

County of San Bernardino Development Code, 2007.

County of San Bernardino General Plan, adopted 2007.

Environmental Impact Report, San Bernardino County General Plan, 2007.

County of San Bernardino Hazard Overlay Maps.

County of San Bernardino, June 2004, *San Bernardino County Stormwater Program, Model Water Quality Management Plan Guidance*.

County of San Bernardino Road Planning and Design Standards.

Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map.

State of California, Department of Conservation, Division of Land Resource Protection, Farmland Mapping and Monitoring Program, *San Bernardino County Important Farmland 2000*, December 2001.

State of California, Department of Transportation. *I-10 Corridor Project, Draft Project Report*, March 2016.

County of San Bernardino, Greenhouse Gas Emissions Reduction Plan, January 6, 2012.

## PROJECT STUDIES

CRM TECH, March 8, 2017. Historical/Archaeological Resources Survey Report, Assessor's Parcel No. 0253-211-56, Bloomington Area, San Bernardino County, California. Prepared for Howard Industrial Partners.

Ecological Sciences, Inc., January 24, 2017. Results of a Habitat Suitability Evaluation, ±9.81-acre Cedar Avenue and Orange Street Site, City of Bloomington, San Bernardino County, California. Prepared for Howard Industrial Partners.

FM Civil Engineers Inc., August 31, 2017. Preliminary Drainage Study, Cedar Avenue Technology Park, APN # 0253-211-56, 0253-211-57, Bloomington, San Bernardino County, California. Prepared for Howard Industrial Partners.

FM Civil Engineers Inc., September 1, 2017. Preliminary Water Quality Management Plan for Cedar Avenue Technology Park. Prepared for Howard Industrial Partners.

Michael Baker International, August 2017. Cedar Avenue Technology Park Project Air Quality Impact Analysis.

Michael Baker International, August 2017. Cedar Avenue Technology Park Greenhouse Gas Emissions Report.

**Michael Baker International, July 25, 2017. Cedar Avenue Technology Center Traffic Impact Analysis Report. Prepared for County of San Bernardino.**

**SCS Engineers, July 2016. Phase I Environmental Site Assessment, 9.82-Acre Vacant Parcel, Northeastern Corner of Orange Street and Cedar Avenue Bloomington, California 92316 (APN 0253-211-56-0000). Prepared for Howard Industrial Partners.**

**Southern California Geotechnical, October 22, 2014, Geotechnical Investigation, Proposed Commercial/Industrial Building, NEC Cedar Avenue and Orange Street, San Bernardino County, California. Prepared for Thrifty Oil Company.**

**Urban Crossroads, July 21, 2017. Cedar Avenue Technology Park, Noise Impact Analysis, County of San Bernardino. Prepared Howard Industrial Partners.**

**Draft Resolution #3281**

**Attachment 5**

**LOCAL AGENCY FORMATION COMMISSION  
FOR SAN BERNARDINO COUNTY**

1170 West Third Street, Unit 150, San Bernardino, CA 92415-0490  
(909) 388-0480 • Fax (909) 388-0481  
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**PROPOSAL NO.: LAFCO SC#436**

**HEARING DATE: JANUARY 16, 2019**

**RESOLUTION NO. 3281**

**A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO SC#436 – CITY OF RIALTO OUT-OF-AGENCY SERVICE CONTRACT FOR SEWER SERVICE (CEDAR AVENUE TECHNOLOGY PARK PROJECT)**

**On motion of Commissioner \_\_\_\_\_, duly seconded by Commissioner \_\_\_\_\_ and carried, the Local Agency Formation Commission adopts the following resolution:**

**WHEREAS**, Government Code Section 56133 requires the Local Agency Formation Commission to review and approve, approve with conditions, or deny applications for agencies to provide services outside their existing boundaries; and,

**WHEREAS**, an application for the proposed service extension in the County of San Bernardino was filed with the Executive Officer of this Local Agency Formation Commission in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), and the Executive Officer has examined the application and determined that the filings are sufficient; and,

**WHEREAS**, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and,

**WHEREAS**, the Executive Officer has reviewed available information and prepared a report including his recommendations thereon, the filings and report and related information having been presented to and considered by this Commission; and,

**WHEREAS**, the public hearing by this Commission was called for January 16, 2019 at the time and place specified in the notice of public hearing; and,

**WHEREAS**, at the hearing, this Commission heard and received all oral and written support and/or opposition; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the contract, in evidence presented at the hearing;

## RESOLUTION NO. 3281

**NOW, THEREFORE, BE IT RESOLVED**, that the Local Agency Formation Commission for San Bernardino County does hereby determine, find, resolve and order as follows:

### **DETERMINATIONS:**

**SECTION 1.** The following determinations are noted in conformance with Commission policy:

1. The project area, which is comprised of a single parcel identified as Assessor Parcel Number (APN) 0253-211-56, is within the sphere of influence assigned the City of Rialto and is anticipated to become a part of that City sometime in the future.

The requirement for sewer connection is a condition of approval as identified in the County's conditions of approval for the warehouse facility. Therefore, approval of the City's request for authorization to provide sewer service is necessary in order to satisfy the conditions of approval for the project.

2. The Extraterritorial Wastewater Service Agreement is for the provision of sewer service by the City of Rialto to APN 0253-211-56, which is generally located on the northeast corner of Cedar Avenue and Orange Street (18750 Orange Street), within the City of Rialto's southern sphere of influence. This contract will remain in force in perpetuity for the proposed development or until such time as the parcel is annexed.
3. The fees charged this project by the City of Rialto for the extension of sewer service are identified as totaling \$135,120.31 in service connection fee for treatment, collection, and other related fees. Payment of these charges is required prior to connection to the City's sewer facilities. In addition, the property owner/developer shall bear all costs to complete improvements needed to extend the sewer service to the proposed project.
4. During the period from October 2017 to December 2017, acting as the CEQA lead agency, the County of San Bernardino, as a function of its review of a Conditional Use Permit to construct a 180,770 sq. ft. concrete tilt-up warehouse center with a 10,000 sq. ft. office/administrative use area on approximately 9.8 acres, prepared an environmental assessment and adopted a Mitigated Negative Declaration which indicates that approval of the project will not have a significant adverse impact on the environment through its development under the Conditions of Approval that has been prepared for the proposed project. The County's Initial Study and Mitigated Negative Declaration have been reviewed by the Commission's staff and Environmental Consultant who have found them to be adequate for the service contract decision.

The Commission certifies that it has reviewed and considered the County's Mitigated Negative Declaration and environmental effects as outlined in the Initial Study prior to reaching a decision on the service contract and finds the information substantiating the Mitigated Negative Declaration is adequate for its use in making a decision as a CEQA responsible agency. The Commission further finds that it does not intend to adopt alternatives or additional mitigation measures for this project as all changes, alterations and mitigation measures are within the responsibility and jurisdiction of the County and/or others, and are self-mitigating through implementation of the Conditions of Approval.



# LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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**DATE:** JANUARY 9, 2019   
**FROM:** SAMUEL MARTINEZ, Executive Officer  
MICHAEL TUERPE, Project Manager  
**TO:** LOCAL AGENCY FORMATION COMMISSION

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**SUBJECT:** Agenda Item #9: Mid-Year Financial Review for Period  
July 1 through December 31, 2018

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## **RECOMMENDATION:**

Staff recommends that the Commission:

1. Note receipt of this report and file.
2. Provide direction to staff on items of concern for the second half.

## **BACKGROUND:**

The first two quarters of Fiscal Year 2018-19 have concluded and staff is presenting the Commission with its second financial report. This report includes a review of the financial activities and the presentation of a spreadsheet (Attachment #1) showing the line item expenditures and receipts for the first half of the year.

## **MID-YEAR REVIEW:**

The following narrative provides a discussion of expenditures and reserves, revenues received, an update on special project activities, and a breakdown of the fund balance.

### **Expenditures and Reserves**

Expenditures are comprised of two categories of accounts: 1) Salaries and Benefits, and 2) Services and Supplies. Through the mid-year, total expenditures are at 54% of Approved Budget authority. No request is being presented, at this time, by staff for

authorization to utilize funds maintained in the Contingency or Reserve accounts. A more detailed analysis of the categories is as follows:

## **1. Salaries and Benefits (1000 series)**

### A. Mid-Year Activity

The Salaries and Benefits series of accounts (1000 series) had expenditures of \$439,076 through the mid-year, representing 52% of Approved Budget authority. The increase of two percentage points over the 50% benchmark is primarily explained by the former executive officer's contract continuing through the first quarter, and ceasing September 30, 2018.

### B. Anticipated Activity

The remainder of the year is anticipated to maintain the adopted budget.

## **2. Services and Supplies (2000 and 5000 series)**

### A. Mid-Year Activity

For the first and second quarters, the Services and Supplies series of accounts (2000 and 5000 series) had expenditures of \$264,490, or 57% of Approved Budget authority. The first half includes full-year and one-time payments such as the Commission's property and liability insurance.

Additionally, a number of invoices received in June were not able to be processed by the year-end cutoff. The invoices, totaling \$9,733, were processed in July and are included in the FY 2018-19 First Quarter activity. The Commission also previously authorized increased security measures for the office front door, which totaled \$6,491.

The first half included unanticipated or unbudgeted legal activity totaling \$29,219, which are outlined below. This has pushed the Legal Counsel Account 2400 to 137% of budget authority. However, LAFCO is indemnified by the applicants for these matters, and the reimbursements received have been deposited. At this time staff is not recommending any budget adjustments; rather, as a part of the third quarter financial review staff will recommend the appropriate budget adjustments (an increase in revenues with a corresponding increase in expenditures).

- Legal Counsel charges from litigation of two cases regarding LAFCO 3216: City of Upland annexation to San Bernardino County Fire Protection District et al filed by the San Antonio Heights Property Owners Association. LAFCO is indemnified by the City of Upland and County Fire for these cases. Payments made through the mid-year total \$19,120.

- Legal Counsel charges related to LAFCO 3218: Hesperia Fire Protection District annexation into County Fire. This proposal experienced a unique pension-related matter. LAFCO is indemnified by the Hesperia Fire Protection District and County Fire for these matters. Payments made through the mid-year total \$9,019.

## B. Second Half Anticipated Expenditures

Anticipated activities for the second half include significant expenditures, identified as:

- Office lease and related costs totaling \$54,021.
- In July the Commission authorized \$15,000 to scan the backlog of closed files. The project is nearing completion, with a total cost of \$10,431. These costs will be incurred during the third quarter, and an update of the project is discussed later in this report.
- Full-year payments for the annual financial audit (\$11,018). This total cost includes the independent auditor and costs passed on from SBCERA related to GASB 68 reporting. This is the third year of a four-year contract with the firm Davis Farr LLP.
- Governance Training Program, the remaining costs should not exceed \$2,500. An update of the project is discussed later in this report.
- Significant payments for the processing of proposals and countywide fire service review (legal costs, advertising and mailing) are anticipated.
- Strategic Planning Workshop. Total costs for consultant contract, commissioner stipends, legal counsel, facility fee, and food/drink should not exceed \$8,500.

At this time staff is not recommending any budget adjustments; rather, as a part of the third quarter financial review staff will recommend the appropriate budget adjustments, if necessary.

## C. Status of Ongoing Commission-approved Projects

The following provides an update on expenditures and progress on projects approved by the Commission.

### *Scanning of Closed Files:*

LAFCO is mandated by State Law to maintain its files in perpetuity, and the law includes a provision that allows for the files to be maintained in digital form.

LAFCO's closed files are in digital form, but a backlog exists in scanning the recently closed files. In July the Commission authorized \$15,000 to scan the backlog of closed files.

The files have been scanned and imported into the digital archive program. The last phase is to ship the boxes to storage. The total cost for the project is \$10,431. In the end, the deliverable was on-time and under budget.

*Countywide Service Review for Fire/Emergency Medical Response/  
Ambulance/Dispatch:*

The third service review of the second round is underway. Staff has formulated a project charter outlining: goals, the scope and format of the deliverable, strategy and methodology, personnel and roles, milestones, budget, communication plan, and constraints, assumptions, risks, and dependencies. Significant portions of the report have been written to include: introduction and methodology, review of all fire reorganizations since 2008, and financial review.

To date, staff has met with the following entities:

- San Bernardino County Fire Chiefs Association. At the request of LAFCO staff, the Fire Chiefs Association has formed an advisory group to guide LAFCO staff through the technical aspects of the service. In early February, LAFCO staff will send a survey/questionnaire to each fire agency.
- Inland Counties Emergency Medical Agency. LAFCO and ICEMA staffs have met and another session is scheduled for late January.
- San Bernardino County Dispatch Review Committee. LAFCO staff met with the Dispatch Committee to discuss the service review. No additional meetings are anticipated.

The next few months will focus on the services that the individual agencies provide, to be followed by observations and recommendations.

*Governance Training Program:*

The Commission is continuing its efforts to provide governance training for special districts, as well as other levels of government, within the County. The first course, *Customer Service in the Public Sector*, was taught to a packed house at the Frontier Project in Rancho Cucamonga. Staff has canceled the *LAFCO 101* course, originally scheduled for January 24, due to low enrollment. We will attempt to reschedule the session at a more opportune time.

The remaining program schedule for 2018-19 is as follows:

## **Policy and Procedure Writing**

March 13, 2019  
10am – noon

Mojave Water Agency  
13846 Conference Center Drive  
Apple Valley, CA 92307

A well-written policy and procedure manual can improve your agency by establishing clear guidelines, setting goals, and communicating organizational knowledge. This presentation will assist staff members to construct their own policies and procedures to meet today's ever-changing statutory requirements.

### *Fiscal Indicators:*

The annual update to the fiscal indicators program has commenced. LAFCO staff has received each agency's audit and work has begun inputting the data into the program.

### **3. Reserves (6000 series)**

With the Assistant Executive Officer position being unfilled, in July the Commission increased the following Reserve accounts:

- Contingencies by \$34,852 from \$15,148 to \$50,000; and
- General/Litigation Reserve by \$64,392 from \$85,608 to \$150,000

No spending activity has been requested by staff or authorized by the Commission to take place in the Reserve accounts through the mid-year. At this time staff is not recommending any budget adjustments; rather, as a part of the third quarter financial review staff will recommend the appropriate budget adjustments, if necessary.

## **Revenues**

### **1. Revenues through Mid-Year**

The Commission has received 94% of Adopted Budget revenues through the mid-year. The items below outline the revenue activity:

- Interest (Account 8500) – Interest rates have steady increased over the past two years, albeit still providing a minimal cash amount. \$6,193 in interest revenue was earned from the Commission's cash in the County Treasury. The bulk of LAFCO's revenues are received during the first quarter of the fiscal year through

receipt of its annual apportionment. However, it is anticipated that the annual interest rate will remain low for the balance of the year providing limited resources.

- Apportionment (Account 8842) - 100% of the mandatory apportionment payments from the County, cities, and independent special districts billed by the County Auditor have been received. One district inadvertently paid twice, and LAFCO will issue a refund in January.
- Fees and Deposits (Accounts 9545 – 9800) – Through the first quarter, the Fees and Deposits series of accounts have received 43% of its budgeted revenue (\$61,329). This amount is made up of a combination of service contract filing fees and legal cost recovery.
- Carryover from Prior Year (Account 9970)

Prior Year Contingency and Reserve funds have been carried forward, \$495,941.

## 2. Projected Remaining Activity

Staff has been in discussion with potential applicants regarding significant reorganizations, to include a CSD formation with CSA dissolution, two proposals with district annexation with CSA dissolution, and three service contracts. The total for these applications totals \$57,200.

## 3. Proposal Activity

The figure below identifies the number of proposals and service contracts received through the mid-year. The figure identifies that zero proposals and ten service contracts were received in the first half. The Commission has initiated two proposals: (1) zero sphere designation for County Service Area 120, and (2) as a part of the *Countywide Service Review for Wastewater* in August, a sphere of influence amendment for the City of Adelanto.

Attachment #2 to this staff report includes a chart showing the yearly comparison of proposal, service review, and completed service review activity.

Activity	Budget	Through December	
		No.	% of Budget
Proposals - Agency/LO/RV initiated	9	0	0%
Proposals - Commission initiated	--	2	--
Service Contracts - Commission approval	2	5	250%
Service Contracts - Commission approval for exemption	0	2	--
Service Contracts - Admin (E.O.) approval	4	3	75%
Protest Hearing Deposits	6	0	0%

Proposals thought to have been received in the first half are anticipated for submission in the second half. The second half anticipates the receipt of at least a CSD formation, two annexations, and three service contracts.

In the first quarter the Commission completed *the Countywide Service Review for Wastewater*, encompassing over 50 wastewater systems across four regions. The remainder of the year anticipates processing of the *Countywide Service Review for Fire/Emergency Medical Response/Ambulance/Dispatch*.

### Fund Balance

As of December 31, the Commission's cash in the County Treasury was \$970,221. A breakdown of this amount is shown below. The projections result in a deficit of roughly \$27,000. As a part of the third quarter budget update in April, staff will refine this figure with an update on activity. Based upon this refinement, future actions may be required for the Commission to close this gap.

However, in July 2018, the Commission approved increases to the Contingency account of \$34,852 and General Reserve of \$64,392. The funds placed into Contingency are available for general operations should the deficit remain at year's end.

<b>December 31, 2018 Balance</b>	<b>\$970,221</b>
<b>Cash Balance is composed of the following:</b>	
<b><i>Committed (constrained to specific purposes)</i></b>	
Net Pension Liability Reserve (Account 6010)	184,963
Compensated Absences Reserve (Account 6030)	97,377
<b><i>Assigned (intended for specific purposes)</i></b>	
Contingency (Account 6000), <i>July 2018 increase of \$34,852</i>	50,000
General Reserve (Account 6025), <i>July 2018 increase of \$64,392</i>	150,000
<b><i>Projected Expenditures</i></b>	<b>581,672</b>
<b><i>Projected Revenues (shown as negative)</i></b>	<b>(61,010)</b>
<b><i>Accounts Payable/(Receivable)</i></b>	<b>(5,845)</b>
<b>Carryover or (Deficit)</b>	<b>(\$26,936)</b>

## **CONCLUSION:**

Through the first half of the year, expenditures are generally in line with first half activities, but revenues have not met mid-year targets. To date, zero proposals have been received. Based upon talks with agencies, staff projects three significant proposals for the second half.

Staff will be happy to answer any questions from the Commission prior to or at the hearing regarding the items presented in this report.

SM/MT

Attachments:

1. [Spreadsheet of Expenditures, Reserves, and Revenues](#)
2. [Chart Illustrating Yearly Proposal, Service Contract, and Service Review Activity](#)

**Spreadsheet of  
Expenditures, Reserves and  
Revenues**

**Attachment 1**

ACCT. #	ACCOUNT NAME	ADOPTED BUDGET MAY 2018	AMENDED BUDGET JULY 2018	1ST QUARTER	OCT	NOV	DEC	THRU MID-YEAR	PERCENT OF BUDGET	PROJECTED REMAINING	PROJECTED YEAR-END	PERCENT OF BUDGET
<b>SALARIES AND BENEFITS</b>												
1010	Regular Salary and Bilingual	\$ 632,018	\$ 442,774	\$ 154,634	\$ 43,071.21	\$ 34,694.82	\$ 40,561.81	\$ 272,962	62%	\$ 230,634	\$ 503,596	114%
1030	Auto and Cell Phone Allowances	21,577	21,577	7,946	1,776.93	1,123.08	1,123.08	11,969	55%	8,500	20,469	95%
1035	Overtime											
1045	Termination Payment											
1110	General Member Retirement	216,127	216,127	44,203	13,549.41	13,136.00	14,873.94	85,763	40%	87,650	173,413	80%
1130	Survivors Benefits	268	268	49	13.60	13.60	13.60	90	34%	88	179	67%
1135	Retirement Subsidy (no longer provided)			1,995				1,995			1,995	
1200	Health Insurance Subsidy	63,515	63,515	14,417	4,163.42	4,163.42	4,163.42	26,908	42%	25,318	52,226	82%
1205	Long-Term Disability	1,528	1,528	287	82.02	82.02	82.02	533	35%	538	1,071	70%
1207	Vision Care Insurance	986	986	213	59.90	59.90	59.90	393	40%	389	782	79%
1215	Dental Insurance Subsidy	1,476	1,476	331	94.60	94.60	94.60	615	42%	615	1,230	83%
1222	Short-Term Disability	5,866	5,866	1,264	390.25	388.50	388.50	2,431	41%	2,514	4,944	84%
1225	Social Security Medicare	7,883	7,883	2,043	542.05	425.17	495.41	3,506	44%	2,781	6,287	80%
1235	Workers' Compensation	6,551	6,551	283	2,735.46			3,019	46%	2,393	5,412	83%
1240	Life Insurance & Medical Trust Fund	10,371	10,371	2,386	721.68	721.68	721.68	4,551	44%	5,102	9,653	93%
1305	Medical Reimbursement Plan	8,183	8,183	1,050	300.00	300.00	300.00	1,950	24%	3,572	5,522	67%
1310	Annuitant Employee Medical	3,301	3,301	3,302	471.70			3,774	114%		3,774	114%
1314	457/401a LAFCO Contribution	3,687	3,687	681	211.60	211.60	211.60	1,316	36%	1,545	2,861	78%
1315	401k Contribution	45,268	45,268	9,105	2,732.76	2,732.76	2,732.76	17,303	38%	17,942	35,246	78%
<b>TOTAL SALARIES &amp; BENEFITS</b>		<b>\$ 1,028,605</b>	<b>\$ 839,361</b>	<b>\$ 244,190</b>	<b>\$ 70,916.59</b>	<b>\$ 58,147.15</b>	<b>\$ 65,822</b>	<b>\$ 439,076</b>	<b>52%</b>	<b>\$ 389,582</b>	<b>\$ 828,657</b>	<b>99%</b>
	Staffing (Full time equivalent units)	5	5									
<b>SERVICES AND SUPPLIES</b>												
<b>Services:</b>												
2035	Communications											
2037	COMNET Charge (ISF)	\$ 3,504	\$ 3,504	\$ 647.40	\$ 323.70	\$ 291.33	\$ 291.33	\$ 1,554	44%	\$ 1,748	\$ 3,302	94%
2038	Long Distance Charges											
2040	Relocation Charges - Phone Service					624.18	(624.18)	-				
2041	Phone Service/Outside Company	8,813	8,813	2,336			1,246.63	3,583	41%	4,200	7,783	88%
2043	Electronic Equipment Maintenance	3,236	3,236	-				-	0%	-	-	0%
2075	Membership Dues	10,426	10,426	8,926		1,377.00		10,303	99%	-	10,303	99%
2076	Tuition Reimbursement	2,000	2,000	-				-	0%	-	-	0%
2080	Publications	3,187	3,187	640		218.08	586.16	1,444	45%	1,967	3,411	107%
2085	Legal Notices	17,250	17,250	11,566	670.59	2,514.33	692.66	15,443	90%	6,750	22,193	129%
2090	Building Expense	7,000	7,000	1,425	800.50	475.00	475.00	3,176	45%	3,501	6,677	95%
2115	Computer Software	3,277	3,277	1,313				1,313	40%	1,464	2,777	85%
2125	Inventoriable Equipment											
2130	Moving Expenses											
2180	Electricity for Office	4,356	4,356	570	360.15			931	21%	3,000	3,931	90%
2182	Electricity			959				959			959	
2195	Reimbursement Services and Supplies											
2245	Other Insurance	9,965	9,965	14,238				14,238	143%	-	14,238	143%

ACCT. #	ACCOUNT NAME	ADOPTED BUDGET MAY 2018	AMENDED BUDGET JULY 2018	1ST QUARTER	OCT	NOV	DEC	THRU MID-YEAR	PERCENT OF BUDGET	PROJECTED REMAINING	PROJECTED YEAR-END	PERCENT OF BUDGET
	<b>Supplies:</b>											
2305	General Office Expense	5,834	5,834	2,059	249.02	430.63	209.42	2,949	51%	3,380	6,329	108%
2308	Credit Card Clearing Account			(471)	(1,606.45)	1,841.15	(2,032.25)	(2,269)			(2,269)	
2309	Visa Temp Card											
2310	Postage - Direct Charge	6,656	6,656	2,088	437.06	423.78	598.33	3,547	53%	4,200	7,747	116%
2315	Records Storage	715	715	179	59.62		59.62	298	42%	358	656	92%
2316	Surplus Handling											
2323	Reproduction Services			77				77			77	
2335	Temporary Services		15,000.00	-	112.13	241.51		354	2%	-	354	2%
	<b>Consultant &amp; Special Services:</b>											
2400	Legal Counsel	39,300	39,300	43,957	1,381.70	7,046.20	1,640.50	54,025	137%	25,500	79,525	202%
2405	Auditing	11,019	11,019	-				-	0%	10,819	10,819	98%
2410	Data Processing	12,851	12,851	3,213	1,071.00	1,071.00	1,071.00	6,426	50%	6,426	12,852	100%
2415	COWCAP	10,109	10,109	2,527		2,527.25		5,055	50%	5,055	10,109	100%
2420	ISD Other IT Services	225	225	75	37.44	37.44	18.72	168	75%	225	393	175%
2421	ISD Direct	18,755	18,755	3,624	1,606.70	1,420.24	1,341.92	7,992	43%	8,088	16,081	86%
2424	Environmental Consultant	7,350	7,350	3,930	1,000.00	790.00	50.00	5,770	79%	3,150	8,920	121%
2444	Security Services	468	468	117		6,607.92	(6,490.92)	234	50%	234	468	100%
2445	Other Professional Services	43,561	118,561	24,227	3,854.78	6,249.60	10,919.40	45,251	38%	44,781	90,032	76%
2449	Outside Legal (Litigation & Special Counsel)			3,216				3,216		-	3,216	
2450	Application Development Support	200	200	-				-	0%	-	-	0%
2460	GIMS Charges	16,170	16,170	18	13,500.00			13,518	84%	-	13,518	84%
	<b>Lease/Purchases:</b>											
2895	Rent/Lease Equipment (copier)	4,800	4,800	1,797		906.76		2,704	56%	2,700	5,404	113%
2905	Office/Hearing Chamber Rental	99,212	99,212	24,955	23,911.23		405.00	49,272	50%	49,950	99,222	100%
	<b>Travel Related Expenses:</b>											
2940	Private Mileage	6,010	6,010	1,279	1,420.63			2,700	45%	1,990	4,690	78%
2941	Conference/Training	5,330	5,330	3,220	1,226.04			4,446	83%	310	4,756	89%
2942	Hotel	7,920	7,920	2,911	194.25		1,839.87	4,945	62%	420	5,365	68%
2943	Meals	1,735	1,735	208	46.89	4.95	25.43	285	16%	375	660	38%
2944	Car Rental	200	200	-				-	0%	200	200	100%
2945	Air Travel	800	800	-	258.60			259	32%	600	859	107%
2946	Other Travel	400	400	62				62	16%	100	162	41%
	<b>Other Charges:</b>											
5012	Services Out (Staples)	1,200	1,200	-	264.94			264.94	22%	600	865	72%
	<b>TOTAL SERVICES &amp; SUPPLIES</b>	<b>\$ 373,835</b>	<b>\$ 463,835</b>	<b>\$ 165,888</b>	<b>\$ 51,180.52</b>	<b>\$ 35,098.35</b>	<b>\$ 12,324</b>	<b>\$ 264,490</b>	<b>57%</b>	<b>\$ 192,090</b>	<b>\$ 456,580</b>	<b>98%</b>
	<b>TOTAL EXPENDITURES</b>	<b>\$ 1,402,440</b>	<b>\$ 1,303,196</b>	<b>\$ 410,078</b>	<b>\$ 122,097.11</b>	<b>\$ 93,245.50</b>	<b>\$ 78,146</b>	<b>\$ 703,566</b>	<b>54%</b>	<b>\$ 581,672</b>	<b>\$ 1,285,238</b>	<b>99%</b>

1/8/2019

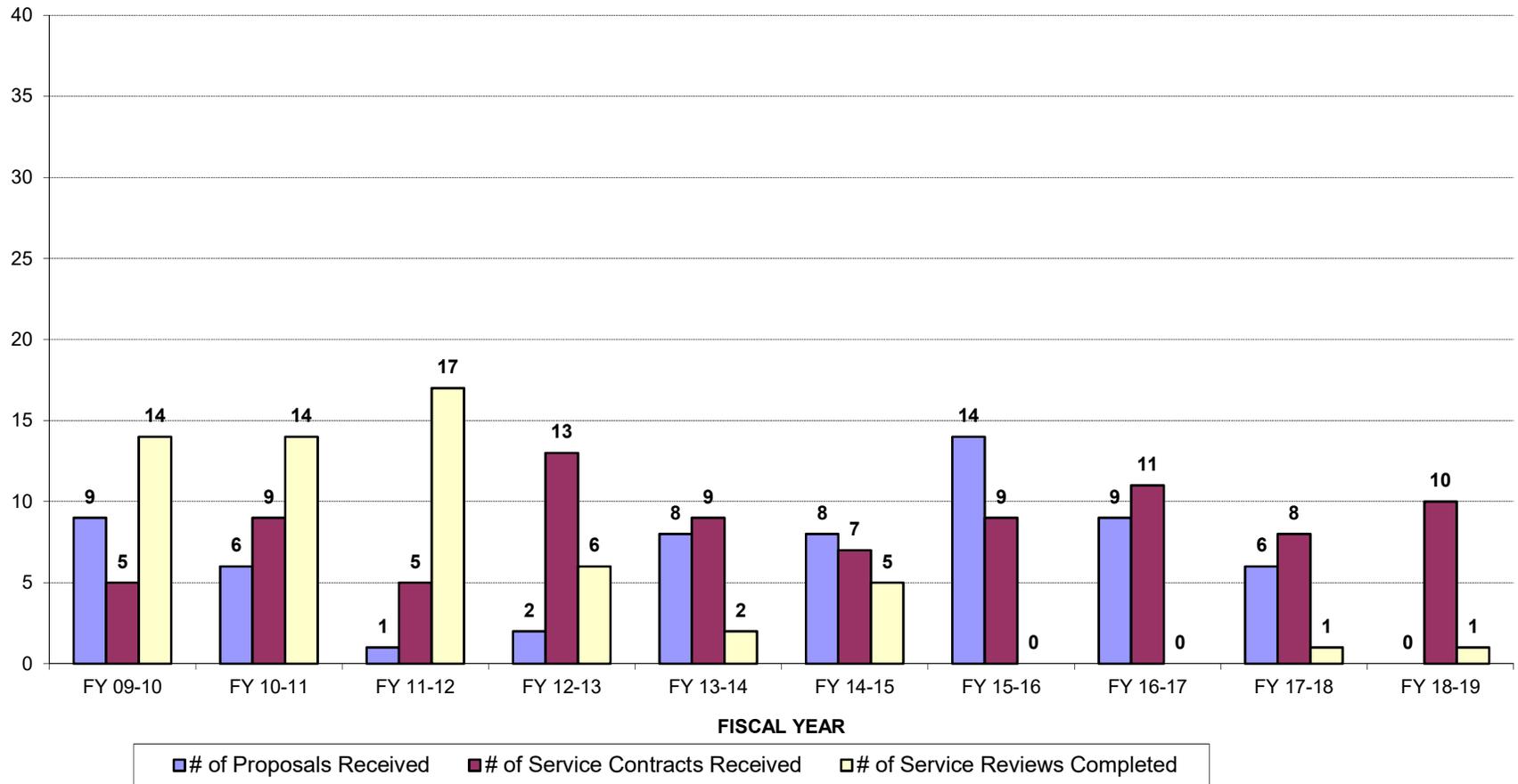
ACCT. #	ACCOUNT NAME	ADOPTED BUDGET MAY 2018	AMENDED BUDGET JULY 2018	1ST QUARTER	OCT	NOV	DEC	THRU MID-YEAR	PERCENT OF BUDGET	PROJECTED REMAINING	PROJECTED YEAR-END	PERCENT OF BUDGET
	<b>RESERVES</b>											
6000	Contingency	\$ 20,442	\$ 50,000	\$ -				\$ -	0%			
6010	Net Pension Liability Reserve	184,963	184,963	-				-	0%			
6025	General Reserve - Litigation	85,608	150,000	-				-	0%			
6030	Compensated Absences Reserve	97,377	97,377	-				-	0%			
<b>TOTAL CONTINGENCIES &amp; RESERVES</b>		<b>\$ 388,390</b>	<b>\$ 482,340</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0%</b>	<b>\$ -</b>	<b>\$ -</b>	<b>0%</b>
<b>TOTAL APPROPRIATION</b>		<b>\$ 1,790,830</b>	<b>\$ 1,785,536</b>	<b>\$ 410,078</b>	<b>\$ 122,097.11</b>	<b>\$ 93,246</b>	<b>\$ 78,146</b>	<b>\$ 703,566</b>	<b>39%</b>	<b>\$ 581,672</b>	<b>\$ 1,285,238</b>	<b>72%</b>

ACCT #	ACCOUNT NAME	ADOPTED BUDGET MAY 2018	AMENDED BUDGET JULY 2018	1ST QUARTER	OCT	NOV	DEC	THRU MID-YEAR	PERCENT OF BUDGET	PROJECTED REMAINING	PROJECTED YEAR-END	PERCENT OF BUDGET
<b>CONTRIBUTION REVENUES</b>												
Use of Money:												
8500	Interest	\$ 11,000	\$ 11,000	\$ 3,011	\$ 3,182.38			\$ 6,193	56%	\$ 9,000	\$ 15,193	138%
Mandatory Contribution from Governments:												
8842	Local Government -- For FY 2018-19 apportionment to County, Cities, and Independent Special Districts (\$368,499 total for each category)	1,105,497	1,105,497	1,105,497			5,190.00	1,110,687	100%	(5,190)	1,105,497	100%
Fees and Deposits (Current Services):												
9545	Individual Notice	6,700	6,700	3,116			700.00	3,816	57%	5,100	8,916	133%
9555	Legal Services	18,000	18,000	30,303	1,451.74	2,479.07	2,060.00	36,294	202%	9,000	45,294	252%
9595	Protest Hearing	7,200	7,200	-				-	0%			0%
9655	GIMS Fees	6,370	6,370	-				-	0%			0%
9660	Environmental	7,000	7,000	4,519			700.00	5,219	75%	5,100	10,319	147%
9800	LAFCO Fees	96,830	96,830	18,450		(3,950.00)	1,500.00	16,000	17%	38,000	54,000	56%
<b>Total Fees and Deposits</b>		<b>142,100</b>	<b>142,100</b>	<b>56,388</b>	<b>1,451.74</b>	<b>(1,470.93)</b>	<b>4,960.00</b>	<b>61,329</b>	<b>43%</b>	<b>57,200</b>	<b>118,529</b>	<b>83%</b>
<b>TOTAL CONTRIBUTION REVENUES</b>		<b>1,258,597</b>	<b>1,258,597</b>	<b>1,164,896</b>	<b>4,634.12</b>	<b>(1,470.93)</b>	<b>10,150.00</b>	<b>1,178,209</b>	<b>94%</b>	<b>61,010</b>	<b>1,239,219</b>	<b>98%</b>
<b>OTHER REVENUES</b>												
9910	Prior Year Activity (refunds, collections)	\$ 13,999	\$ 13,999	-	(686.12)	313.24		(373)	-3%		(373)	-3%
9930	Miscellaneous Revenues	2,000	2,000	10				10	1%		10	1%
9970	Carryover of Open Proposals/Projects	15,000	15,000	(50)				(50)	0%		(50)	0%
9970	Carryover from Prior Year, Assigned			50				50			50	
<b>TOTAL OTHER REVENUES</b>		<b>30,999</b>	<b>30,999</b>	<b>10</b>	<b>(686.12)</b>	<b>313.24</b>	<b>-</b>	<b>(363)</b>	<b>-1%</b>	<b>-</b>	<b>(363)</b>	<b>-1%</b>
<b>TOTAL REVENUES</b>		<b>\$ 1,289,596</b>	<b>\$ 1,289,596</b>	<b>\$ 1,164,906</b>	<b>\$ 3,948.00</b>	<b>\$ (1,157.69)</b>	<b>\$ 10,150.00</b>	<b>\$ 1,177,846</b>	<b>91%</b>	<b>\$ 61,010</b>	<b>\$ 1,238,856</b>	<b>96%</b>
<b>RESERVES FROM PRIOR YEAR, as of July 1</b>												
9970	Contingency	63,077	57,783	57,783				57,783	100%		57,783	100%
9970	Net Pension Liability Reserve	148,450	148,450	148,450				148,450	100%		148,450	100%
9970	General Reserve - Litigation	200,000	200,000	200,000				200,000	100%		200,000	100%
9970	Compensated Absences Reserve	89,708	89,708	89,708				89,708	100%		89,708	100%
<b>TOTAL RESERVES FROM PRIOR YEAR</b>		<b>\$ 501,235</b>	<b>\$ 495,941</b>	<b>\$ 495,941</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 495,941</b>	<b>100%</b>	<b>\$ -</b>	<b>\$ 495,941</b>	<b>100%</b>
<b>TOTAL REVENUE AND RESERVES</b>		<b>\$ 1,790,831</b>	<b>\$ 1,785,537</b>	<b>\$ 1,660,847</b>	<b>\$ 3,948.00</b>	<b>\$ (1,157.69)</b>	<b>\$ 10,150.00</b>	<b>\$ 1,673,787</b>	<b>94%</b>	<b>\$ 61,010</b>	<b>\$ 1,734,797</b>	<b>97%</b>
Note: Spreadsheet utilizes the cash basis of accounting and does not include accrual/reversal data which do not affect fund balance.												

**Chart Illustrating Yearly  
Proposal, Service Contract,  
and Service Review Activity**

**Attachment 2**

**Number of Proposals & Service Contracts Received, and Service Reviews Completed by Fiscal Year**



Through December 2018