


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

DATE: APRIL 12, 2023 
FROM: SAMUEL MARTINEZ, Executive Officer
MICHAEL TUERPE, Senior Analyst
TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #10: LAFCO 3261 – Reorganization to Include Annexation to the City of Fontana and Detachment from County Service Area 70

INITIATION:

Initiated by Landowner Petition (I-15 Logistics, LLC, property owner)

RECOMMENDATION:

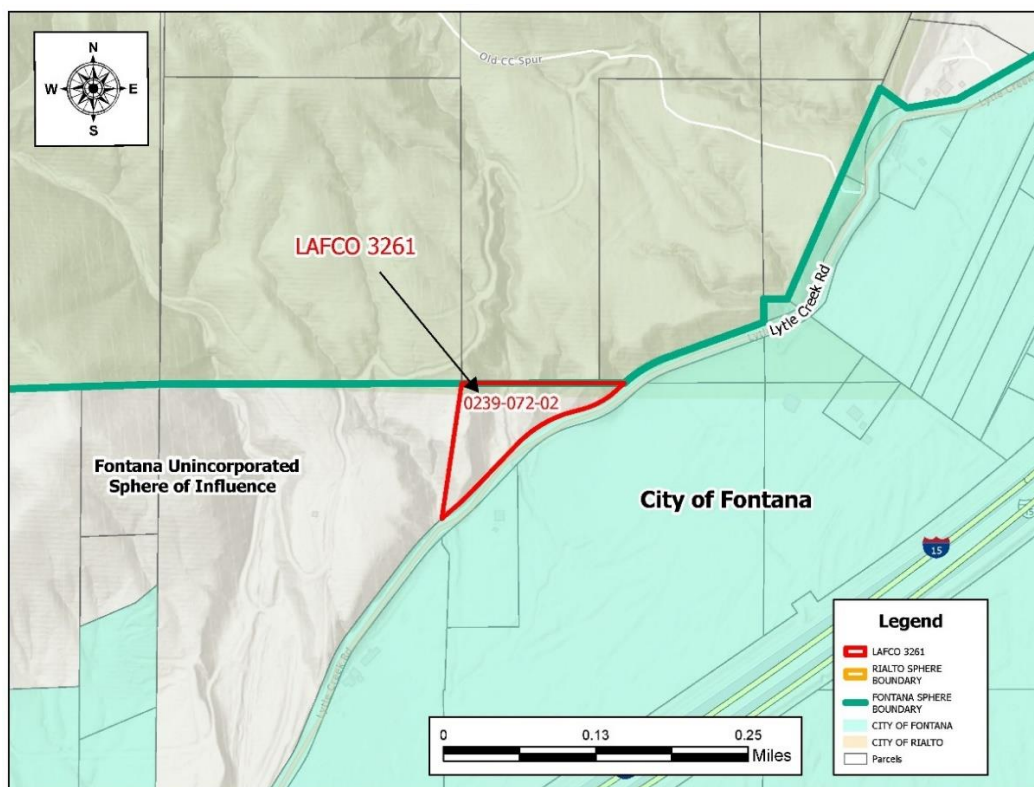
Staff recommends that the Commission approve LAFCO 3261 by taking the following actions:

1. With respect to environmental review:
 - a. Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the City of Fontana's Final Environmental Impact Report for the I-15 Logistics Project and Addendum #1 (SCH No. 218011008);
 - b. Determine that the City of Fontana's Final Environmental Impact Report for the I-15 Logistics Project and Addendum #1 are adequate for the Commission's use as a CEQA Lead Agency for its consideration of LAFCO 3261;
 - c. Adopt the Addendum, as presented, that addresses the reorganization area and the debris basin associated with the I-15 Logistics Project;
 - d. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the proposal; that the mitigation measures identified in the City's environmental documents associated with the I-15 Logistics Project are the responsibility of the City and/or others, not the Commission; and,

- e. Direct the Executive Officer to file the Notice of Determination within five (5) days.
2. Approve LAFCO 3261 with the standard LAFCO terms and conditions that include, but are not limited to, the “hold harmless” clause for potential litigation costs by the applicant and the continuation of fees, charges, and/or assessments currently authorized by the annexing agency;
3. Waive protest proceedings, as permitted by Government Code Section 56662(d), with 100% landowner consent to the reorganization proposal; and,
4. Adopt LAFCO Resolution No. 3368, setting forth the Commission’s determinations and conditions of approval concerning LAFCO 3261.

BACKGROUND:

LAFCO 3261 is a reorganization proposal initiated by a property owner/developer, I-15 Logistics, LLC, that includes annexation of a single parcel, Assessor Parcel Number 0239-072-02 encompassing approximately 5.4 acres into the City of Fontana (City) and detachment from County Service Area 70 (CSA 70).

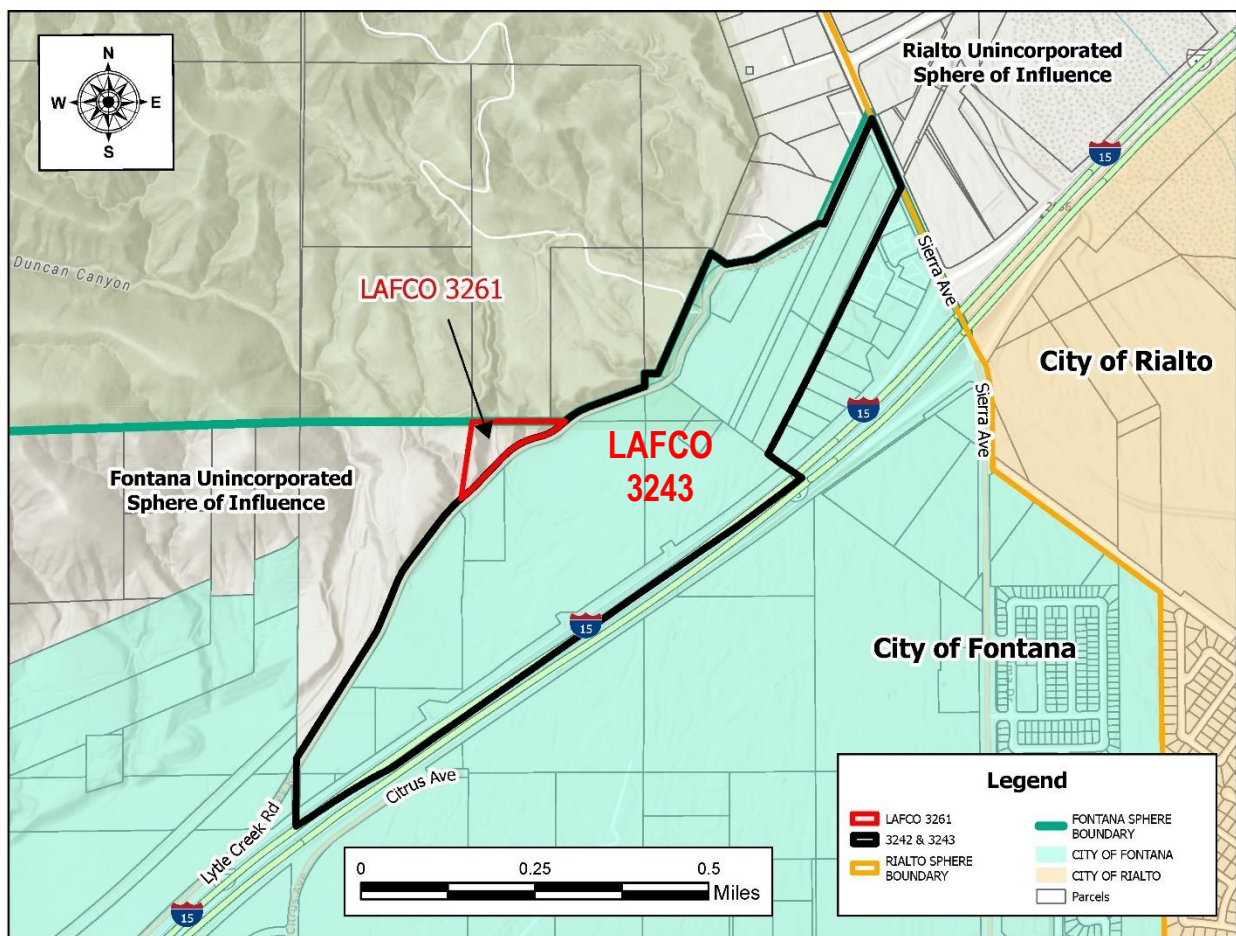


The reorganization area is located on the north side of Lytle Creek Road, generally between Sierra Avenue and the natural northerly extension of Citrus Avenue.

The primary reason for the annexation request, as outlined in the application materials (included as Attachment #2 to this report), is to construct a debris basin (and storm drain connection) within the property that is needed to support the I-15 Logistics Project—a 1,171,788 sq. ft. high-cube warehouse logistics facility that was previously annexed into the City.

LAFCO 3242 and LAFCO 3243

In 2021, the City of Fontana initiated, and the Commission approved, a sphere of influence amendment (LAFCO 3242) and a reorganization (LAFCO 3243) that annexed the said warehouse logistics facility into the City of Fontana.



The reorganization area for LAFCO 3243 (in black outline) not only included the project site itself but also included all the properties generally south of Lytle Creek Road from Sierra Avenue to the City's existing boundaries along the natural extension of Citrus Avenue.

However, the previous annexation—unfortunately—did not include the debris basin parcel (in red outline) that is needed to manage surface runoff to the I-15 Logistics Project as well as the adjacent Interstate 15 Freeway facilities. The area to the north of the reorganization area (and the said I-15 Logistics Project) has experienced wildfires in the past resulting in

scorched and barren ground making it susceptible to mudflows, which could cause significant damage to not only the I-15 Logistics facility but also to the adjacent freeway facilities.

Debris basins are facilities designed to catch vegetative and sedimentary debris, such as tree branches, boulders, and other debris that are washed out of the canyons during storms but allow water to flow into the downstream storm drain system.

Therefore, the property owner/developer is petitioning the annexation of said parcel into the City to allow for the debris basin to be built on the site, which is intended to serve the I-15 Logistics Project and the adjacent freeway facilities.

STAFF ANALYSIS:

In every consideration for jurisdictional change, the Commission is required to review information on a number of things including, but not limited to, boundaries, land use, service issues and the effects on other local governments, and environmental considerations.

BOUNDARIES:

The reorganization area includes a single parcel, Assessor Parcel Number (APN) 0239-072-02, which is approximately 5.4 acres and is located on the north side of Lytle Creek Road, within the City of Fontana's northerly sphere of influence.

No boundary issue has been identified. It is LAFCO staff's position that the reorganization proposal provides for a logical boundary since it is where the debris basin is to be built to serve the I-15 Logistics Project and the adjacent freeway facilities.

LAND USE:

The property is currently vacant and undeveloped land. The existing County land use and zoning designation for the reorganization area is Special Development-Residential (SD-RES). The City has assigned General Plan land use designations of Residential Estates (R-E) and Public Utility (P-UC) as well as zoning designations of Residential Estate (R-E) and Open Space – Natural (OS-N). The County's land use designation of SD-RES is generally compatible with the City's anticipated land use assigned for the property.

The parcel is specifically needed to build a debris basin and connection to the storm drain. The debris basin area will be graded, and a 12-foot-wide access road will be constructed for access to the basin. The debris basin will be a permanent facility on the site.

SERVICE DELIVERY 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 service providers within the reorganization area are Fontana Fire Protection District (City subsidiary district providing fire protection and emergency medical services), West Valley Water District (retail water

service), San Bernardino Valley Municipal Water District (wholesale water/State Water Contractor), and the Inland Empire Resource Conservation District. County Service Area 70 (multi-function, unincorporated countywide entity) is the only County service provider within the reorganization area affected by the change.

Plan for Service:

The City of Fontana has certified a “Supplemental Plan for Service” that includes a Fiscal Impact Analysis prepared by the City. Copies of the City’s certified Supplemental Plan for Service and Fiscal Impact Analysis are included as Attachment #3.

- Debris Basin Maintenance:

The property owner/developer, I-15 Logistics, LLC, will maintain the debris basin and the associated storm drain line under a maintenance agreement with the City. The agreement will be signed upon completion of the annexation—prior to the issuance of the debris basin grading plans (see Attachment #4).

- Fire Protection/Emergency Medical Services:

The reorganization area is already within the boundaries of the city’s subsidiary district, the Fontana Fire Protection District, which serves the entire City and its sphere of influence. It should be noted that, as a debris basin facility, the need for fire protection and emergency medical services are nominal.

- Law Enforcement:

Law enforcement responsibilities will shift from the San Bernardino County Sheriff’s Department and California Highway Patrol to the City of Fontana Police Department. It should be noted that, as a debris basin facility, the need for law enforcement services are also nominal.

- Water Service:

The reorganization area is already within the boundaries of the West Valley WD, which provides retail water service. In addition, the reorganization area is also within the boundaries of San Bernardino Valley Municipal Water District, which provides wholesale water service. There will be no need for water service to the parcel.

- Sewer Service:

The City provides for wastewater collection within its boundaries, while the treatment and disposal of wastewater is the responsibility of the Inland Empire Utilities Agency. There will also be no need for sewer service to the parcel.

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

ENVIRONMENTAL CONSIDERATIONS:

The City prepared an Environmental Impact Report (EIR) for its approval of the I-15 Logistics Project (SCH No. 218011008) that included the annexation of not only the 1,171,788 sq. ft. high-cube warehouse logistics facility but also the annexation of all the properties generally south of Lytle Creek Road from Sierra Avenue to the City's existing boundaries along the natural extension of Citrus Avenue totaling approximately 152 acres. In 2021, acting as CEQA responsible agency, the Commission reviewed and approved a sphere of influence amendment (LAFCO 3242) and a reorganization (LAFCO 3243) that annexed the said warehouse logistics facility into the City of Fontana.

For LAFCO 3261, an addendum to the City's Final EIR for the I-15 Logistics Project was prepared for the Commission's use in considering LAFCO 3261.

The City's Final EIR for the I-15 Logistics Project and its Addendum #1 are included as part of Attachment #5, which have been reviewed by the Commission's Environmental Consultant, Tom Dodson of Tom Dodson and Associates. Mr. Dodson has determined that, if the Commission chooses to approve LAFCO 3261, the City's environmental documents and the Addendum #1 are adequate for Commission's use as a lead agency under CEQA. The addition of the LAFCO 3261 property has no potential to cause or result in additional significant adverse impacts to the environment. The following are the necessary environmental actions to be taken by the Commission:

- a. Certify that the Commission, its staff, and its Environmental Consultant have independently reviewed and considered the City's Final EIR for the I-15 Logistics Project and Addendum #1 (SCH No. 218011008);
- b. Determine that the City's Final EIR for the I-15 Logistics Project and Addendum #1 are adequate for the Commission's use as a CEQA Lead Agency for its consideration of LAFCO 3261 and that the Commission has considered the supporting environmental documentation and environmental effects as outlined in the City's environmental documents for the I-15 Logistics Project and Addendum #1 prior to reaching a decision on LAFCO 3261;
- c. Adopt the Addendum, as presented, that addresses the reorganization area and the debris basin associated with the I-15 Logistics Project;
- d. Determine that the Commission does not intend to adopt alternatives or additional mitigation measures for the proposal; that the mitigation measures identified in the Addendum or the City's environmental documents associated with the I-15 Logistics Project are the responsibility of the City and/or others, not the Commission; and,
- e. Direct the Executive Officer to file the Notice of Determination within five (5) days.

Waiver Of Protest Procedures:

The reorganization area is uninhabited (as determined by the Registrar of Voters) and LAFCO staff verified that the reorganization area possesses 100% landowner consent to the reorganization. Therefore, if the Commission approves LAFCO 3261 and none of the affected agencies submit written opposition to a waiver of protest proceedings, staff is recommending that the protest proceedings be waived. The action would include direction to the Executive Officer to complete the reorganization following conclusion of the mandatory 30-day reconsideration period.

CONCLUSION:

The purpose of initiating this reorganization is to annex the property into the City of Fontana in order to construct a debris basin (and storm drain connection) that is needed to support the I-15 Logistics Project—a 1,171,788 sq. ft. high-cube warehouse logistics facility that was previously annexed into the City—and the adjacent freeway facilities.

For this reason, and those outlined throughout the staff report, the staff supports the approval of LAFCO 3261.

DETERMINATIONS:

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

1. The County Registrar of Voters Office has determined that the reorganization area is legally uninhabited containing zero registered voters as of March 24, 2023.
2. The County Assessor's Office has determined that the total assessed valuation of land within the reorganization area is \$1,191,323 as of November 29, 2022.
3. The reorganization area is within the sphere of influence assigned the City of Fontana.
4. Legal advertisement of the Commission's consideration has been provided through publication in *The Sun*, a newspaper of general circulation within the reorganization area. As required by State law, individual notice was provided to affected and interested agencies, County departments, and those individuals and agencies having requested such notice.
5. In accordance with State law and adopted Commission policies, LAFCO staff has provided individual notice to landowners (10) and registered voters (6) surrounding the reorganization area (totaling 16 notices). To date, no written comments in support or opposition have been received. Comments from registered voters, landowners, and other individuals and any affected local agency in support or

opposition will be reviewed and considered by the Commission in making its determination.

6. The City of Fontana pre-zoned the reorganization area as Residential Estate (R-E) and Open Space-Natural (OS-N).
7. The Southern California Associated Governments (“SCAG”) adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3261 has no direct impact on SCAG’s Regional Transportation Plan and Sustainable Communities Strategy; however, the reorganization area is close to the I-15 Freeway, which is part of the RTP-SCS’s regional express lane network that will be adding two express lanes on both freeways in each direction for completion by 2040.
8. The City of Fontana approved and adopted its 2017 Local Hazard Mitigation Plan on August 14, 2018 that shows the reorganization area is adjacent to both high and very high Fire Hazard Severity Zones.
9. As CEQA lead agency, the Commission’s Environmental Consultant, Tom Dodson of Tom Dodson and Associates, has reviewed the Addendum prepared for the City’s Final Environmental Impact Report for the I-15 Logistics Project (SCH No. 218011008) and has indicated that the City’s environmental documents and the Addendum are adequate for the Commission’s use as CEQA lead agency. The addition of the LAFCO 3261 property has no potential to cause or result in additional significant adverse impacts to the environment. Copies of the Addendum and the City’s Complete Final EIR and all associated documents are included (as Web links) in Attachment #5.
10. The reorganization area is served by the following local agencies:

County of San Bernardino
Inland Empire Resource Conservation District
Fontana Fire Protection District (city subsidiary district)
West Valley Water District
San Bernardino Valley Municipal Water District
County Service Area 70 (multi-function unincorporated area Countywide)

The area will be detached from County Service Area 70 and its sphere of influence reduced as a function of the reorganization.

11. A Plan was prepared for the extension of services to the reorganization area, as required by law. The Supplemental Plan for Service and the Fiscal Impact Analysis, as certified by the City, indicates that the City can maintain and/or improve the level and range of services currently available in the area. A copy of the Plan is included as Attachment #3 to this report.

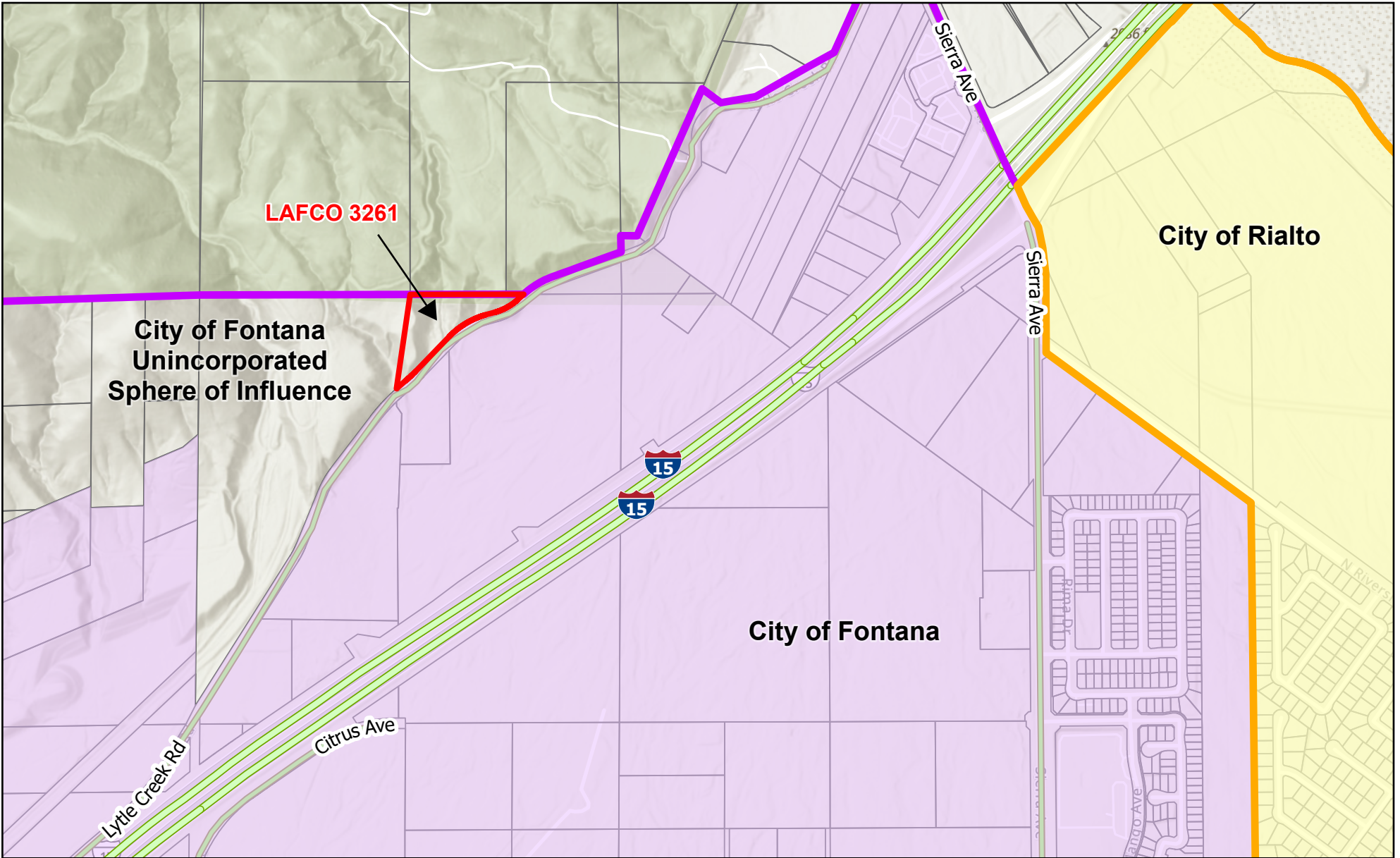
The Plan for Service and Fiscal Impact Analysis has been reviewed and compared with the standards established by the Commission and the factors contained within

Government Code Section 56668. The Commission finds that the Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

12. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use to be included within a City so that the full range of municipal services can be planned, funded, extended and maintained.
13. The reorganization area can benefit from the availability and extension of municipal-level services from the City of Fontana.
14. This proposal will not have an effect on the City of Fontana's ability to achieve its fair share of regional housing needs since a debris basin is being built on the property.
15. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes approval of the reorganization to annex the parcel into the City of Fontana to be used for a debris basin to serve the I-15 Logistics Project will not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.
16. The County of San Bernardino and the City of Fontana have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
17. The map and legal description, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

ATTACHMENTS:

1. [Vicinity Map and Reorganization Map](#)
2. [Applicant's Application Materials](#)
3. [Plan for Service Supplement and Fiscal Impact Analysis Certified by the City of Fontana](#)
4. [Draft Memorandum of Agreement for Water Quality Management Plan and Storm Water BMP Transfer, Access and Maintenance](#)
5. [Environmental Response from Tom Dodson and Addendum #1 to the City of Fontana's Final Environmental Impact Report for the I-15 Logistics Project \(SCH No. 218011008\) Including Links to the Environmental Documents Related to the City's Approval of the I-15 Logistics Project](#)
6. [Draft Resolution No. 3368](#)

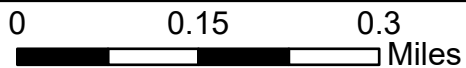


LAFCO 3261 - Reorganization to Include Annexation to the City of Fontana and Detachment from County Service Area 70 (APN 0239-072-02)

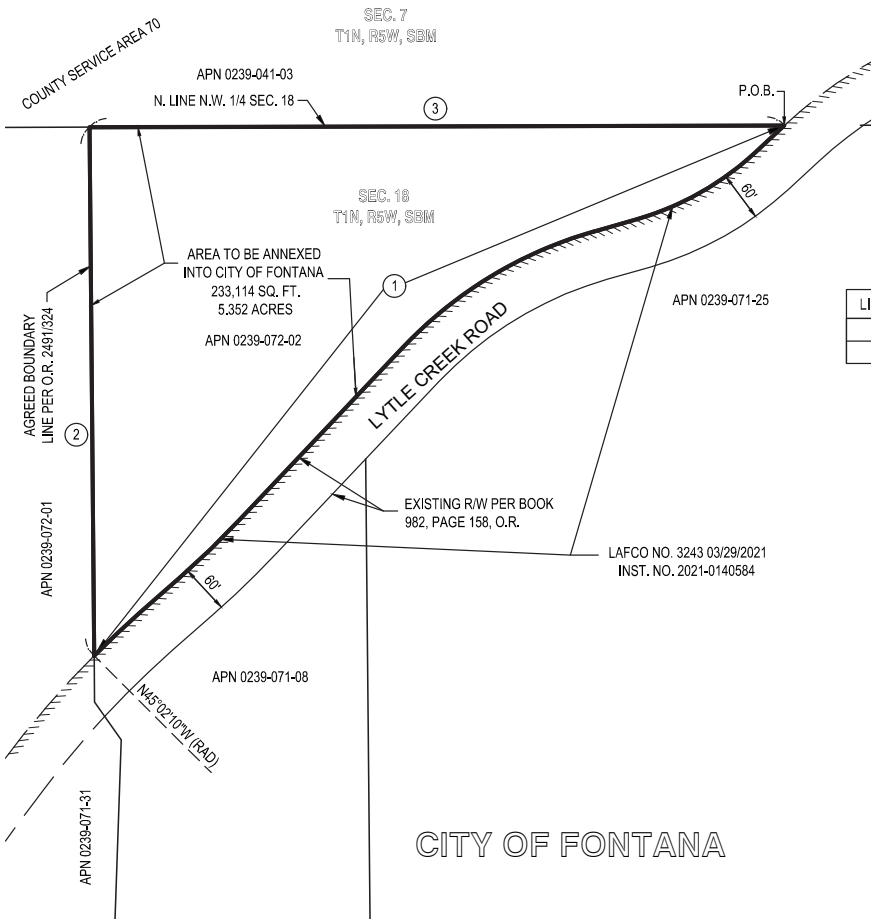
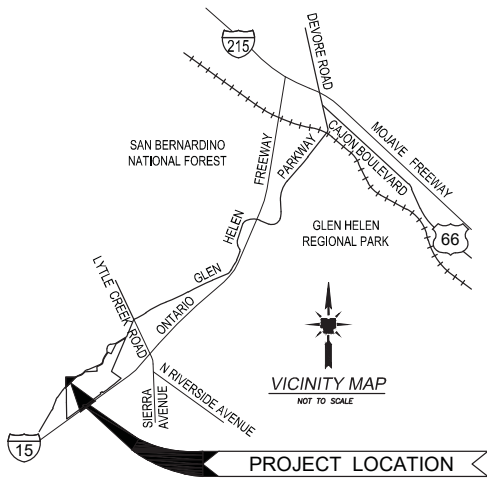
Legend

- Annexation Area
- City of Rialto
- Fontana Sphere Boundary
- City of Fontana
- Parcels

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



**EXHIBIT B
ANNEXATION MAP**
LAFCO 3261 - REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF FONTANA
AND DETACHMENT FROM COUNTY SERVICE AREA 70 (APN 0239-072-02)



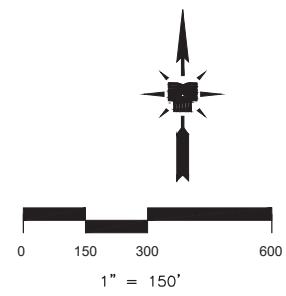
LINE #	BEARING/DELTA	RADIUS	LENGTH
2	N00°30'32\"W		637.97'
3	N89°51'25\"E		838.74'

- LEGEND**
- P.O.B. = POINT OF BEGINNING
 - [Solid line] = ANNEXATION/DETACHMENT BOUNDARY
 - [Dashed line] = EXISTING CITY OF FONTANA BOUNDARY AND LAFCO 3243 BOUNDARY
 - # = COURSE NUMBER

AFFECTED AGENCIES
CITY OF FONTANA
COUNTY SERVICE AREA 70

Robert Walker

 ROBERT WALKER, PLS 7137
 DATE PREPARED: 03/14/2023



ANNEXATION TO THE CITY OF FONTANA

DAVID EVANS AND ASSOCIATES INC.
 1411
 Chino California 91704
 Phone: 909.481.5750

REVISIONS: APPD.
 DATE: March 14, 2023
 DESIGN:
 DRAWN: SKZ
 CHECKED: RW
 REVISION NUMBER:
 SCALE: 1"=150'
 PROJECT NUMBER: CPRK115L0001
 DRAWING FILE: CPRK115L0001 Annexation Exhibit B
 SHEET NO.

RECEIVED

NOV 04 2022

LAFCO
San Bernardino County

NOTICE OF INTENT TO CIRCULATE PETITION

Notice is hereby given of the intention to circulate a petition proposing

annexation of approximately 3.42 acres (Assessor's Parcel Number 0239-072-02) to
the City of Fontana.

A written statement of the reasons for the proposal, not to exceed 500 words in length is as follows:

Annexation is required to accommodate construction of a debris basin and storm
drain connection in support of the I-15 Logistics Center project.

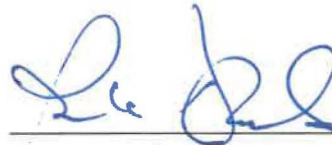
Name and address of proponent:

I-15 Logistics, LLC

1300 Dove St., Ste. 200

Newport Beach, CA 92660

SIGNED BY:



DATED:

10/27/2022

Required Attachments:

Sample Petition

Legal Description(s) and Map(s) of Changes within the Proposal

(The "Notice of Intent to Circulate Petition" must be filed with the Executive Officer of the Local Agency Formation Commission for San Bernardino County prior to circulating the petition. Upon receipt of this Notice, the Executive Officer is required to notify all affected agencies.)

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

1170 W. Third Street, Unit 150,
San Bernardino, CA 92415-0490 • (909) 388-0480 • FAX (909) 388-0481
E-MAIL: lafco@lafco.sbcounty.gov

RECEIVED
NOV 04 2022
LAFCO
San Bernardino County

LANDOWNER PETITION INITIATING PROCEEDINGS

We, the undersigned Landowners, do hereby petition the Local Agency Formation Commission, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.), as follows:

Annexation of approximately 3.42 acres (Assessor's Parcel Number 0239-072-02) to the City of Fontana.

(List all proposed changes of organization)

To the best of our knowledge, the proposal is consistent with the adopted sphere(s) of influence for an affected agency or agencies, and we understand that this proposal cannot be considered unless and until such spheres are consistent.

We certify that we are true and legal landowners of the named property and understand that these petitions may not be circulated separately from a current legal description and a current map showing the area of review.

The names and addresses of the Chief Petitioners for this proposal are as follows (not to exceed three persons):


I-15 Logistics, LLC _____
1300 Dove St., Ste. 200 _____
Newport Beach, CA 92660 _____

The reason(s) for this proposal is (are):
to accommodate construction of a debris basin and storm drain connection in support of the
I-15 Logistics Center project.

The requested terms and conditions for this proposal, if any, are as follows: None

We hereby request that the Local Agency Formation Commission for San Bernardino County conduct proceedings on this proposal pursuant to the provisions of Government Code Sections 56000 et seq.

The landowner must sign his/her name, residence address, and the date of signing in his/her own handwriting. His/her parcel number must be included. If signing on behalf of a business or corporation, documentation must be attached showing ability to sign as legal representative for that enterprise.

SIGN NAME 	RESIDENCE ADDRESS	DATE <u>11/4/2022</u>	PARCEL NUMBER 0239-072-02
PRINT NAME I-15 Logistics, LLC By: Patrick Daniels, CEO			
SIGN NAME	RESIDENCE ADDRESS	DATE	PARCEL NUMBER
PRINT NAME			
SIGN NAME	RESIDENCE ADDRESS	DATE	PARCEL NUMBER
PRINT NAME			
SIGN NAME	RESIDENCE ADDRESS	DATE	PARCEL NUMBER
PRINT NAME			

SAN BERNARDINO LAFCO APPLICATION AND PRELIMINARY ENVIRONMENTAL DESCRIPTION FORM

INTRODUCTION: The questions on this form and its supplements are designed to obtain enough data about the application to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. By taking the time to fully respond to the questions on the forms, you can reduce the processing time for your proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, or attach any relevant documents.

GENERAL INFORMATION

1. NAME OF PROPOSAL: _____
Annexation of approximately 3.42 acres (Assessor's Parcel Number 0239-072-02) to the City of Fontana.

2. NAME OF APPLICANT: I-15 Logistics, LLC
APPLICANT TYPE: Landowner Local Agency
 Registered Voter Other _____

MAILING ADDRESS:
1300 Dove St., Ste. 200, Newport Beach, CA 92660

PHONE: (817) 813-8826

FAX: () n/a

E-MAIL ADDRESS: jroberts@caprock-partners.com

3. GENERAL LOCATION OF PROPOSAL: _____
APN 0239-072-02, north of Lytle Creek Road between Sierra Avenue and Duncan Canyon Road.

4. Does the application possess 100% written consent of each landowner in the subject territory?
YES NO If YES, provide written authorization for change.

5. Indicate the reason(s) that the proposed action has been requested. _____
Annexation is required to accommodate construction of a debris basin and storm drain connection in support of the I-15 Logistics Center project.

LAND USE AND DEVELOPMENT POTENTIAL

1. Total land area of subject territory (defined in acres):
3.42 acres

2. Current dwelling units within area classified by type (single-family residential, multi-family [duplex, four-plex, 10-unit], apartments)
None

3. Approximate current population within area:
None

4. Indicate the General Plan designation(s) of the affected city (if any) and uses permitted by this designation(s):
Fontana General Plan R-E (Residential Estates) district, permitting various residential, open space, and utility uses

San Bernardino County General Plan designation(s) and uses permitted by this designation(s):
SD-RES (Special Development - Residential) district, permitting various residential, open space, and utility uses

5. Describe any special land use concerns expressed in the above plans. In addition, for a City Annexation or Reorganization, provide a discussion of the land use plan's consistency with the regional transportation plan as adopted pursuant to Government Code Section 65080 for the subject territory:
No development apart from a debris basin is planned. There are no special land use concerns associated with this use.

6. Indicate the existing use of the subject territory.
Vacant

What is the proposed land use?
Debris basin

7. Will the proposal require public services from any agency or district which is currently operating at or near capacity (including sewer, water, police, fire, or schools)? YES NO If YES, please explain.
No public services are required.

8. On the following list, indicate if any portion of the territory contains the following by placing a checkmark next to the item:

- Agricultural Land Uses
- Williamson Act Contract
- Any other unusual features of the area or permits required: _____
- Agricultural Preserve Designation
- Area where Special Permits are Required

9. Provide a narrative response to the following factor of consideration as identified in §56668(p): *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services:*

The annexation area is vacant and surrounded by vacant land. The annexation would not result in environmental justice impacts, and will support economic development by providing jobs.

ENVIRONMENTAL INFORMATION

1. Provide general description of topography. The site slopes downward to Lytle Creek Road.

2. Describe any existing improvements on the subject territory as % of total area.

Residential	<u>0</u>	%	Agricultural	<u>0</u>	%
Commercial	<u>0</u>	%	Vacant	<u>100</u>	%
Industrial	<u>0</u>	%	Other	<u>0</u>	%

3. Describe the surrounding land uses:

NORTH	<u>Vacant</u>
EAST	<u>Vacant</u>
SOUTH	<u>Vacant (approved industrial development)</u>
WEST	<u>Vacant</u>

4. Describe site alterations that will be produced by improvement projects associated with this proposed action (installation of water facilities, sewer facilities, grading, flow channelization, etc.).

The project will include grading and installation of a debris basin with a storm drain connection.

5. Will service extensions accomplished by this proposal induce growth on this site? YES
 NO Adjacent sites? YES NO Unincorporated Incorporated

6. Are there any existing out-of-agency service contracts/agreements within the area? YES
 NO If YES, please identify.

7. Is this proposal a part of a larger project or series of projects? YES NO If YES, please explain.

This is a supporting element to the approved I-15 Logistics Center project.

NOTICES

Please provide the names and addresses of persons who are to be furnished mailed notice of the hearing(s) and receive copies of the agenda and staff report.

NAME James Roberts, Caprock Partners TELEPHONE NO. (817) 713-8826

ADDRESS: 1300 Dove St., Ste. 200, Newport Beach, CA 92660

NAME Andrea Arcilla, EPD Solutions, Inc. TELEPHONE NO. (949) 278-5413

ADDRESS: 2355 Main St., Ste. 100, Irvine, CA 92614

NAME _____ TELEPHONE NO. _____

ADDRESS: _____

CERTIFICATION

As a part of this application, the City/Town of _____, or the _____ District/Agency, _____ (the applicant) and/or the I-15 Logistics, LLC (real party in interest - landowner and/or registered voter of the application subject property) agree to defend, indemnify, hold harmless, promptly reimburse San Bernardino LAFCO for all reasonable expenses and attorney fees,

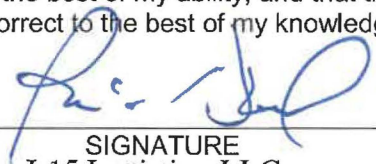
and release San Bernardino LAFCO, its agents, officers, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it.

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.

As the person signing this application, I 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 and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

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

DATE _____



SIGNATURE
I-15 Logistics, LLC

Printed Name of Applicant or Real Property in Interest
(Landowner/Registered Voter of the Application Subject Property)

Patrick Daniels, CEO

Title and Affiliation (if applicable)

PLEASE CHECK SUPPLEMENTAL FORMS ATTACHED:

- ANNEXATION, DETACHMENT, REORGANIZATION SUPPLEMENT
- SPHERE OF INFLUENCE CHANGE SUPPLEMENT
- CITY INCORPORATION SUPPLEMENT
- FORMATION OF A SPECIAL DISTRICT SUPPLEMENT
- ACTIVATION OR DIVESTITURE OF FUNCTIONS AND/OR SERVICES FOR SPECIAL DISTRICTS SUPPLEMENT

SUPPLEMENT ANNEXATION, DETACHMENT, REORGANIZATION PROPOSALS

INTRODUCTION: The questions on this form are designed to obtain data about the specific annexation, detachment and/or reorganization proposal to allow the San Bernardino LAFCO, its staff and others to adequately assess the proposal. You may also include any additional information which you believe is pertinent. Use additional sheets where necessary, and/or include any relevant documents.

1. Please identify the agencies involved in the proposal by proposed action:

ANNEXED TO
City of Fontana

DETACHED FROM

2. For a city annexation, State law requires pre-zoning of the territory proposed for annexation. Provide a response to the following:

a. Has pre-zoning been completed? YES NO

b. If the response to "a" is NO, is the area in the process of pre-zoning? YES NO

Identify below the pre-zoning classification, title, and densities permitted. If the pre-zoning process is underway, identify the timing for completion of the process.

R-E (Residential Estate) zone, allowing low-density residential, open space uses, and
utilities.

3. For a city annexation, would the proposal create a totally or substantially surrounded island of unincorporated territory?

YES NO If YES, please provide a written justification for the proposed boundary configuration.

4. Will the territory proposed for change be subject to any new or additional special taxes, any new assessment districts, or fees?

Not applicable

5. Will the territory be relieved of any existing special taxes, assessments, district charges or fees required by the agencies to be detached?

Not applicable

6. If a Williamson Act Contract(s) exists within the area proposed for annexation to a City, please provide a copy of the original contract, the notice of non-renewal (if appropriate) and any protest to the contract filed with the County by the City. Please provide an outline of the City's anticipated actions with regard to this contract.

Not applicable

7. Provide a description of how the proposed change will assist the annexing agency in achieving its fair share of regional housing needs as determined by SCAG.

The project site is not proposed for residential use. Residential uses are not feasible due to the site's distance from existing infrastructure.

8. **PLAN FOR SERVICES:** *see attached plan for service and Fiscal impact analysis*

For each item identified for a change in service provider, a narrative "Plan for Service" (required by Government Code Section 56653) must be submitted. This plan shall, at a minimum, respond to each of the following questions and be signed and certified by an official of the annexing agency or agencies.

- A. A description of the level and range of each service to be provided to the affected territory.
- B. An indication of when the service can be feasibly extended to the affected territory.
- C. An identification of any improvement or upgrading of structures, roads, water or sewer facilities, other infrastructure, or other conditions the affected agency would impose upon the affected territory.
- D. The Plan shall include a Fiscal Impact Analysis which shows the estimated cost of extending the service and a description of how the service or required improvements will be financed. The Fiscal Impact Analysis shall provide, at a minimum, a five (5)-year projection of revenues and expenditures. A narrative discussion of the sufficiency of revenues for anticipated service extensions and operations is required.

- E. An indication of whether the annexing territory is, or will be, proposed for inclusion within an existing or proposed improvement zone/district, redevelopment area, assessment district, or community facilities district.
- F. If retail water service is to be provided through this change, provide a description of the timely availability of water for projected needs within the area based upon factors identified in Government Code Section 65352.5 (as required by Government Code Section 56668(k)).

CERTIFICATION

As a part of this application, the City/Town of _____, or the _____ District/Agency, _____ (the applicant) and/or the I-15 Logistics, LLC (real party in interest - landowner and/or registered voter of the application subject property) 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.

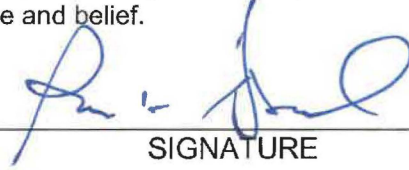
This indemnification obligation shall include, but not be limited to, damages, penalties, fines and other costs imposed upon or incurred by San Bernardino LAFCO should San Bernardino LAFCO be named as a party in any litigation or administrative proceeding in connection with this application.

As the person signing this application, I 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 and/or the real party in interest to indemnify, hold harmless and reimburse the Commission for all legal actions that might be initiated as a result of that approval.

As the proponent, I acknowledge that annexation to the City/Town of Fontana or the _____ District/Agency may result in the imposition of taxes, fees, and assessments existing within the (city or district) on the effective date of the change of organization. I hereby waive any rights I may have under Articles XIII C and XIII D of the State Constitution (Proposition 218) to a hearing, assessment ballot processing or an election on those existing taxes, fees and assessments.

I hereby certify that the statements furnished above and the documents attached to this form present the data and information required to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

DATE 10-28-22



SIGNATURE

Printed Name of Applicant or Real Property in Interest
(Landowner/Registered Voter of the Application Subject Property)

I-15 Logistics, LLC

Title and Affiliation (if applicable)



I-15 LOGISTICS CENTER ANNEXATION

Supplement to Plan for Service
City of Fontana

Prepared for:

LAFCO for San Bernardino County
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0490

Prepared by:

EPD Solutions, Inc.
2 Park Plaza, Suite 1120
Irvine, CA 92614

December 14, 2022

**Supplement to Plan for Service
I-15 Logistics Center – Debris Basin Annexation
City of Fontana**

This is a supplement to the Plan for Service (Appendix A) dated November 2019 for the I-15 Logistics Center Reorganization. The Plan for Services was prepared in support of actions LAFCO 3242 and 3243.

An additional annexation to the City of Fontana of approximately 3.42 acres (Exhibit 1), located north of Lytle Creek Road and consisting of Assessor’s Parcel Number 0239-072-02, is required for development of the I-15 Logistics Center property. The land is specifically needed for a debris basin and connection to a 48-inch diameter storm drain. Debris basins capture sediment, gravel, and other debris that are washed downstream during storms, and filter water into the storm drain system. The basin and associated storm drain line will be maintained by the property owner, I-15 Logistics, LLC, under a maintenance agreement with the City. City-provided services for the debris basin parcel will be limited to general government services. No other development would occur within the annexation area..

I hereby certify that this supplement presents the data and information required for the Plan for Service for the I-15 Logistics Center – Debris Basin Annexation to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

City of Fontana



Phil Burum
Deputy City Manager *PN*

Date 12-15-22

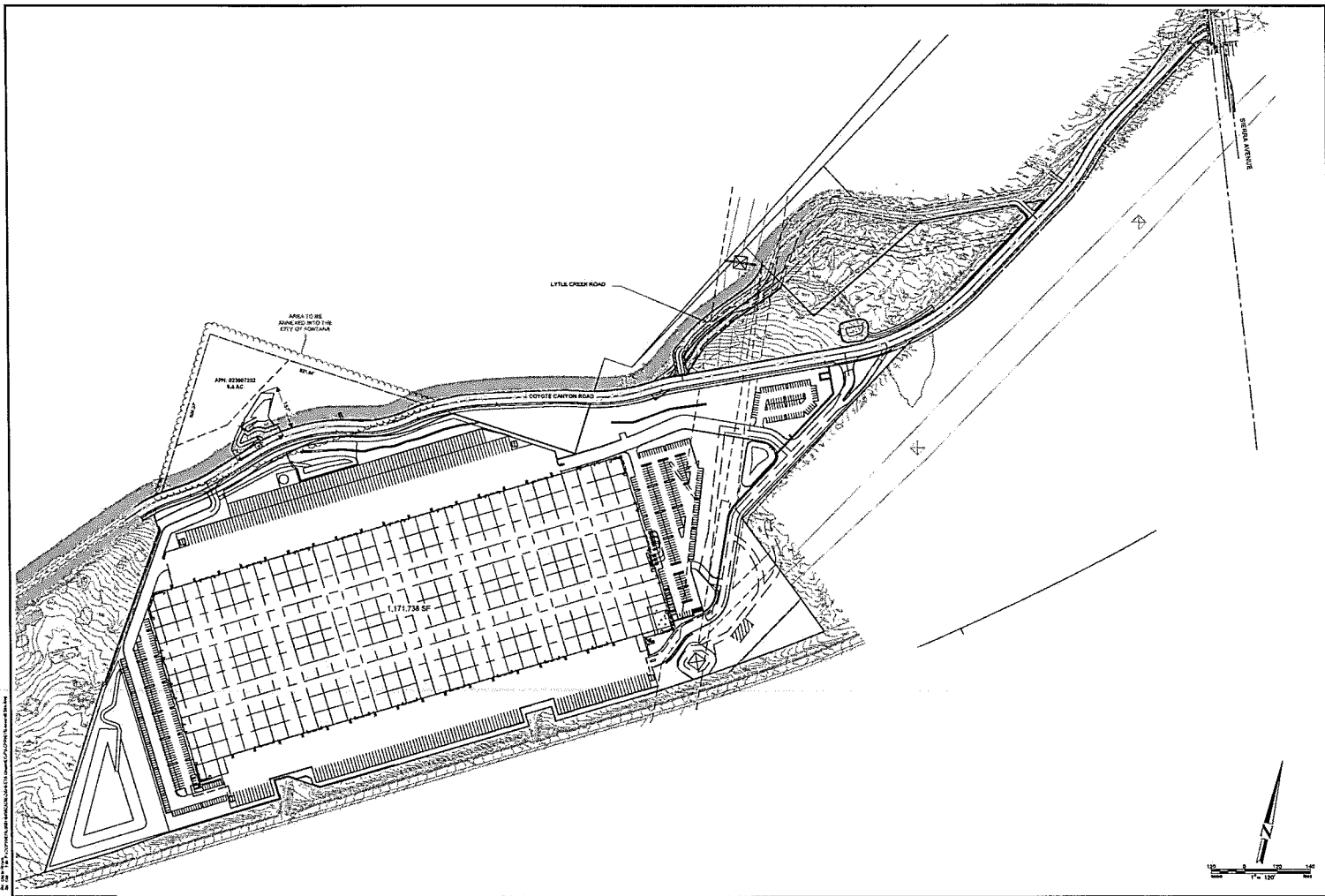
List of Exhibits:

Exhibit 1 Overall Site Plan Exhibit/Additional Annexation Boundary

Appendices:

Appendix A Plan of Service dated November 2019

EXHIBIT 1 ADDITIONAL ANNEXATION BOUNDARY



Underground Service Alert
 CAL TOLL FREE
 1-800
 227-2600
 THE NORTH-SOUTH SCALE BAR IS APPROX.

BASE OF SLAB
 THE FINISHED FLOOR IS THE
 1/4" IN ALL DIRECTIONS IN THE
 THIS DRAWING IS THE
 ABOVE TO THE ADJACENT
 ELEVATION
BENCHMARK, NOT BENCHMARK REPLY
 LOCATION:
 200' BY 200' CONCRETE BASE OF
 THE TOWER IS LOCATED IN THE
 AREA OF THE ADJACENT
 ELEVATION
 176.00' (M.S.M.)



DAVID EVANS AND ASSOCIATES, INC.
 4141 E. Evans Avenue, Suite 204
 Orange, California 92668
 Phone: 714.761.1200
 Fax: 714.761.1201
 Prepared under the supervision of:

CITY OF FORTNAH
 ENGINEERING DEPARTMENT
 DESIGNED BY: [] CHECKED BY: []
 DRAWN BY: [] DATE: []

I-15 LOGISTICS CENTER
 OVERALL SITE EXHIBIT

APPENDIX A: PLAN OF SERVICE DATED NOVEMBER 2019



I-15 LOGISTICS CENTER ANNEXATION

Plan for Service
City of Fontana
West Valley Water District

Prepared for:

LAFCO for San Bernardino County
1170 West 3rd Street, Unit 150
San Bernardino, CA 92415-0490

Prepared by:


EPD Solutions, Inc.
2 Park Plaza, Suite 1120
Irvine, CA 92614

November 2019

Certification

I hereby certify that this document presents the data and information required for the Plan for Service for the I-15 Logistics Center Reorganization to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

City of Fontana



Chuck Hayes
Deputy City Manager

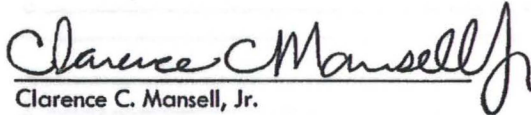
Date 8/3/20

gmi

Certification

I hereby certify that this document presents the data and information related to water services required for the Plan for Service for the I-15 Logistics Center Reorganization to the best of my ability, and that the facts, statements, and information presented herein are true and correct to the best of my knowledge and belief.

West Valley Water District



Clarence C. Mansell, Jr.
General Manager

Date 02/10/2020

1 EXECUTIVE SUMMARY

This report provides an assessment of public service delivery capabilities of the City of Fontana, the West Valley Water District, and other agencies or special districts affected by the proposed expansion of a portion of the City of Fontana's Sphere of Influence (SOI) and the proposed annexation of 152 acres ("Reorganization Area"), inclusive of the 76-acre Logistics Site; and the related project components and entitlements to the City of Fontana. The City of Fontana is surrounded by the cities of Rialto, Rancho Cucamonga, and Jurupa Valley.

This report is being submitted to the County of San Bernardino Local Agency Formation Commission (LAFCO) as a "Plan for Service" required by California Government Code Section 56653. Currently, the proposed project site is located in unincorporated San Bernardino County, which provides many services to the Reorganization Area including fire and paramedic services, general government, development services, sheriff patrol, public library, regional parks and recreation, street lighting, transportation, flood control and drainage, and health and welfare. The proposed reorganization also includes detachment of the Reorganization Area from the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and County Service Area 70.

After annexation, the City of Fontana is anticipated to provide services including general government, community development, police protection, local parks and recreation, community services, and public works. The reorganization also includes the annexation of 4.83 acres, including 3 parcels and portions of road right-of-way, into West Valley Water District and San Bernardino Valley Municipal Water District.

The proposed Reorganization Area includes the I-15 Logistics Project, which includes the development and operation of a 1,175,720-square foot logistics facility on approximately 76 acres (Logistics Site), the realignment of a segment of Lytle Creek Road (from the western project boundary eastward to a new intersection with Sierra Avenue), as well as related project components and entitlements. The logistics facility building would include two office spaces that would total approximately 30,000 square feet. It is anticipated that the logistics facility would be in operation 24 hours per day and would employ approximately 500-1,000 full-time employees. The logistics facility would include on-site and off-site utility connections for water, sewer, storm drain facilities, electricity, and cable television.

2 INTRODUCTION

The I-15 Logistics Project Reorganization Area is located in unincorporated San Bernardino County, northwest of Interstate 15 (I-15), south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City of Fontana's Sphere of Influence (SOI), as shown in Exhibit 2. More specifically, the Reorganization Area is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. Regional access to the site is from I-15 via the Sierra Avenue interchange and from Interstate 210 (I-210) via the Citrus or Sierra Avenue interchanges.

2.1 PURPOSE OF THE STUDY

3 PROJECT DESCRIPTION

This chapter presents the detailed land uses for the I-15 Logistics project and Reorganization Area. Information includes project density, population, assessed valuation and taxable sales. The total I-15 Logistics Reorganization Area includes the annexation of 152 acres ("Reorganization Area") inclusive of the 76-acre Logistics Site.

3.1 PROJECT DEVELOPMENT

The Proposed Project includes the development and operation of a 1,175,720-square-foot logistics facility on approximately 76 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Reorganization Area), inclusive of the 76-acre Logistics Site; and the related project components and entitlements, as discussed herein.

3.2 REORGANIZATION AREA

The I-15 Logistics project proposes the annexation of 152 acres of land currently under the jurisdiction of the County of San Bernardino. The proposed Reorganization Area is in the northern portion of the City of Fontana's Sphere of Influence (SOI). More specifically, the Reorganization Area is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. Regional access to the site is from I-15 via the Sierra Avenue interchange and from SR-210 via the Citrus or Sierra Avenue interchanges.

As shown in Exhibit 3, the Reorganization Area is proposed to include 21 parcels—inclusive of the Logistics Site, as well as portions of the road right-of-way for Lytle Creek Road, Sierra Avenue, and I-15. The parcels within the Reorganization Area have been pre-zoned and pre-designated, consistent with City of Fontana General Plan land use designations and zoning with the exception of the 2.14 acres of land not currently in the City's SOI. A list of Assessor's Parcel Numbers (APNs) in the Reorganization Area is provided in Appendix A.

The 152-acre Reorganization Area predominantly consists of vacant parcels of undeveloped land with surface elevations ranging from approximately 1,850 to 2,079 feet above mean sea level, generally sloping to the southwest. The Reorganization Area has been exposed to a variety of disturbances, including clearing/disking activities, off-road vehicle use, and illegal dumping.

Developed areas within the Reorganization Area generally consist of paved, impervious surfaces and infrastructure including Lytle Creek Road and paved driveways and infrastructure associated with the existing eight residential properties, as well as a small commercial development at the north end of the Reorganization Area.

There is an existing water tank located in the southern portion of the Reorganization Area, approximately 0.3 mile from the southern boundary of the I-15 Logistics project site. In addition, existing transmission towers are located along the entirety of the Reorganization Area's eastern boundary, including the I-15 Logistics project site.¹

¹ P. 3.0-11 & P. 3.0-12. "Draft Environmental Impact Report, I-15 Logistics," City of Fontana, August 2019.

Table 4-1
Current and Anticipated Service Providers in the I-15 Logistics Reorganization

Service Type	Current Service Provider	Anticipated Service Provider
General Government - Administrative Services:		
Finance Division	County of San Bernardino	City of Fontana
Human Resources Division	County of San Bernardino	City of Fontana
Business Registration	County of San Bernardino	City of Fontana
Community Development:		
Planning	County of San Bernardino	City of Fontana
Building & Safety	County of San Bernardino	City of Fontana
Code Compliance	County of San Bernardino	City of Fontana
Economic Development	County of San Bernardino	City of Fontana
Fire and Paramedic	San Bernardino County Fire Protection District (Valley Service Zone) and County Service Area 70	Fontana Fire Protection District
Sheriff/Police	Fontana Police Department	Fontana Police Department
Library	San Bernardino County Library District	San Bernardino County Library District
Parks and Recreation	County of San Bernardino	City of Fontana
Water	West Valley Water District San Bernardino Valley Municipal Water District	West Valley Water District San Bernardino Valley Municipal Water District
Sewer	Private Septic Systems	City of Fontana
Transportation:		
Freeways and Interchanges	Caltrans	Caltrans
Arterials and Collectors	San Bernardino County	City of Fontana
Local Roads	San Bernardino County	City of Fontana
Transit	Omnitrans	Omnitrans
Flood Control and Drainage:		
Local Facilities	San Bernardino County Flood Control District	City of Fontana
Regional Facilities	San Bernardino County Flood Control District	San Bernardino County Flood Control District
Utilities:		
Cable/Internet	Frontier Communications	Frontier Communications
Telephone	Frontier Communications	Frontier Communications
Power	Southern California Edison	Southern California Edison
Natural Gas	Southern California Gas Company	Southern California Gas Company
Schools	Fontana Unified School District	Fontana Unified School District
Solid Waste Management	San Bernardino County Solid Waste Management Division (contract with Burrtec)	City of Fontana (contract with Burrtec)
Health and Welfare	San Bernardino County Department of Public Health	San Bernardino County Department of Public Health

Currently, the Reorganization Area is served by the San Bernardino County Fire Protection District (SBCFPD), its Valley Service Zone, and County Service Area 70, which is a special tax zone for funding fire protection and Emergency Medical Services. SBCFPD covers 19,278 square miles and serves more than 60 communities/cities within four Regional Service Zones (Mountain, North Desert, South Desert and Valley). SBCFPD provides contractual fire protection services to Fontana Fire Protection District.²

After Annexation

The Fontana Fire Protection District (FFPD) provides fire service to the City of Fontana including emergency services and fire prevention services. In conjunction with the annexation, a Sphere of Influence expansion will occur to include Assessor's Parcel Number (APN) 0239-041-15 and portions of APNs 0239-091-13 and -14, and the westerly right-of-way of Lytle Creek Road encompassing approximately 2.14 acres into the Fire Protection District's SOI.

The 152-acre Reorganization Area would be annexed to the FFPD, a subsidiary district of the City, that contracts with the San Bernardino County Fire Protection District for its services. The FFPD will be the service provider for fire prevention, fire protection and emergency medical services (EMS) after annexation. The FFPD operates six fire stations, with Fire Station 79 located approximately 1.3 miles southwest of the project site at 5075 Coyote Canyon Road in Fontana, and Fire Station 78 located approximately 4.7 miles south of the project site at 7110 Citrus Avenue in Fontana.³ According to the City's General Plan Public Facilities, Services, and Infrastructure Element, the average response time within the city is approximately four to five minutes. In addition to fire response, the FFPD also investigates and mitigates all types of hazardous materials spills, exposures, and releases, as well as provides emergency medical aid.

4.3 SHERIFF/POLICE

Before Annexation

Police protection services for the project site are provided by the Fontana Police Department (FPD). The FPD operates out of its headquarters at 17005 Upland Avenue, approximately seven miles south of the project site. Its staff includes 188 sworn officers providing law enforcement services 24 hours a day, 365 days a year.⁴

After Annexation

Upon annexation, the City of Fontana Police Department will continue to provide the public safety services for the I-15 Logistics Center and the rest of the Reorganization Area. The Reorganization Area will continue to be served by the main police station at 17005 Upland Avenue, approximately seven miles south of the project site.

The I-15 Logistics project will not involve the construction of new houses and will not induce substantial population growth to the area. Thus, no additional police officers or police facilities are expected to be required to serve the I-15 Logistics project and Reorganization Area. In addition, the I-15 Logistics project and future development would be required to comply with the provisions

² SBCFD (San Bernardino County Fire Protection District). 2019. Department Website. Accessed October 2019. <http://sbclafco.org/FiscalIndicators/BOS/SBCFPD.aspx>.

³ FFPD (Fontana Fire Protection District). 2019. Department website. Accessed October 2019. <https://www.fontana.org/634/Fire-Protection-District>.

⁴ FPD (Fontana Police Department). 2019. Department website. Accessed October 2019. <https://www.fontana.org/112/Police-Department>.

4.6 WATER

Before Annexation

Developed areas within the Reorganization Area generally consist of eight existing residential properties, as well as a small commercial development at the north end of the Reorganization Area. These properties are currently serviced by the WVWD, which provides retail water service to Fontana and portions of unincorporated San Bernardino County.

WVWD utilizes three primary sources for drinking water supply: local surface water from flows on the east side of the San Gabriel Mountains, including North Fork Lytle Creek, Middle Fork Lytle Creek, and South Fork Lytle Creek; groundwater; and imported water from the State Water Project (SWP) through the SBVMWD, through the Lytle Turnout off the San Gabriel Feeder Pipeline.⁷

In addition, SBVMWD is a wholesale water provider and State Water Contractor, and it provides water to Fontana and to West Valley.

After Annexation

Currently, WVWD's existing service area and its SOI area do not fully cover the Reorganization Area. Therefore, an expansion of WVWD's service area and Sphere of Influence is proposed so that the district can provide water service to this future area of the city.

A Water Supply Assessment (WSA) of the Reorganization Area was prepared for the WVWD by Water Systems Consulting, Inc. According to the WSA, it is anticipated that the new water demand created by development of the Reorganization Area would not exceed the available water supply. WVWD mainly recognizes recycled water as a preferred source of water supply for all non-potable water demands, including, without limitation, irrigation of recreation areas, greenbelts, open space, common areas, commercial landscaping, and supply for aesthetic impoundment or other water features.

As the Reorganization Area builds out and increased demand warrants, future development in the area will be required to extend water lines and other facilities to the property frontage and will be responsible for costs associated with the extension of service. Major development projects will be required to prepare WSAs in compliance with Senate Bills 610 and/or 221.

4.7 SEWER

Before Annexation

Sanitary discharges and domestic wastewater generated by the existing residences on the site are disposed of by means of septic systems. According to the Fontana Public Works Department, the site is currently not connected to the City's sewer system.

After Annexation

⁷ P. 4.15-1. "Draft Environmental Impact Report, I-15 Logistics", Michael Baker International, August 2019.

for single and multi-family residential development, and per square foot for commercial and industrial development.

4.9 FLOOD CONTROL AND DRAINAGE

Before Annexation

Stormwater management for the Reorganization Area and surrounding area is provided by the San Bernardino County Flood Control District (SBCFCD). The Flood Control District implements broad management functions, such as flood control planning, construction of drainage improvements for regional flood control facilities, and watershed and watercourse protection related to those facilities. It has power of taxation, bonded indebtedness, land and water rights acquisition, and cooperative partnerships with local, state, and federal agencies in order to carry out its mandated responsibility. Decisions related to the Flood Control District are made by the San Bernardino County Board of Supervisors. The District is subdivided into several geographic zones with the proposed Reorganization Area being in District Zone 1.

After Annexation

Upon annexation, the Flood Control District would be responsible for regional stormwater management within the Reorganization Area, and the Fontana Public Works Department would be responsible for local drainage management. Both the City and the SBCFCD provide flood control facilities for Fontana. SBCFCD is responsible for the construction of dams, containment basins, channels, and storm drains to intercept and convey flood flows through and away from developed areas. The City constructs and maintains local storm drains that feed into the county's area-wide system. In addition, the City has adopted a Master Drainage Plan.

As a permittee in the Santa Ana Regional Water Quality Control Board (RWQCB) Basin Plan, the City of Fontana implements a Municipal Storm Water Management Plan, which prohibits and regulates various types of discharges, mandates inspections and public education, puts controls on new development and redevelopment, and specifies site and construction site maintenance practices. Future development within the Reorganization Area will be required to manage storm flows onsite, and to participate in regional drainage improvements included in both County and City drainage master plans.

4.10 UTILITIES

Before Annexation

Utilities include cable television, internet, telephone, electric power, and natural gas. Currently, Frontier Communications is the cable television and internet service provider. Verizon maintains telephone service to the Reorganization Area. Electricity is provided by Southern California Edison, while natural gas is supplied by the Southern California Gas Company. These service providers are not anticipated to change upon annexation.

After Annexation

The I-15 Logistics project and Reorganization Area would connect to existing electric power facilities owned and operated by Southern California Edison. The Project's annual electricity consumption is

4.12 SOLID WASTE MANAGEMENT

Before Annexation

Developed areas within the Reorganization Area generally consist of eight existing residential properties, as well as a small commercial development at the north end of the Reorganization Area. Currently, solid waste generated at the site is disposed of in commercial dumpsters located throughout the residential and commercial areas, and an independent solid waste disposal contractor removes solid waste from these areas.

The main solid waste disposal site for the Reorganization Area is the Mid-Valley Sanitary Landfill at 2390 Alder Ave, Rialto. The landfill has a capacity of 7,500 tons of solid waste per day and has 61,219,377 cubic yards of capacity available.¹²

After Annexation

Upon annexation, the City of Fontana will be responsible for providing solid waste management services to future development in the Reorganization Area. Per the City's Sole Franchise Hauler Agreement, all hauling resulting from construction or demolition activities may only be contracted through Burrtec Waste Industries.

Through its contractual agreement with the City of Fontana, Burrtec collects non-hazardous solid waste and hauls it to the Mid-Valley Sanitary Landfill. The landfill is operated by San Bernardino County. As discussed above, the landfill has a capacity of 7,500 tons of solid waste per day and 61,219,377 cubic yards of capacity available.¹³ Solid waste collection and disposal services would be provided on a fee basis to future residential, commercial, and industrial customers within the Reorganization Area.

4.13 HEALTH AND WELFARE

Before Annexation

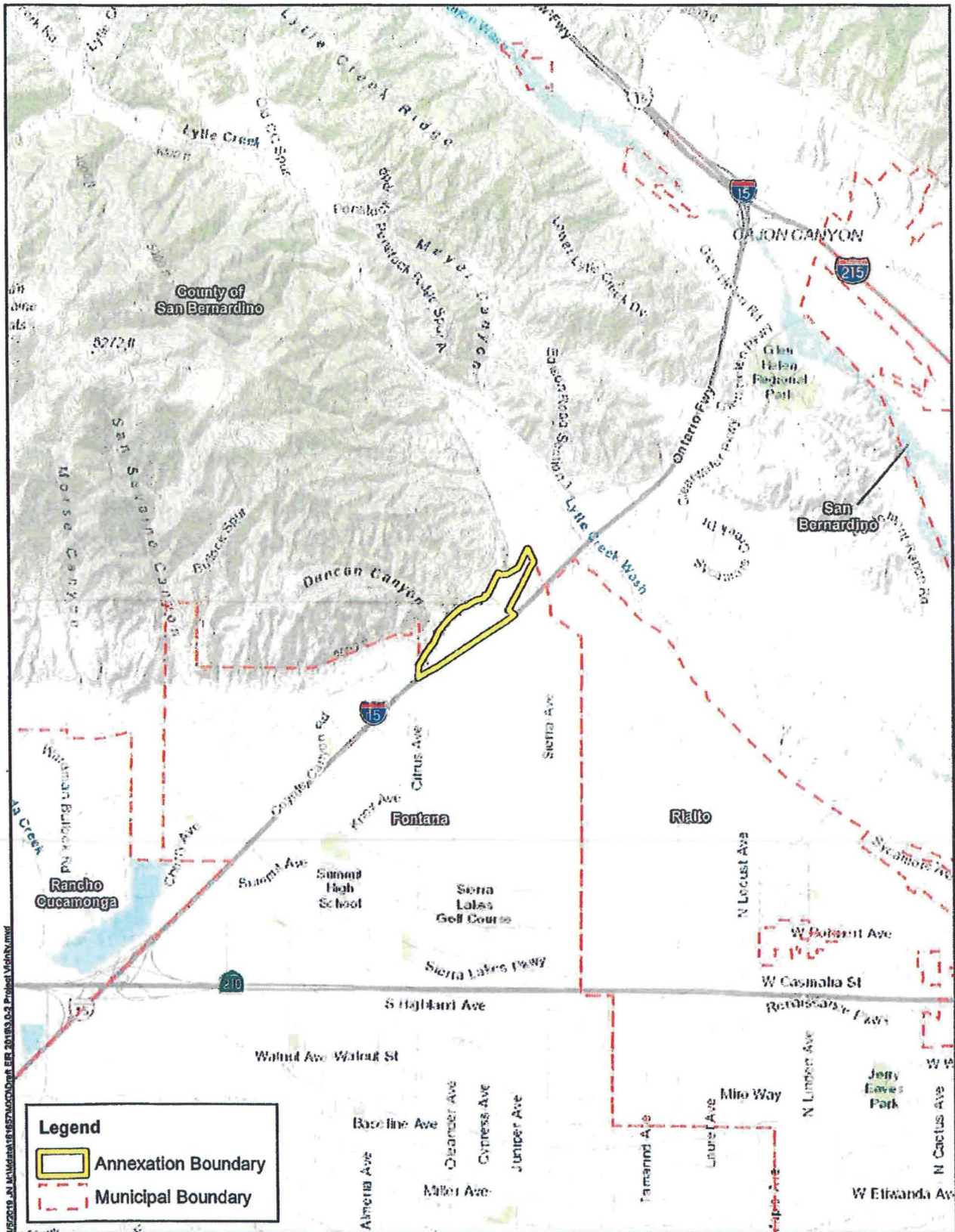
The San Bernardino County Department of Public Health currently serves the City for the general public's health and welfare services. The department provides a variety of programs and services that informs and educates the public about health issues. The County Department of Public Health additionally provides public assistance welfare and healthcare needs for all residents within San Bernardino County.

After Annexation

There are no anticipated changes in service levels or costs after the annexation of the I-15 Logistics project and Reorganization Area. Although the I-15 Logistics project would have the potential to generate limited population growth with the potential to impact other public health and welfare services, due to the number of persons anticipated to occupy the Logistics Site and the nature of uses proposed, no significant increase in demand for new or physically altered public facilities are expected. The I-15 Logistics project applicant would be required to pay its fair share of

¹² CalRecycle (California Department of Resources Recycling and Recovery). 2019. Agency website. Accessed October 2019. <https://www.calrecycle.ca.gov>.

¹³ CalRecycle (California Department of Resources Recycling and Recovery). 2019. Agency website. Accessed October 2019. <https://www.calrecycle.ca.gov>.



4/22/2010 11:41 AM \\mkbaker\GIS\PROJECTS\2010\03 Project Vicinity.mxd

Michael Baker
 INTERNATIONAL



Source: ESRI USA Topographic Basemap, San Bernardino County, United States Geological Survey

I-15 LOGISTICS
 DRAFT EIR
Project Vicinity

Exhibit 1

Financial Impact Analysis

Proposed Annexation to the City of Fontana

Annexation Area: I-15 Logistics Center II – Second Annexion

Assumptions

1. This annexation analysis is an addition to the I15 Logistic Annexation, this addition to the City is property owned by the Logistics center. LAFCO is requesting an analysis for this section only.
2. Only delevopment that is planned after the annexation is the construction of a private drainage on the north side of Lytle Creek and the City will not maintain it but will conduct annual inspections of the connections between it and the City storm drain system.
3. Projections are based on fiscal years ending June 30.
4. Revenues and costs are using fiscal year 22/23 budgeted figures, assuming for this analysis only a California Consumer Price Index (CPI) adjustment of 3% due to the regular increases in supplies.
5. No revenue projections were made for future Sales Tax for the Logistics Center addition or for existing commercial businesses because it was included if any in the Logistics Annexation analysis.
6. Factors concerning land use for the area were obtained through physical observation, reference to maps supplied by the City's Planning Department, and information supplied by the planner and builder.
7. Capital and other infrastructure impact has not been included in this analysis except for anticipated increases in street maintenance costs from trucks utilizing City maintained streets.
8. Planning, Building and Engineering Services and Fees that are non-recurring are excluded in this analysis.
9. Valuation of the existing properties are from the County Tax records, GIS, Realtor input, data provided by Realtor.com, and the local Multiple Listing Service. Assessed values for the land and estimate for the proposed Logistics Center were taken directly from the San Bernardino County Assessor tax rolls.
10. Fiscal model factors are limited to the storm drainage addition, this is not usable property nor has any plans for development.

Annexation I 15 Logistics Center II

		<i>Fiscal Year Ending June 30,</i>								
		2035	2036	2037	2038	2039	2040	2041	2042	Totals
		<i>Project Year 13</i>	<i>Project Year 14</i>	<i>Project Year 15</i>	<i>Project Year 16</i>	<i>Project Year 17</i>	<i>Project Year 18</i>	<i>Project Year 19</i>	<i>Project Year 20</i>	
Recurring Revenues										
	Business License Fees	0	0	0	0	0	0	0	0	0
	Franchise Fees	0	0	0	0	0	0	0	0	0
	Motor Vehicle In-Lieu Fees	0	0	0	0	0	0	0	0	0
	Vehicle Code	0	0	0	0	0	0	0	0	0
	Property Tax	245	250	255	260	265	270	276	281	4,689
	Recreation Program Fees	0	0	0	0	0	0	0	0	0
	Property Transfer Tax	0	0	0	0	0	0	0	0	0
	Total Recurring Revenues	\$245	\$250	\$255	\$260	\$265	\$270	\$276	\$281	\$4,689
Recurring Costs										
	General Government	\$515	\$531	\$546	\$563	\$580	\$436	\$441	\$447	\$9,175
	Police Services w/ Code	0	0	0	0	0	0	0	0	0
	Animal Control	0	0	0	0	0	0	0	0	0
	Fire Services	0	0	0	0	0	0	0	0	0
	Code Enforcement	0	0	0	0	0	0	0	0	0
	Recreation Services	0	0	0	0	0	0	0	0	0
	Street Maintenance	2,317	2,386	2,458	2,532	2,608	1,674	1,674	1,674	40,384
	Street Sweeping	211	217	224	231	237	245	252	260	3,977
	Signalized Intersections	0	0	0	0	0	0	0	0	0
	Storm Drainage	713	734	756	779	802	826	851	877	13,435
	Environ. Protection & Graffiti	0	0	0	0	0	0	0	0	0
	Total Recurring Costs	\$3,756	\$3,868	\$3,985	\$4,104	\$4,227	\$3,181	\$3,218	\$3,257	\$66,971
	Recurring Surplus/(Deficit) Per Year	(\$3,511)	(\$3,619)	(\$3,730)	(\$3,844)	(\$3,962)	(\$2,911)	(\$2,943)	(\$2,975)	(\$62,281)
	Cumulative Surplus/(Deficit)	(\$38,297)	(\$41,916)	(\$45,646)	(\$49,490)	(\$53,453)	(\$56,363)	(\$59,306)	(\$62,281)	
	Recurring Revenue/Cost Ratio	0.07	0.06	0.06	0.06	0.06	0.08	0.09	0.09	

Fiscal Model Factors...Summary: Fiscal Year 2022/2023		
<i>Category</i>	<i>Factor</i>	<i>Description and Method</i>
Local Taxes		Not Applicable
Licenses, Permits and Fees		
See Indust-Dist, Comm Com'l, Local Com'l Sheets		Business License Fees
Fines and Penalties		Not Applicable
Property Taxes		
	\$0.324	Property Tax Received per \$1,000 of Assessed Valuation
	2.0%	Percent of Maximum property tax increase per year
Recreation Revenues		
	\$0.00	Recreation & PAC fees and income per resident (Assume no revenue)
Interest		Not Applicable
<hr/>		
General Government		
	15.43%	Citywide overhead as percent of Direct Service costs
Police Services		Not Applicable
Fire Services		
	\$0.00	Fire Services cost per resident (Assume cost paid thru property taxes)
Recreation Services		
	\$0.00	Recreation cost per resident (Assume no additional cost)
Public Services		
	\$3,250.00	Road operation and maintenance cost per lane mile
	\$296.00	Street sweeping cost per Sweep Mile/year (lane miles)
	\$4,500.00	Operations & maintenance cost per signalized intersection per Traffic Eng.
	\$500.00	Annual Storm drain inspection - this project only
	\$1.44	Storm drain maintenance per resident and employee
	\$3.96	Graffiti abatement per resident
	\$2.45	Environmental protection per resident
	3%	Adjustment for increase in costs

Attachment E:

BMP Maintains Agreement

RECORDING REQUESTED BY:

CITY OF FONTANA
ENGINEERING DEPARTMENT
8353 SIERRA AVENUE,
FONTANA CA 92335

SPACE ABOVE FOR RECORDER'S USE ONLY

**Memorandum of Agreement for Water Quality Management
Plan and Storm Water BMP Transfer, Access and Maintenance**

OWNER/APPLICANT NAME: I-15 Logistics, LLC
PROPERTY ADDRESS: 4121 Lytle Creek Road
Fontana, CA 92336

APN: PM# 19712

THIS Memorandum of Agreement hereinafter referred to as "Agreement" is made and entered on this _____ day of _____, _____ by the undersigned herein after referred to as "Owner" and the City of Fontana, a municipal corporation, located in the County of San Bernardino, State of California hereinafter referred to as "CITY";

WHEREAS, the Owner owns real property ("Property") in the City of Fontana, County of San Bernardino, State of California, more specifically described in Exhibit "A" and depicted in Exhibit "B", each of which exhibits is attached hereto and incorporated herein by this reference;

WHEREAS, at the time of initial approval of development project within the Property described above, the City required the project to employ Best Management Practices, hereinafter referred to as "BMPs," to minimize pollutants in urban runoff;

WHEREAS, the Owner has chosen to install and/or implement BMPs as described in the Water Quality Management Plan as described in Exhibit "C" and on file with the City, hereinafter referred to as "WQMP", to minimize pollutants in urban runoff and to minimize other adverse impacts of urban runoff;

WHEREAS, said WQMP has been certified by the Owner and reviewed and approved by the City;

WHEREAS, said BMPs, with installation and/or implementation on private property and draining only private property, are part of a private facility with all maintenance or replacement, therefore, the sole responsibility of the Owner;

WHEREAS, the Owner is aware that periodic and continuous maintenance, including, but not necessarily limited to, filter material replacement and sediment removal, is required to assure peak performance of all BMPs in the WQMP and that, 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;

NOW THEREFORE, it is hereby agreed by the Owner as follows:

1. Owner hereby provides the City of City's designee complete access, of any duration, to the BMPs and their immediate vicinity at any time, upon reasonable notice, or in the event of emergency, as determined by City's Director of Public Works no advance notice, for the purpose of inspection, sampling, testing of the Device, and in case of emergency, to undertake all necessary repairs or other preventative measures at owner's expense as provided in paragraph 3 below. City shall make every effort at all times to minimize or avoid interference with Owner's use of the Property.
2. Owner shall use its best efforts diligently to maintain all BMPs in a manner assuring peak performance at all times. All reasonable precautions shall be exercised by Owner and Owner's representative or contractor in the removal and extraction of any material(s) from the BMPs and the ultimate disposal of the material(s) in a manner consistent with all relevant laws and regulations in effect at the time. As may be requested from time to time by the City, the Owner shall provide the City with documentation identifying the material(s) removed, the quantity, and disposal destination.
3. In the event Owner, or its successors or assigns, fails to accomplish the necessary maintenance contemplated by this Agreement, within five (5) days of being given written notice by the City, the City is hereby authorized to cause any maintenance necessary to be done and charge the entire cost and expense to the Owner or Owner's successors or assigns, including administrative costs, attorneys fees and interest thereon at the maximum rate authorized by the Civil Code from the date of the notice of expense until paid in full.
4. the Owner agrees to hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage, or injury, in law or equity, to property or persons, arising from the imposition of the plan by the City;
5. The City may require the owner to post security in form and for a time period satisfactory to the city to guarantee the performance of the obligations state herein. Should the Owner fail to perform the obligations under the Agreement, the City may, in the case of a cash bond, act for the Owner using the proceeds from it, or in the case of a surety bond, require the sureties to perform the obligations of the Agreement. As an additional remedy, the Director may withdraw any previous storm water-related approval with respect to the property on which BMPs have been installed and/or implemented until such time as Owner repays to City its reasonable costs incurred in accordance with paragraph 3 above.
6. This agreement shall be recorded in the Office of the Recorder of San Bernardino County, California, at the expense of the Owner and shall constitute notice to all successors and assigns of the title to said Property of the obligation herein set forth, and also a lien in such amount as will fully reimburse the City, including interest as herein above set forth, subject to foreclosure in event of default in payment.
7. In event of legal action occasioned by any default or action of the Owner, or its successors or assigns, then the Owner and its successors or assigns agree(s) to pay all costs incurred by the City in enforcing the terms of this Agreement, including reasonable attorney's fees and costs, and that the same shall become a part of the lien against said Property.

8. It is the intent of the parties hereto that burdens and benefits herein undertaken shall constitute covenants that run with said Property and constitute a lien there against.
9. The obligations herein undertaken shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto. The term "Owner" shall include not only the present Owner, but also its heirs, successors, executors, administrators, and assigns. Owner shall notify any successor to title of all or part of the Property about the existence of this Agreement. Owner shall provide such notice prior to such successor obtaining an interest in all or part of the Property. Owner shall provide a copy of such notice to the City at the same time such notice is provided to the successor.
10. This Agreement shall not be amended, modified or terminated without the prior written consent of the City, which consent to be effective, shall be contained in a document executed by the City and recorded against the Real Property.

OWNER:

Owner/Applicant Name: _____

Owner/Applicant Signature: _____

Date: _____

NOTARY

Notary acknowledgement is required for recordation (attach appropriate acknowledgement).

(INSERT NOTARY ACKNOWLEDGEMENT PAGE HERE)

EXHIBIT A
(Legal Description)

PARCEL 1:

THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN.

EXCEPTING FROM SAID PARCEL DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NS CENTER LINE OF NORTHWEST ½, SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, WHICH BEARS SOUTH 2° 3' 32" WEST 678.7 FEET FROM NORTH QUARTER CORNER NORTHWEST CORNER OF SECTION 18, THENCE SOUTH 2° 3' 32" WEST 49.05 FEET, THENCE SOUTH 32° 30' 28" EAST 55.93 FEET, THENCE SOUTH 4° 34' 32" WEST 315.9 FEET, THENCE SOUTH 87° 58' 58" EAST 312.14 FEET, THENCE NORTH 2° 3' 32", EAST 729 FEET, THENCE SOUTH 48° 3' 32" WEST 458.7 FEET TO POINT OF BEGINNING.

EXCEPTING THE RIGHT OF WAY FOR THE COUNTY ROAD WHICH PROJECTS OVER THE NORTH BOUNDARY OF SAID PROPERTY.

EXCEPTING FROM SAID PARCELS:

THE RIGHTS OF WAY FOR THE DEVORE FREEWAY (INTERSTATE 15) AND THE PUBLIC ROAD KNOWN AS LYTTLE CREEK ROAD.

EXCEPTING FURTHER FROM SAID PARCELS:

THAT PORTION OF GOVERNMENT LOTS 1 AND 2 AND THE NORTH ½ OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO GOVERNMENT SURVEY LYING WEST OF THE "AGREED BOUNDARY LINE" DESCRIBED IN THE AGREEMENT BETWEEN ROLAND W. GETCHELL, MABEL R. GETCHELL AND ALFRED R. LEDIG, RECORDED IN BOOK 2491, PAGE 324, OFFICIAL RECORDS.

PARCEL 2:

GOVERNMENT LOT 7, SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

EXCEPTING FROM SAID PARCEL THAT PORTION THEREOF CONSISTING OF A 1.38 ACRE LOT, MORE OR LESS, DESCRIBED AS THAT PORTION BEGINNING AT A POINT KNOWN AS U.S.F.S. #62 WHICH BEARS NORTH 89° 30' 24" EAST 637 FEET MORE OR LESS, FROM THE NORTH ¼ CORNER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, SAID POINT BEING THE INTERSECTION OF THE NORTH LINE OF SECTION 18, WITH THE SEMI-TROPIC LAND AND WATER SUBDIVISION BOUNDARY LINE, THENCE SOUTH 53° 51' EAST 10 FEET, THENCE SOUTH 36° 9' WEST 300 FEET, THENCE NORTH 53° 51' WEST 200 FEET, THENCE NORTH 36° 9' EAST 300 FEET TO THE S.T.L. & W CO. BOUNDARY LINE, THENCE SOUTH 53° 51' EAST 190 FEET TO THE POINT OF BEGINNING.

EXCEPTING FURTHER FROM SAID PARCELS:

THOSE PORTIONS OF GOVERNMENT LOT 7, SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, AND THAT PORTION THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, LYING SOUTHERLY OF THE SOUTHERLY LINE OF THAT CERTAIN LAND CONDEMNED BY THE STATE OF CALIFORNIA, BY FINAL ORDER OF CONDEMNATION ISSUED OUT OF SUPERIOR COURT, STATE OF CALIFORNIA, COUNTY OF SAN BERNARDINO CASE NO. 162796, A CERTIFIED COPY OF WHICH WAS RECORDED JUNE 16, 1977 IN BOOK 9200, PAGE 1260, OFFICIAL RECORDS.

PARCEL 3:

THAT CERTAIN PORTION OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHSOUTH CENTER LINE OF THE NORTHWEST ¼, SECTION 18 TOWNSHIP, NORTH 1 NORTH, RANGE 5 WEST, SEM, WHICH BEARS SOUTH 2° 3'32" WEST 678.7 FEET FROM THE NORTH ¼ CORNER NORTHWEST ¼ OF SECTION 18; THENCE SOUTH 2° 3' 32" WEST 49.05 FEET; THENCE SOUTH 32° 30' 28" EAST 55.93 FEET; THENCE SOUTH 4° 34' 32" WEST 315.9 FEET; THENCE SOUTH 87° 58' 58" EAST 312.14 FEET; THENCE NORTH 2° 3' 32" EAST 729 FEET; THENCE SOUTH 48° 3' 32" WEST 458.7 FEET TO POINT OF BEGINNING.

EXCEPTING THE R/W FOR THE COUNTY ROAD WHICH PROJECTS OVER THE NORTH BOUNDARY OF SAID PROPERTY.

PARCEL 4:

THOSE CERTAIN PORTION OF GOVERNMENT LOT 1, IN SECTION 7, LOT 7, IN SECTION 18, ALL WITHIN TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE, DESCRIBED AS FOLLOWS:

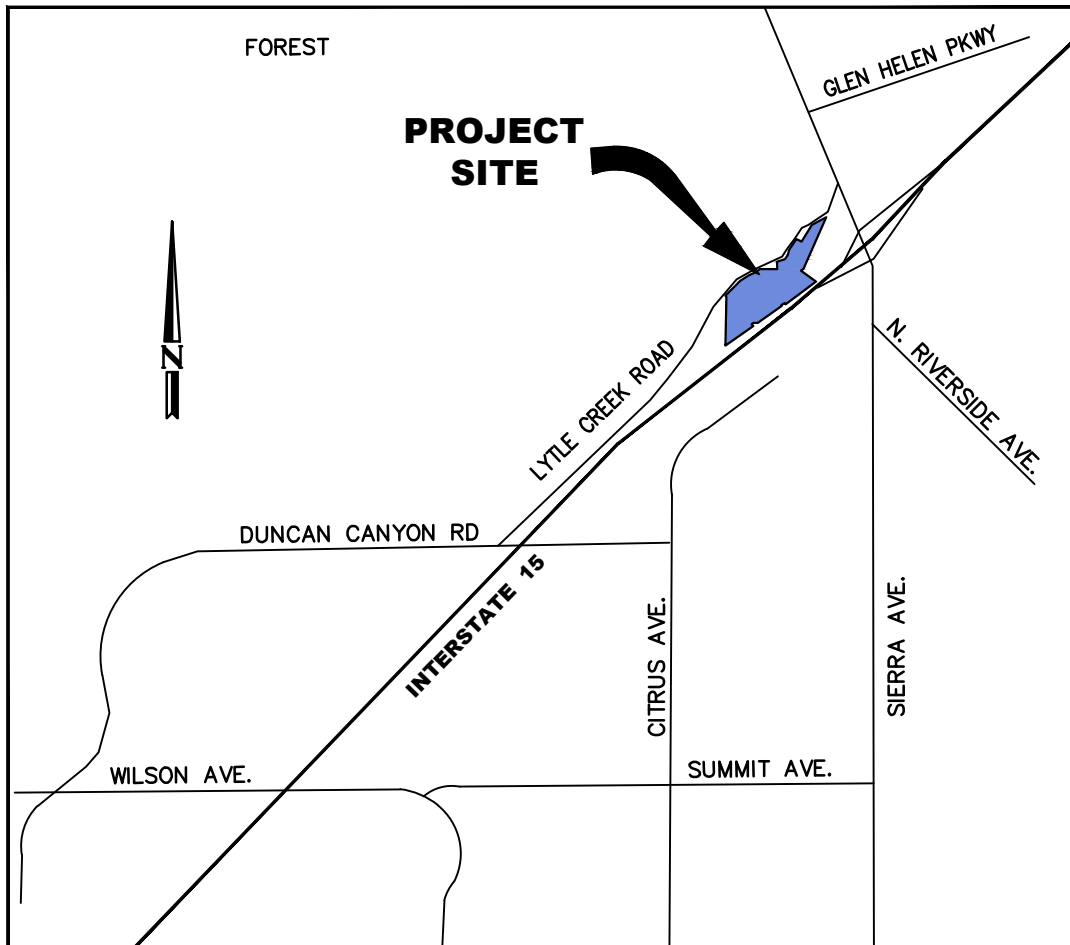
BEGINNING AT A POINT KNOWN AS U.S.F.S. #62 WHICH BEARS NORTH 89° 30' 24" EAST 637 FEET, MORE OR LESS, FROM THE NORTH ¼ CORNER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, SAID POINT BEING THE INTERSECTION OF THE NORTH LINE OF SECTION 18 WITH THE SEMI-TROPIC LAND AND WATER SUBDIVISION BOUNDARY LINE; THENCE SOUTH 53° 51" EAST 10 FEET; THENCE SOUTH 36° 9" WEST 300 FEET; THENCE NORTH 53° 51" WEST 200 FEET; THENCE NORTH 36° 9" EAST 300 FEET TO THE S.T.L. & W CO. BOUNDARY LINE; THENCE SOUTH 53° 51" EAST 190 FEET TO THE POINT OF BEGINNING.

PARCEL 5:

GOVERNMENT LOT 1, SECTION 7, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND ON FILE IN THE DISTRICT LAND OFFICE.

APN: 0239-071-25-0-000 (AFFECTS A PORTION OF PARCEL 1) 0239-072-02-0-000 (AFFECTS A PORTION OF PARCEL 1); 0239-071-27-0-000 (AFFECTS PARCEL 2); 0239-071-08-0-000 (AFFECTS PARCEL 3); 0239-071-20-0-000 (AFFECTS A PORTION OF PARCEL 4); 0239-041-17-0-000 (AFFECTS A PORTION OF PARCEL 4); 0239-041-15-0-000 (AFFECTS A PORTION OF PARCEL 5); 0239-041-18-0-000 (AFFECTS A PORTION OF PARCEL 5)

EXHIBIT B
(Map/illustration)



VICINITY MAP
NTS

EXHIBIT C
WQMP Exhibit

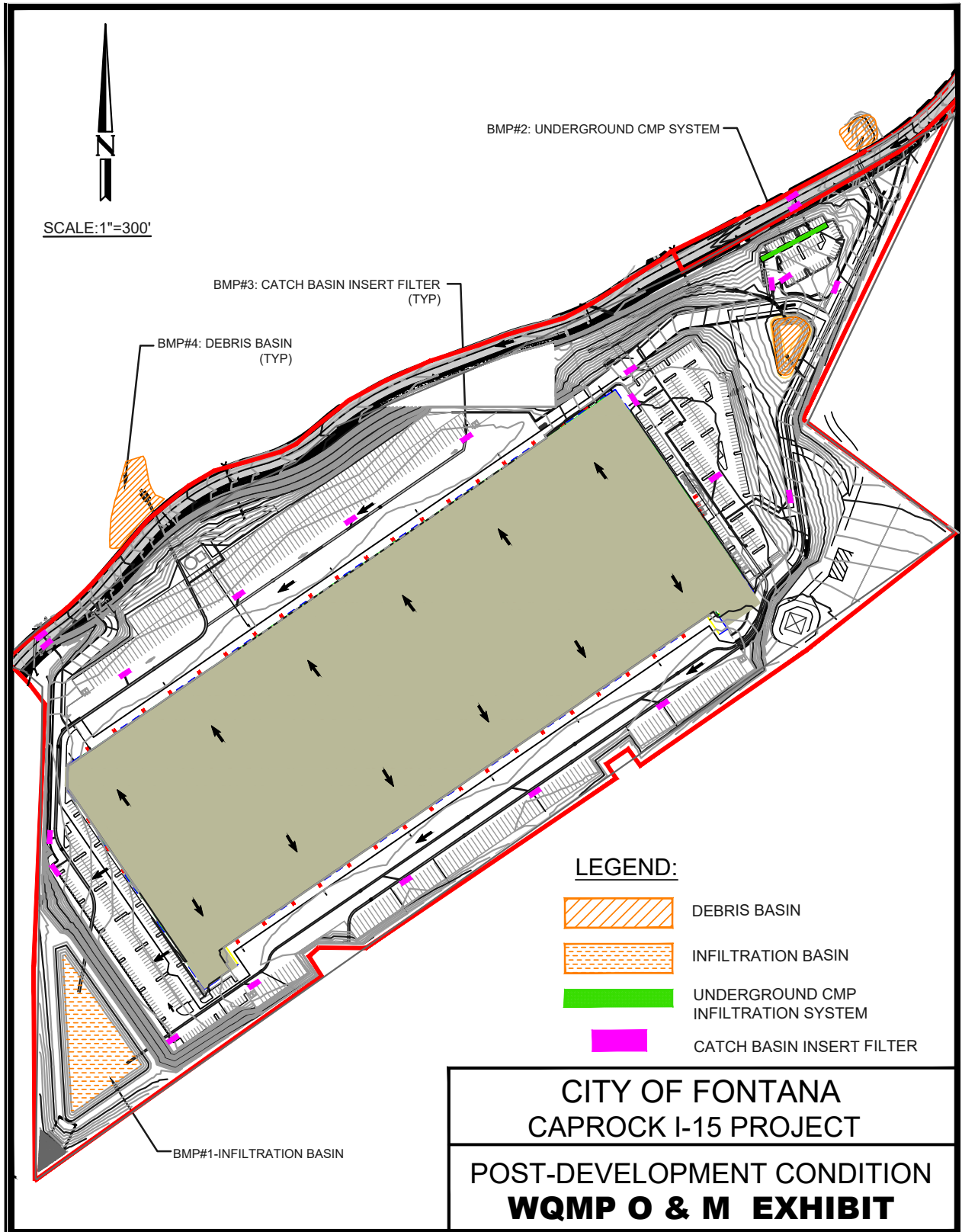


Exhibit D

BMP Inspection and Maintenance Activities			
BMP	Reponsible Party(s)	Inspection/ Maintenance Activities Required	Minimum Frequency of Activities
Catch Basin/ Insert Filter	Property Owner	Inspect catchment area for an excessive sediment, trash, and/or debris accumulation on surface. Inspect inlet for excessive sediment, trash, and/or debris accumulation. Litters, leaves and debris should be removed from inlet to reduce risk of outlet clogging. Change the insert Filter as needed.	Inspect minimum 2 times per year and after every major storm event
Detention/ Infiltration Basin	Property Owner	Inspect the accumulated sediment and debris in the basin. Inspect for standing water with 48 hours of heavy rain events to ensure proper drawdown. Fix and protect the basin slopes. Check outlet structure is functional.	Annually, and after heavy rains
Under Ground Infiltration System	Property Owner	Inspect the underground Arch via the access manhole, for accumulated sediment and debris levels and cleanout solids when > 6" build up occurs. Inspect for standing water with 48 hours of heavy rain events to ensure proper drawdown. Clean and flush underground systems to restore free drainage.	Annually, and after heavy rains
Landscape Maintenance	Property Owner	Maintain landscape area vegetation, slope protection and grades, adjacent to hardscape and prevent discharges of landscape maintenance waste into storm drains	Weekly
Litter Control	Property Owner	Vacuum sweep drive aisles and parking areas to remove potential stormwater contamination before anticipated storm events	Weekly/Monthly
Signage and Stencil	Property Owner	Clean the stencil/signage surface to remove any excess dirt, repaint if necessary.	Annually
Irrigation System	Property Owner	Check and repair the irrigation system. Verify there are no leaks or runoff from landscape areas. Adjust irrigation heads and system run times as necessary to prevent overwatering of vegetation, overspray or run-off from landscape areas and to ensure the health and aesthetic quality of the landscape	Weekly
Trash Enclosures	Property Owner	Empty trash receptacles. Clean the areas around enclosures by sweeping and /or mopping to prevent discharges of cleanup water.	Weekly

TOM DODSON & ASSOCIATES

Mailing Address: PO Box 2307, San Bernardino, CA 92406-2307

Physical Address: 2150 N. Arrowhead Avenue, San Bernardino, CA 92405

Tel: (909) 882-3612 ♦ *Fax:* (909) 882-7015 ♦ *Email:* tda@tdaenv.com

Web: tdaenvironmental.com



April 10, 2023

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

RECEIVED

APR 11 2023

LAFCO
San Bernardino County

Dear Sam:

LAFCO 3261 consists of a request for a Reorganization to include Annexation to the City of Fontana and Detachment from County Service Area 70. The proposed Reorganization area encompasses approximately 5.35 acres (APN 0239-072-02). The Reorganization area is a follow-on action to the recent approval of LAFCOs 3242 and 3243 which included modifying the northern Sphere of Influence in Fontana and Annexation of approximately 152 acres into the City. This action was taken by the Commission in early 2021. The proposed Reorganization under LAFCO 3261 encompasses the 5.35-acre parcel of land needed to support the development of the site previously annexed to the City under LAFCOs 3242 and 3243 for a stormwater management basin on a small stream just north of Lytle Creek Road. This parcel is generally located between Sierra Avenue and the natural northerly extension of Citrus Avenue. The property is within the City of Fontana's northern Sphere of Influence.

The City of Fontana prepared an environmental document, Environmental Impact Report (EIR), as compliance with the California Environmental Quality Act (CEQA) and approved entitlements for a 152-acre project (Interstate 15 Logistics Project) at the north end of the City. The City subsequently filed applications with LAFCO to amend its northern Sphere of Influence (9.2 acres) and annex the whole of the project site (152 acres) into the City. The Commission reviewed and approved LAFCOs 3242 and 3243 at its hearing in January 2021. Acting as a CEQA Responsible Agency the Commission adopted the Final EIR supporting these actions. After completing this action, the City and developer concluded that a small additional parcel (5.35 acres) was needed to properly manage surface runoff just north of the entitled 152-acre project site. After conferring with the City, LAFCO staff concluded that preparing an Addendum for the Commission to consider as a CEQA Lead Agency in conjunction with LAFCO 3261 is the best method of complying with CEQA for this proposed project. Therefore, I recommend that the Commission rely upon the City's Final EIR and the attached Addendum that will serve as the CEQA environmental determination for LAFCO 3261. This is because these two documents verify that the annexation of the 5.35-acre parcel will not result in any new or additional significant adverse impacts on the physical environment.

Environmental Review Process

LAFCO has overseen preparation of this Addendum in accordance with the current CEQA Statutes and Guidelines for implementing CEQA. CEQA Section 15164 includes the following procedures for the preparation and use of an Addendum:

- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

- (c) An addendum need not be circulated for public review, but can be included in or attached to the Final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the Final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

If changes to a project or its circumstances occur or new information becomes available after certification of an EIR, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)) When only minor technical changes or additions to the certified EIR are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines, Section 15164(a))

Under Section 15162, a subsequent EIR or negative declaration is required only when:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Recommendation

Based on the change in the expanded annexation being considered under LAFCO 3261, LAFCO concludes that an Addendum is the appropriate environmental determination for this second-tier environmental review process to comply with the CEQA. This is because the addition of this

parcel to that annexed under 3243 has no potential to cause or result in additional significant adverse impacts (physical changes) to the environment.

The attached Addendum, combined with the City's original EIR, serves as the basis for this second-tier environmental review of the City's approval of the Interstate 15 Logistics Project. This Addendum modifies the original EIR adopted by the City in 2021 as its CEQA environmental determination for the proposed implementation of the Interstate 15 Logistics Project. Aside from authorizing the Reorganization proposed in LAFCO 3621 and implementation of the stormwater basin, no other changes in the approved project are proposed at this time.

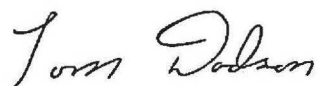
Pursuant to the provisions of CEQA and State and local CEQA Guidelines, the LAFCO is the Lead Agency for the LAFCO 3261, and is charged with the responsibility of deciding whether or not to approve the annexation to the City as described above and approval of this Addendum as a second-tier CEQA environmental determination. As part of its decision-making process, LAFCO is required to review and consider the potential environmental effects that could result from modifying the original project relative to the previously approved project. LAFCO has compiled this Addendum package as the basis for making a new CEQA environmental determination for the modified project.

Under this situation, I recommend that the Commission take the following steps if it chooses to approve LAFCO 3261, acting as a CEQA Lead Agency:

1. Indicate that the Commission staff and environmental consultant have independently reviewed the City's EIR and Addendum and found them adequate for approval of the proposed Reorganization (LAFCO 3261).
2. The Commission needs to indicate that it has considered the supporting environmental documentation and environmental effects, as outlined in the Final EIR package and this Addendum prior to reaching a decision on the project and finds the information substantiating these findings adequate for approval of the Reorganization, LAFCO 3261.
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 in the Final EIR and they will remain the responsibility of the City to implement.
4. File a Notice of Determination with the County Clerk of the Board as a CEQA Lead Agency for LAFCO 3261.

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

Sincerely,



Tom Dodson

TD/cmc

Attachment



**ADDENDUM #1 TO THE FINAL ENVIRONMENTAL
IMPACT REPORT FOR THE I-15 LOGISTICS
PROJECT
SCH # 2018011008**

Lead Agency:

San Bernardino County LAFCO
1170 W 3rd Street, Suite 150
San Bernardino, CA 92415

Responsible Agency:

City of Fontana
8353 Sierra Avenue
Fontana, CA 92335

Project Applicant:

I-15 Logistics LLC
1300 Dove Street, Suite 200
Newport Beach, CA 92660

ENVIRONMENT | PLANNING | DEVELOPMENT SOLUTIONS, INC.

2355 Main Street, Suite 100
Irvine, CA 92614

March 2023

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- F. Plummer’s Mariposa Lily Mitigation and Monitoring Plan
- G. Cultural Resources Assessment

1 INTRODUCTION

Caprock Partners (Applicant) is seeking approval for Annexation of a 5.35-acre parcel (Assessor's Parcel Number (APN) 0239-072-02), currently located in unincorporated San Bernardino County, into the City of Fontana in order to provide a debris basin necessary to serve the previously Approved I-15 Logistics Project (entitlement Master Case Number 15-078). The San Bernardino County Local Agency Formation Commission (San Bernardino County LAFCO) is the Lead Agency for the debris basin annexation and will utilize this document as evidence that the Modified Project qualifies for an Addendum, which is further described below.

1.1 REGULATORY SETTING

Pursuant to Section 21166 of the California Environmental Quality Act (CEQA) and Section 15162 of the State CEQA Guidelines, when an Environmental Impact Report (EIR) has been certified or a negative declaration adopted for a project, no subsequent EIR or Mitigated Negative Declaration (MND) shall be prepared for the Modified Project unless the lead agency determines, on the basis of substantial evidence, that one or more of the following conditions are met:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or MND.
 - b. Significant effects previously examined will be substantially more severe than identified in the previous EIR or MND.
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives.
 - d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR or MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Section 15164 of the State CEQA Guidelines states that an Addendum to an EIR or MND shall be prepared if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR/MND have occurred.

On June 23, 2020, an EIR was certified and the I-15 Logistics Project Final Environmental Impact Report (Final EIR) was approved under MCN15-078 (Approved Project) in June 2020 (SCH # 2018011008). The City was forwarded an Annexation Application from San Bernardino County LAFCO to annex a 3.42-acre debris basin on APN 0239-072-02, which is located directly north of

the previously Approved Project. The Modified Project proposes to annex the site into the City of Fontana and grade the site to create a debris basin as an ancillary use to the I-15 Logistics Project (Modified Project).

This Addendum reviews the changes proposed by the Modified Project and any changes to the existing conditions that have occurred since the Final EIR was certified. It also reviews any new information of substantial importance that was not known and could not have been known with exercise of reasonable diligence at the time that the Project was approved. It further examines whether, as a result of any changes or any new information, a subsequent MND or EIR may be required. This examination includes an analysis pursuant to the provisions of Section 21166 and Section 15162 of the State CEQA Guidelines, which includes an analysis of potential environmental impacts on a topic-by-topic basis.

On the basis of the findings of the Modified Project and the provisions of the State CEQA Guidelines, the San Bernardino County LAFCO, as the Lead Agency, determined that, as documented in this Addendum to the previously Certified Final EIR, no subsequent MND or EIR is required to review the Modified Project application.

2 BACKGROUND

The Approved Project proposed development and operation of a 1,175,720 square foot logistics facility on approximately 76 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres, inclusive of the 76-acre Logistics Site; and related components and entitlements as shown in Figure 1: *I-15 Logistics Center Project Area*. The Approved Project was previously analyzed in the Final EIR certified by the City of Fontana in June, 2020. The Approved Project can be identified with State Clearinghouse Number (SCH) 2018011008. The Final EIR analyzed two options for the Approved Project, Option 1 and Option 2. Option 1 was adopted which analyzed impacts of Annexation No. 16-001, General Plan Amendment No. (GPA) 15-005, GPA 17-001, Zone Change No. (ZCA) 15-009, Tentative Parcel Map No. (TPM) 19712, Design Review No. (DR) 16-003, and Development Agreement No. (DA) 16-001 as further described below:

- Request to San Bernardino County LAFCO for a sphere of influence amendment (expansion) to include APN 0239-041-15 and portion of APNs 0239-091-13 and -14, and the westerly right-of-way (ROW) of Lytle Creek Road encompassing approximately 2.14 acres, into the City of Fontana's existing SOI
- Annexation No. 16-001 to annex a total of 21 parcels and portions of road ROW encompassing approximately 152 acres into the City of Fontana
- GPA 15-005 to
 - Assign a General Plan land use designation of Residential Estate (R-E) to APN 0239-041-15 and to a portion of APN 0239-091-14
 - Change the General Plan land use designation on approximately 76 acres from Residential Estate (R-E) to Light Industrial (I-L)
- GPA 17-001 to change the General Plan Circulation Element designation for Lytle Creek Road from a four-land Secondary Highway to a two-lane Collector
- ZCA 15-009 to:
 - Assign a pre-zone designation of Residential Estate (R-E) to APN 0239-041-15 and to a portion of APN 0239-091-14; and a pre-zone designation of Light Industrial

(M-1) to the portion of APN 0239-091-13 that currently do not have a pre-zone designation

- Change the pre-zoning on approximately 76 acres from Residential Estate (R-E) to Light Industrial (M-1)
- AGR 16-001 for a development agreement between the City of Fontana and I-15 Logistics, LLC, for the proposed logistics facility.
- DR 16-003 for the approval of the plan, site improvements, and building elevations (architecture) for the approximately 1,175,720 square foot logistics facility building
- TPM 19712 created one parcel consisting of approximately 76 acres for the Logistics site

The Final EIR Option 1 proposed land use and zoning designations of Light Industrial (I-L), Public Utility (P-UC), Residential Estates (R-E), and General Commercial (C-2). The certified Final EIR identified Air Quality, Cultural Resources, Greenhouse Gas Emissions, and Transportation that would experience significant and unavoidable impacts. Environmental impacts related to Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Tribal Cultural Resources, and Wildfire Hazards were all identified to experience impacts that would be less than significant with mitigation incorporated. Aesthetics, Agriculture and Forestry Resources, Energy, Hydrology and Water Quality, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, and Utilities and Service Systems would experience less than significant impacts.

3 Existing Setting

3.1 PROJECT LOCATION

The Modified Project is located within unincorporated San Bernardino County, just north of the previously Approved Project. Regional access to the Modified Project site is provided by Interstate 15 (I-15), located approximately 0.24 mile southeast. Local access is provided via Lytle Creek Road which abuts the site directly to the south. The site is located in the northern portion of the City of Fontana's Sphere of Influence (SOI) and is located at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest. The Modified Project site and surrounding area is shown in Figure 2, *Regional Location*, and Figure 3, *Local Vicinity*.

3.2 EXISTING PROJECT SITE

The Modified Project site consists of one parcel encompassing approximately 5.35 -acres. The site is identified by APN 0239-072-02. The Modified Project site is comprised of vacant and undeveloped land, with trees and shrubs located on the site. The terrain contains natural sloping with elevations ranging between 2,063 and 1,973 feet above sea level and a steep decline from the property line to Lytle Creek Road to the south. The Modified Project site's existing conditions are shown in Figure 4, *Aerial View*, and Figure 5, *Existing Site Photos*.

Area uphill from the Modified Project site has experienced wildfires in the past year which have resulted in the ground becoming scorched and barren which makes it susceptible to mudflows as a result. The stability of land is currently compromised and at risk of mudflows, which could cause significant damage to I-15 facilities to the south and adjacent land uses, including the Approved Project.

3.3 EXISTING LAND USES AND REGULATORY SETTING OF THE PROJECT SITE

The Modified Project site is included in the City of Fontana's SOI and has a City of Fontana General Plan Land Use designation and zoning designation of Residential Estate (R-E). The R-E zone is intended for low density residential uses, as well as accessory agricultural uses in outlying rural areas. The low-density designation reflects natural, environmental, and other constraints adjacent to the hillside areas in the community, as well as the lack of infrastructure in the area. Development in R-E areas is intended to evoke a rural feeling. Additionally, the site has a County of San Bernardino zoning designation of Special Development-Residential (SD-RES). The SD (Special Development) land use provides sites for a combination of residential, commercial, industrial, agricultural, open space and recreation uses, and similar and compatible uses. The Project site is within the Residential zoning of the Special Development.

3.4 SURROUNDING LAND USES

The surrounding land uses are described in Table 1, along with their corresponding General Plan land use and zoning designations.

Table 1: Surrounding Land Use and Zoning Designations

	Existing Land Use	General Plan Designation	Zoning Designation
North	Vacant and undeveloped land	Open Space (OS)	Resource Conservation (RC)
Northeast	Vacant and undeveloped land	Open Space (OS)	Resource Conservation (RC)
Southeast	I-15 Logistics Project	City of Fontana - Residential Estates (R-E), General Commercial (C-G), Light Industrial (M-1), and Public Utility Corridor (P-UC)	City of Fontana - Residential Estates (R-E), General Commercial (C-G), Light Industrial (M-1), and Public Utility Corridor (P-UC)
South	I-15 Logistics Project	General Industrial (I-G)	General Industrial (M-2)
West	Vacant and undeveloped land	Residential Estate (R-E)	Residential Estate (R-E)

Project Area

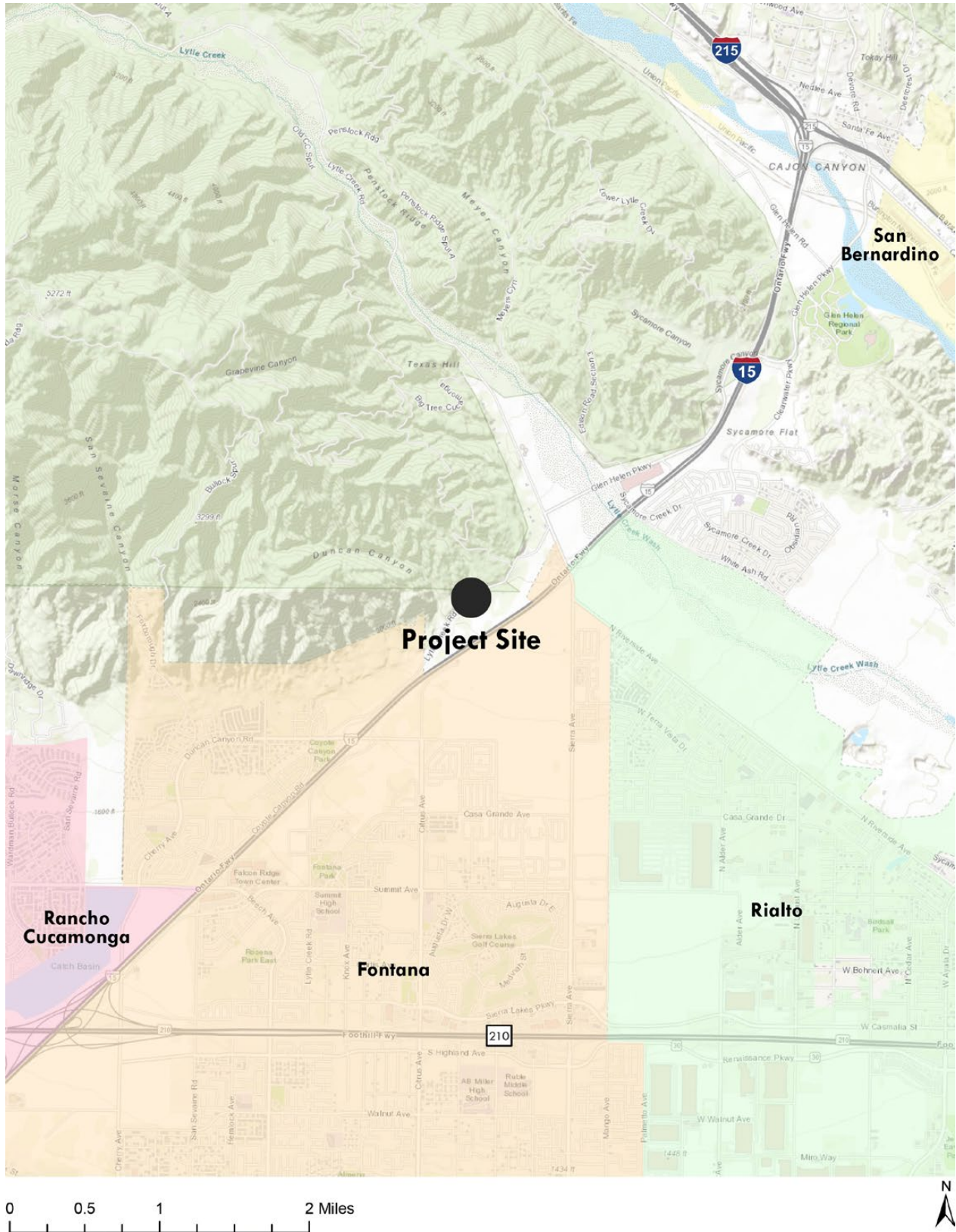


I-15 Logistics Center Debris Basin
San Bernardino

Figure 6

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Regional Location



I-15 Logistics Center Debris Basin
San Bernardino

Figure 2

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Local Vicinity



I-15 Logistics Center Debris Basin
San Bernardino

Figure 3

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Aerial View



 Project Site



I-15 Logistics Center Debris Basin
San Bernardino

Figure 4

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Site Photos



View from the northeast corner of the site on Lytle Creek Rd.



The view along Lytle Creek Rd. from the southwest corner of the site.

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4 PROJECT DESCRIPTION

The Final EIR analyzed the 152 acre I-15 Logistics Project site which included an annexation, two General Plan Amendments, a Zone Change, Development Agreement, Design Review, Tentative Parcel Map, and the development of a 1,175,720 square foot logistics facility. The Applicant, I-15 Logistics LLC, is requesting to annex APN 0239-072-02 into the City of Fontana to use for a debris basin to serve the approved I-15 Logistics Project. The Modified Project site would be developed as a debris basin ancillary to the previously Approved Project.

4.1 PROJECT OVERVIEW

The Modified Project includes the annexation to the City of Fontana of approximately 5.35 acres for development of the I-15 Logistics Project property as shown in Figure 6: *Project Area*. The land is specifically required for a debris basin and connection to a 60-inch diameter storm drain. The debris basin would total approximately 0.44 acres and would be located at the south central portion of the parcel, as shown in Figure 6. The basin will utilize the natural topography of the site. The debris basin area will be graded, and a 12-foot-wide access road will be constructed to access the basin. Additionally, a minimum of 6-foot high tubular steel fence with pilasters will secure the basin from the south. See Figure 7, *Conceptual Basin Plan*.

Debris basins capture sediment, gravel, boulders, and vegetative debris that are washed downstream during storms, and filter water into the storm drain system. As discussed above, the area has experienced wildfires in the past year which have resulted in the ground becoming scorched and barren which makes it susceptible to mudflows as a result. The basin is required and would aid in protecting the previously Approved Project, as well as development and the I-15 to the south from damage due to mudflows caused by rain and the lack of vegetation.

The basin and associated storm drain line would be maintained by the property owner, I-15 Logistics LLC, under a maintenance agreement with the City. City-provided services for the debris basin parcel would be limited to general government services.

No other development would occur within the annexation area and no water, wastewater, or other public services would be required.

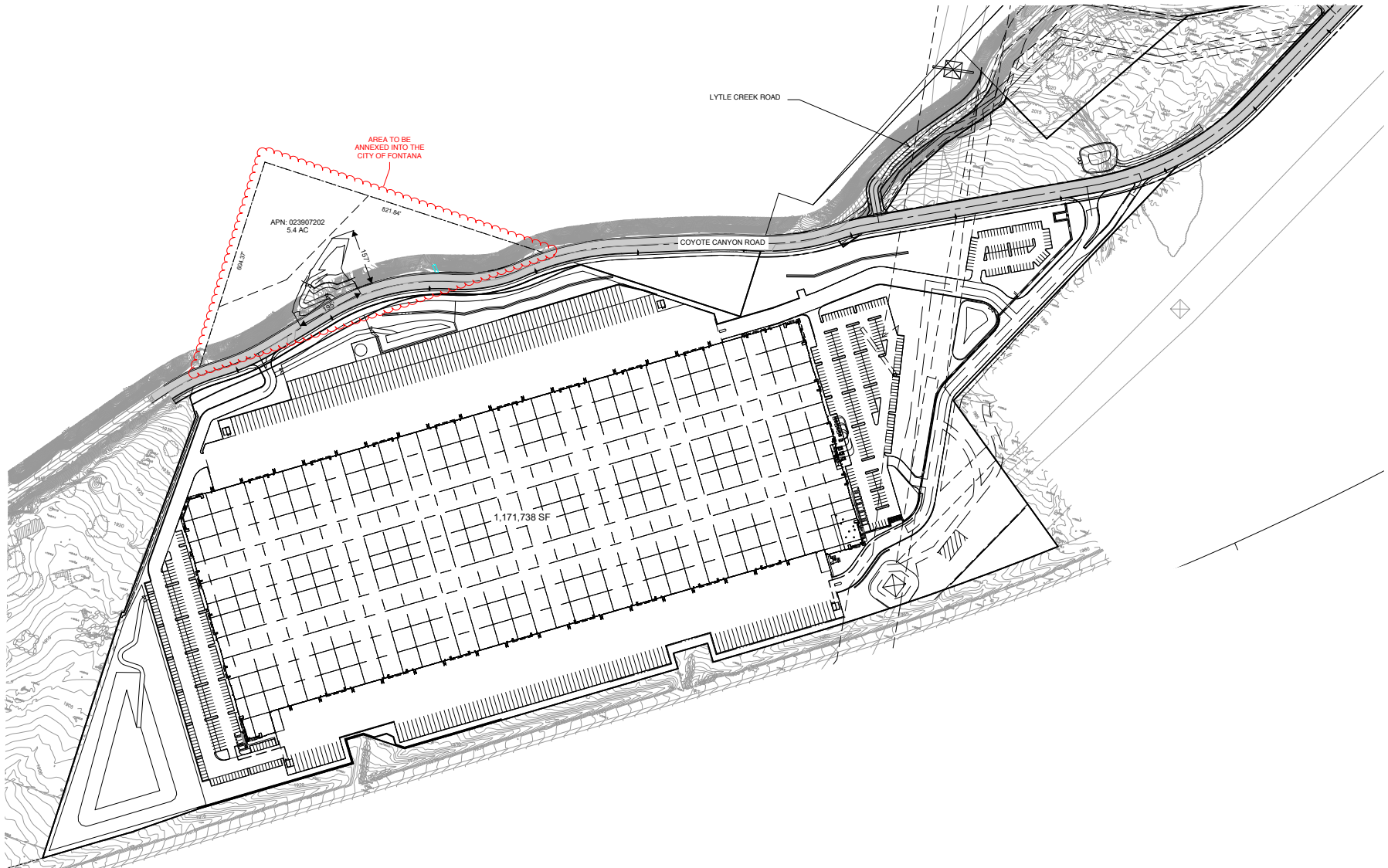
5 DISCRETIONARY APPROVALS, PERMITS, AND STUDIES

The following discretionary approvals, permits, and studies are anticipated to be necessary for implementation of the Modified Project:

- Annexation of 5.35 acres (APN 0239-072-02 and right-of-way along Lytle Creek Road) into City of Fontana (approval required from San Bernardino County LAFCO)
- Adoption of Addendum to I-15 Logistics Center Project Final EIR – Adopted June 2020 (SCH # 2018011008)
- Approvals and permits necessary to execute the Modified Project, including but not limited to grading permit, etc. (City of Fontana)

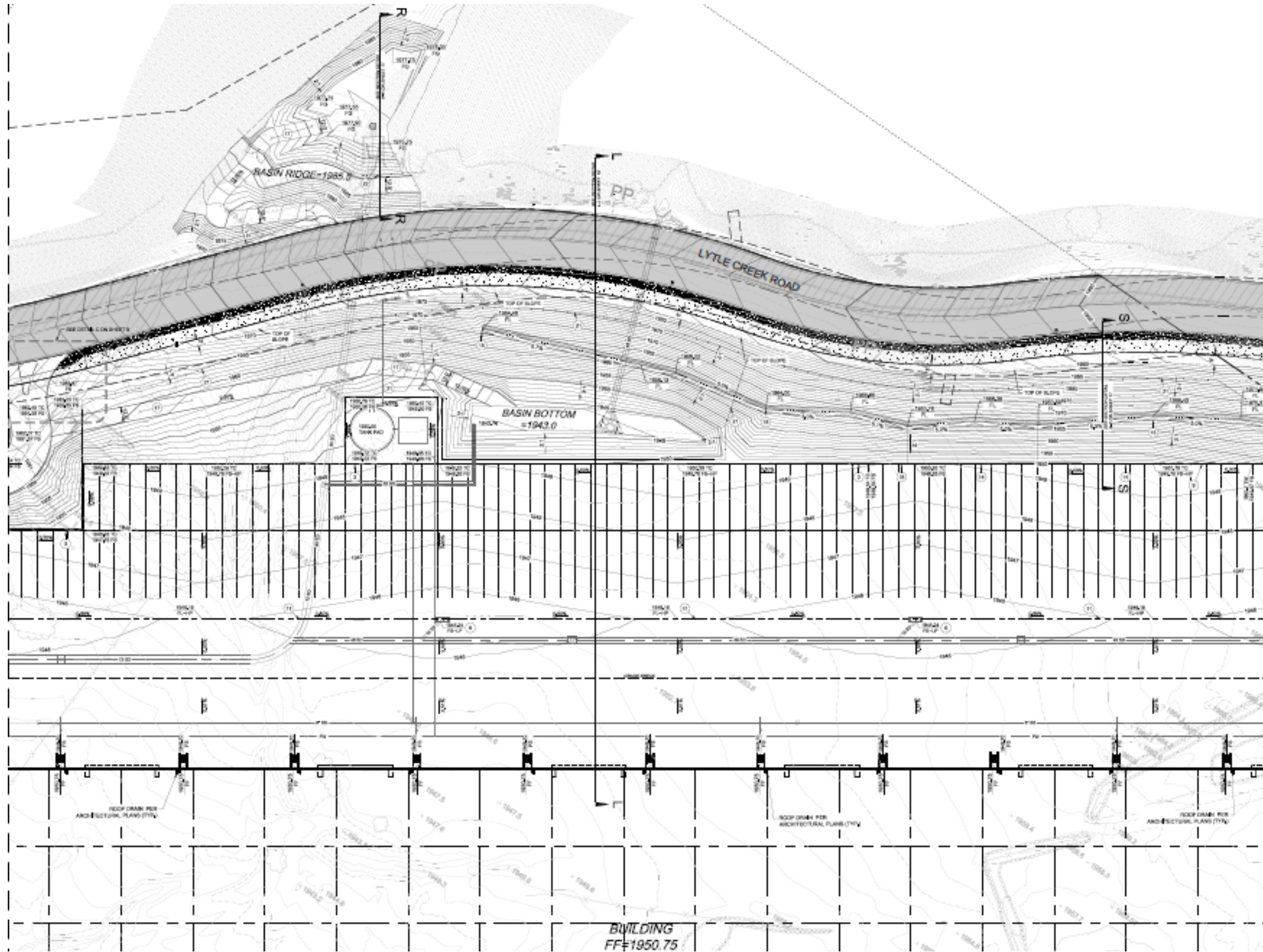
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Project Area



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Conceptual Basin Plan



I-15 Logistics Center Debris Basin
San Bernardino

Figure 7

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6 CEQA ANALYSIS

The Modified Project proposes the annexation of APN 0239-072-02 into the City of Fontana to be utilized as a debris basin for the I-15 Logistics Project. A summary of the Project’s impacts are provided in Table 2 below.

Table 2: Project Impacts

Environmental Topic	Impacts
Aesthetics:	The previously approved Final EIR determined the Approved Project would result in less than significant impacts. Motorists traveling along I-15 experience partial, fleeting views of the San Gabriel Mountains and San Bernardino National Forest, located to the north. However, I-15 is not identified as a scenic route by the City of Fontana General Plan nor the California Department of Transportation’s (Caltrans) State Scenic Highway Mapping System. The Modified Project does not propose a building nor any structure that would physically obstruct views of the San Gabriel Mountains and San Bernardino National Forest that the site is located at the base of. The Modified Project would not include additional sources of light and glare. Construction-related activities would largely utilize the existing topography of the site. The Final EIR found that impacts would be less than significant and therefore, the Modified Project would be consistent with findings from the Final EIR.
Agriculture and Forest Resources:	The previously approved Final EIR determined the Approved Project would result in less than significant impacts. According to the California Department of Conservation’s Important Farmland Finder, the site is classified as Nonagricultural or Natural Vegetation. Additionally, the site is zoned Special Development-Residential (SD-RES) and is not designated as agricultural or forest land. The Modified Project site is not currently being used for agricultural or foresting purposes. Therefore, no impacts would occur.
Air Quality:	The previously approved Final EIR determined the Approved Project would result in less than significant construction air quality impacts and significant and unavoidable operational impacts. The proposed debris basin would result in negligible operational emissions related to periodic debris clearing and maintenance activities. Basin construction would require grading and emissions from construction equipment would be nominal due to the nature of the Modified Project. As illustrated in Appendix H, Project construction would result in slightly higher air quality criteria pollutant regional and local construction emissions. However, the cumulative combination of previously identified emissions and emissions anticipated to result from the Modified Project would not result in exceedance of the SCAQMD regional or local construction thresholds. Though nominal emissions would occur during construction of the Modified Project, mitigation measure AQ-1 from the Final EIR would be implemented to provide for additional dust suppression. Therefore, no new impacts would occur as a result of the Modified Project.

<p>Biological Resources:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts with mitigation. The Modified Project site was not within the original Habitat Assessment prepared for the Approved Project (2017) as included in Appendix A. However, the Modified Project site was surveyed and analyzed for biological impacts prior to completion of the Streambed Alternation Agreement (SAA) pursuant to Fish and Game Code section 1602 (Appendix B) that was completed for both the Approved Project and Modified Project sites.</p> <p>The Modified Project site was reviewed for vegetation mapping (map included as Appendix C), tree survey (Appendix D), and jurisdictional delineation (Appendix E) purposes in 2021 and was surveyed for special-status plant species in 2020 (Appendix B). The SAA documentation did not identify potential for or the presence of any additional species than what was analyzed previously under the approved I-15 Logistics Center Habitat Assessment in support of the Final EIR.</p> <p>However the Addendum to the Jurisdictional Delineation Report (Appendix E) identified previous features, Drainages 1-3, and four new features (Drainages 3-1, 3-2, 4, and 5) within the Modified Project area. Additionally, the 2020/2021 jurisdictional review found that previously identified drainage widths have increased. Overall, the Modified Project would include 1.63 acres of additional CDFW jurisdictional waters and 0.38 acre of regional board jurisdictional waters.</p> <p>Therefore, the Modified Project will include the following mitigation measures from the Final EIR to mitigate any potentially significant impacts to levels below the significance thresholds.</p> <ul style="list-style-type: none"> • Due to the potential for the Southern California black walnut to be located on the site, BIO-1 has been included to require a qualified biologist to flag the any trees on the disturbance area prior to construction related activities and to require a tree removal permit if avoidance is not feasible. The Modified Project would include implementation of Mitigation Measure BIO-1. • The Plummer’s mariposa lily also was identified as having potential to be located on the previously analyzed Approved Project site (Appendix A), therefore, BIO-2 was included to require a qualified biologist to conduct a floristic survey in the development area within the blooming period prior to the approval of grading permits (Appendix F), and if found, to prepare a replanting plan. However, the Plummer’s Mariposa Lily Mitigation and Monitoring Plan for the I-15 Logistics Project was updated in June 29, 2021 to include the Modified Project site. There were no instances of Plummer’s mariposa lilies identified within the site. The Modified Project site area was surveyed in
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	<p>June and July of 2020 and Plummer’s mariposa lily was not identified. Therefore, additional surveys are not required, and there would be no impact.</p> <ul style="list-style-type: none"> • Based on the results of the previously approved Habitat Assessment, it was determined that the Approved Project site had a high potential to support Cooper’s hawk (<i>Accipiter cooperii</i>) and San Diego black-tailed jackrabbit (<i>Lepus californicus bennettii</i>); and a moderate potential to support California glossy snake (<i>Arizona elegans occidentalis</i>), coastal whiptail (<i>Aspidoscelis tigris stejnegeri</i>), northern harrier (<i>Circus cyaneus</i>), and coast horned lizard (<i>Phrynosoma blainvillii</i>). BIO-3 was included to require a biological monitor on-site during ground-disturbing activities to monitor construction activities to reduce impacts to special-status wildlife species with high to moderate potential to occur on the site. The Modified Project would include implementation of Mitigation Measure BIO-3. • Trees and shrubs exist on the site that may provide habitat for nesting birds, and therefore, BIO-4 was included in compliance with the Migratory Bird Treaty Act and the California Fish and Game Code if the removal of trees or shrubs occur from February through August. The Modified Project would include implementation of Mitigation Measure BIO-4. • Additional jurisdictional impacts would be required to attain necessary permitting and mitigate impacts according to provisions of the permits and agency agreements. The Modified Project would include implementation of Mitigation Measure BIO-6, which requires the obtainment of permits for jurisdiction impacts and subsequent mitigation. <p>With implementation of mitigation measures BIO-1, BIO-3, and BIO-4, impacts from the Modified Project would be less than significant.</p> <p>The Approved Project was previously subject to the North Fontana Conservation Program (NFCP) and the payment of applicable mitigation fees. However, the NFCP has since been terminated, and species and habitats previously covered under the plan are no longer protected by the NFCP. The SAA included mitigation for the Approved and Modified Project’s impacts to Riversidean Alluvial Fan Sage Scrub (RAFSS) habitat pursuant to NFCP despite termination of the NFCP since Final EIR certification. Therefore, no additional habitat impacts associated with the NFCP would occur under the Modified Project.</p> <p>To avoid potentially significant impacts, BIO-1, BIO-3, and BIO-4 have been included from the Final EIR to mitigate impacts to less than significant levels and no new impacts would occur.</p>
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<p>Cultural Resources:</p>	<p>The previously approved Final EIR determined the Approved Project would result in significant and unavoidable impacts. The previously approved Final EIR identified a historic resource that would be removed as part of the Approved Project. The Modified Project does not contain any existing structures on the site and would not result in additional impacts to historical resources. The Cultural Resource Assessment, included as Appendix G, prepared for the previously approved Final EIR found that the closest prehistoric resource to the Approved Project area was a prehistoric artifact concentration located 0.5 mile to the north of the northern edge of the Approved Project site. The resource is not located on the Modified Project site. Although no cultural resources have been identified on the site, construction activities related to the debris basin would have the potential to disturb unknown archaeological resources on the site. Therefore, in the unlikely event that archaeological resources are encountered during grading activities, mitigation measures CR-2 and CR-3 from the Final EIR have been included to ensure that an archaeological monitor is present during ground disturbing activities and a Treatment and Disposition Plan (TDP) be established prior to the commencement of ground disturbing activities to provide a process for infield treatment of inadvertent discoveries. With implementation of CR-2 and CR-3, no new impacts would occur.</p>
<p>Energy:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts. Construction of the proposed basin would require a slight increase in energy consumption from the previously Approved Project; however, the Modified Project would not result in wasteful, inefficient, or unnecessary consumption of energy to complete construction. Operation of the debris basin would require near negligible use of energy resources due to low periodic clearing of debris and maintenance of the basin. The Modified Project is consistent with what was analyzed in the Final EIR and no new impacts would occur.</p>
<p>Geology and Soils:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts with mitigation. The Modified Project site is located in an Alquist-Priolo Fault Zone as shown in the California Department of Conservation’s <i>California Earthquake Hazards Zone Application</i>, and like most of California, is subject to ground-shaking hazards from earthquakes on regional fault systems capable of producing moderate to severe groundshaking. However, the Modified Project does not include the development of any structures, and therefore, would not result in impacts. As the Modified Project does not include any structures, impacts related to landslides, erosion/loss of topsoil, and expansive soils and seismic-related ground failure such as liquefaction would not occur. Due to the nature of the Modified Project, the debris basin that would be created would benefit the I-15 Logistics Project to the south by preventing flooding and debris flows from rain events. Fires in the area within the past year have</p>

	<p>increased the potential for these events to occur due to the loss of vegetation.</p> <p>The Cultural Resources Assessment prepared for the I-15 Logistics Project included a paleontological resources overview and found that the I-15 Logistics Project site contains Quaternary alluvial fan deposits and that the Approved Project would be unlikely to encounter significant vertebrate fossils. However, deeper excavations could extend into older finer-grained Quaternary deposits that may well encounter significant remains of fossil vertebrates. Due to the close proximity to the I- 15 Logistics Project site, the Modified Project would reflect the same soil composition and mitigation measures GEO-5 and GEO-6 would be incorporated as part of the Modified Project to provide monitoring, sampling, and if needed, collection of fossils in appropriate deposits if fossils are uncovered during grading activities. Compliance with GEO-5 and GEO-6 would reduce potential adverse effects related to the destruction of a unique paleontological resource or site or unique geological feature to less than significant. Therefore, the Modified Project impacts would be consistent with the I-15 Logistics Project and no new impacts would occur.</p>
<p>Greenhouse Gas Emissions:</p>	<p>The previously approved Final EIR determined the Approved Project would result in significant and unavoidable impacts. The Modified Project would result in negligible operational GHG emissions related to periodic debris clearing and maintenance activities. As illustrated in Appendix H, Modified Project construction would result in slightly higher GHG than previously identified GHG emissions anticipated from the previously approved project. The Modified Project would result in a total of approximately 0.5 MTCO₂E amortized over 30 years, which would increase previously identified total emissions from 134.4 to 134.9 MTCO₂E. GHG emissions related to construction activities would be nominal. Therefore, no impacts would occur.</p>
<p>Hazards and Hazardous Materials:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts with mitigation. The Modified Project would create a 0.44-acre debris basin in relation to the I-15 Logistics Project. The Modified Project site is not located on the Department of Toxic Substances Control’s date management system, EnviroStor, as a contamination site. Additionally, the Modified Project would not require demolition of structures, and therefore, would not result in the potential exposure of the public and/or workers to asbestos or lead based paint. Therefore, no new impacts would occur.</p>
<p>Hydrology and Water Quality:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts. The purpose of the proposed debris basin is to improve the hydrology related impacts on the previously approved I-15 Logistics Project. The Modified Project would create a 0.44-acre debris basin to accommodate upstream flows of the previously Approved Project and capture and prevent debris from rainfall events from flowing onto the site below. As included in I-15</p>

	<p>Final EIR Appendix C, the jurisdictional map (Exhibit 6) illustrates the existing discharge path of drainage D-3 from the unimproved debris basin area to the I-15 Logistics project site. The proposed flow path would be consistent with the previously approved I-15 Final EIR, and further, the drainage capture area of the proposed project would be consistent with the previously approved project and would not contribute to additional downstream discharge. The basin has been sized to accommodate the flow coming from the foothills located to the north. Due to recent fires resulting in a lack of established vegetation, the foothills are susceptible to mudflows due to unsteady soil during heavy rain events. The basin would aid in capturing flows that would otherwise encroach onto the adjacent I-15 Logistics Project to the south. The Modified Project would not result in impacts related to hydrology and water quality and would reduce previously identified hydrologic impacts.</p>
<p>Land Use and Planning:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts with mitigation. The Modified Project would not divide an established community nor conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Modified Project. However, Municipal Code Chapter 28, Article III established the City’s tree preservation ordinance which describes the preservation of heritage, significant, and specimen trees in the City and procedures to follow if any protected trees are proposed for removal. Implementation of Mitigation Measure BIO-1 would ensure Modified Project impacts to on-site Southern California black walnut (<i>juglans californica</i>) are reduced to less than significant measures. With implementation, no new impacts related to land use and planning would occur.</p>
<p>Mineral Resources:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts. The Modified Project is consistent with what was analyzed in the Final EIR and no impacts would occur.</p>
<p>Noise:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts. Construction of the Modified Project would be compliant with the City’s noise ordinance, City Municipal Code Section 18-63, limiting construction between the hours of 7:00 a.m. and 6 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Additionally, operation of the debris basin would result in near negligible amounts of noise generation due to periodic cleaning of debris and maintenance of the basin. Therefore, the Modified Project is consistent with what was analyzed in the Final EIR and no new impacts would occur.</p>
<p>Population and Housing:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts. The Modified Project would not include the removal or construction of housing on the site. The Modified Project is consistent with what was analyzed in the Final EIR and no impacts would occur.</p>
<p>Public Services:</p>	<p>The previously approved Final EIR determined the Approved Project would result in less than significant impacts. The</p>

	proposed debris basin would not require employees or implement residential uses on the site, and therefore, would not result in any impacts related to public services. No new impacts would occur from the implementation of the Modified Project.
Recreation:	The previously approved Final EIR determined the Approved Project would result in less than significant impacts. The Modified Project is consistent with what was analyzed in the Final EIR and no impacts would occur.
Transportation:	The previously approved Final EIR determined the Approved Project would result in significant and unavoidable impacts. The Modified Project would generate periodic operational trips due to cleaning and maintenance of the basin. The trips anticipated to result from maintenance of the basin during future operations is anticipated to be near negligible due to the low frequency of trips. Construction related trips would be temporary and nominal due to the scope of the Modified Project. Construction activities, which are anticipated to be minimal in nature, may temporarily restrict vehicular traffic and would be required to comply with the construction traffic management plan (TMP) to facilitate the passage of persons and vehicles through/around any required road closures. The Final EIR contains Mitigation Measure TR-1 which requires the preparation of a TMP prior to construction related activities. Implementation of Mitigation Measure TR-1 would ensure construction-related traffic impacts and impacts to emergency access are reduced to less than significant levels. Therefore, no new impacts would occur.
Tribal Cultural Resources:	The previously approved Final EIR determined the Approved Project would result in less than significant impacts with mitigation. As part of the AB52 AB18 process for the I-15 Logistics Project, the City distributed letters notifying nearby tribes of the opportunity to consult on the Approved Project and assist the City. The San Manuel Band of Mission Indians and the Gabrieleno Indians both participated in a formal consultation with the City of Fontana regarding the Approved Project and the San Manuel Band of Mission Indians raised concerns regarding the potential for tribal cultural resources to be present. There are no known archaeological resources on the Approved Project site as per the Cultural Resources Assessment (Appendix G). However, there is potential for the accidental discovery of archaeological resources. Therefore, the mitigation measures CR-2 and CR-3 from the Final EIR are included to provide for archaeological monitoring and require the preparation of a TDP which provides details regarding the process for the infield treatment of inadvertent discoveries and the disposition of non-funerary resources. With implementation of CR-2 and CR-3, impacts would be less than significant and no new impacts would occur.
Utilities/Service Systems:	The previously approved Final EIR determined the Approved Project would result in less than significant impacts. The Modified Project would construct a debris basin in relation to the previously approved I-15 Logistics Project directly south. The Modified Project would not require water nor create waste or require the construction of onsite utilities. Rather, it would

	prevent water and debris flows from flowing south to the I-15 Logistics Project and other downstream land uses. Therefore, no impacts would occur.
Wildfire:	The previously approved Final EIR determined the Approved Project would result in less than significant impacts with mitigation. According to the CalFire Fire Hazard Severity Zones map, the Modified Project site is within a designated high fire hazard severity zone (HFHSZ) and is within a State Responsibility Area (SRA). Additionally, the Modified Project is included within the City’s Local Hazard Mitigation Plan (LHMP) and Emergency Operations Plan. Construction activities, which are anticipated to be minimal in nature, may temporarily restrict vehicular traffic and would be required to comply with the construction traffic management plan (TMP) to facilitate the passage of persons and vehicles through/around any required road closures (refer to Mitigation Measure TR-1 within the Final EIR). In addition, all proposed construction activities would be subject to compliance with all applicable State and local regulations in place to reduce risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. Implementation of Mitigation Measure TR-1, in conjunction with minimum construction standards for fire safety, would minimize impacts to construction-related impacts to adopted emergency response plans or emergency evacuation plans to less than significant. Therefore, no new impacts would occur.

The Modified Project would not result in further major modifications to the previously Approved Project. Therefore, Modified Project changes would not be anticipated to result in new or greater significant impacts beyond those identified in the previously adopted Final EIR and overall Modified Project impacts would be less than significant after mitigation. The Modified Project would be required to comply with all applicable mitigation, local, State, and federal regulations and policies included in the approved environmental documentation.

7 APPLICABLE GENERAL PLAN EIR MITIGATION MEASURES

The Modified Project would implement the following mitigation measures from the Final EIR. With implementation, all impacts would be less than significant. Therefore, the Modified Project would not introduce any new Project-specific mitigation measures.

AQ-1: The construction contractor will use the following dust suppression measures from the SCAQMD CEQA Air Quality Handbook to reduce the Project’s emissions:

- Suspend all excavating and grading operations when wind speeds exceed 25 mph.
- Sweep all streets once per day if visible soil materials are carried to adjacent streets.
- Install “shaker plates” prior to construction activity where vehicles enter and exit unpaved roads, or wash trucks and equipment prior to their leaving the site.

- Water all active portions of the construction site every three hours during daily construction activities and when dust is observed migrating from the Project site to prevent excessive amounts of dust.

BIO-1: Prior to construction, a qualified biologist shall flag all Southern California black walnut (*Juglans californica*) individuals located within the Project footprint for avoidance. If avoidance of the Southern California black walnuts is not feasible, a tree removal permit shall be obtained from the City in compliance with the City of Fontana Municipal Code Chapter 28, Article III.

BIO-3: A biological monitor shall be present on-site during all ground-disturbing activities to monitor construction activities and limits to ensure that specialstatus wildlife species with high to moderate potential to occur on-site (i.e., loggerhead shrike [*Lanius ludovicianus*], Cooper's hawk [*Accipiter cooperii*], northern harrier [*Circus cyaneus*], San Diego black-tailed jackrabbit [*Lepus californicus bennettii*], California glossy snake [*Arizona elegans occidentalis*], coastal whiptail [*Aspidoscelis tigris stejnegeri*], and coast horned lizard [*Phrynosoma blainvillii*]) and that are observed on-site are not adversely affected, , at the discretion of the biological monitor, by construction activities. The biological monitor shall have the authority to halt construction activities should any special-status wildlife species be observed on-site until the species has left the active construction areas.

BIO-4: Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur.

If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.

As part of the nesting bird clearance survey, a preconstruction burrowing owl clearance survey shall be conducted within 30 days of the start of ground disturbing activities to ensure burrowing owl remain absent from the Project Area.

BIO-6: Prior to issuance of any grading permits for permanent impacts in jurisdictional features, the Project Applicant shall provide to the City of Fontana Planning Division documentation from the USACE, RWQCB and CDFW of the lack of federal and state jurisdictional waters on the Project site, or documentation that a Federal Clean Water Act Section 404 permit, a Report of Waste Discharge certification from the Regional Water Quality Control Board (RWQCB); and/or 32 a Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife (CDFW) have been obtained. The type, amount, and location of any required mitigation (including payment of fees or purchase of credits) shall be established by each regulatory agency during the review of any required permit.

CR-2: An archaeological monitor with at least 3 years of regional experience in archaeology and tribal monitors representing the consulting tribes (San Manuel Band of Mission Indians) shall be present for all ground-disturbing activities below 2 feet that occurs within the Modified Project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.]).

A Monitoring Plan shall be created prior to any and all ground-disturbing activity in consultation with the consulting tribes and agreed to by all parties. The Monitoring Plan shall include details regarding the monitoring process, as well as the Treatment and Disposition Plan described in Mitigation Measure CR 3. A sufficient number of archaeological and tribal monitors shall be present each workday to ensure that simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage.

CR-3: A Treatment and Disposition Plan (TDP) shall be established, prior to the commencement of any and all ground-disturbing activities for the Project, including any archaeological testing. The TDP will provide details regarding the process for the in-field treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources. Inadvertent discoveries of human remains and/or funerary object(s) are subject to California Health and Safety Code Section 7050.5. The subsequent disposition of those discoveries shall be decided by the most likely descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.

GEO-5 Monitoring. Any excavations in the finer-grained sedimentary deposits on the Project Area shall be monitored closely by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, to quickly and professionally recover any fossil remains while not impeding development.

GEO-6 Prior to any excavation in the finer-grained sedimentary deposits on the Project Area, sediment samples shall be collected by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, from the finer-grained deposits on the Project Area and processed to determine their fossil potential. If subsurface fossils are discovered during earth-moving activities associated with the Modified Project, a qualified paleontologist or qualified designee shall divert these activities temporarily around the fossil site until the remains have been recovered, a rock sample has then been collected to process to allow for the recovery of smaller fossil remains, if warranted, and construction has been allowed to proceed through the site by a qualified paleontologist or qualified designee. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped, and a qualified paleontologist or qualified designee shall be called to the site immediately to recover the remains. Any fossils collected shall be placed in an accredited scientific institution for the benefit of current and future generations.

TR-1: Prior to issuance of any grading and/or demolition permits, whichever occurs first, the Project applicant shall prepare a Construction Traffic Management Plan (TMP) to be submitted for review and approval by the City Engineer. The TMP shall, at a minimum, address the following:

- Traffic control for any street closure, detour, or other disruption to traffic circulation.

-
- Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the Project site, traffic controls and detours, and proposed construction phasing plan for the Project.
 - Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
 - Require the Project applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt, as a result of its operations. The applicant shall clean adjacent streets, as directed by the City of Fontana Public Works Department, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
 - Hauling or transport of oversize loads shall be subject to the requirements of the City of Fontana Public Works Department and/or the County of San Bernardino.
 - Use of local streets shall be prohibited.
 - Haul trucks entering or exiting public streets shall at all times yield to public traffic.
 - If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
 - All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.
 - Should the Project utilize State facilities for hauling of construction materials, the Construction Management Plan shall be submitted to the California Department of Transportation (Caltrans) for review and comment.
 - Should Project construction activities require temporary vehicle lane, bicycle lane, and/or sidewalk closures, the applicant shall coordinate with the City Engineer regarding timing and duration of proposed temporary lane and/or sidewalk closures do not impact operations of adjacent uses or emergency access.

The TMP shall be monitored for effectiveness and be modified in conjunction with the City Engineer if needed to improve safety and/or efficiency.

8 DETERMINATION

As set forth in State CEQA Guidelines Section 15164(b), an agency may prepare an addendum to a prior CEQA document: “An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.”

This Addendum is the appropriate CEQA documentation for the Project because:

-
- the Project does not change the land use that was previously approved, the impacts of which were previously analyzed in the Final EIR for the project approved under MCN15-078;
 - the Project would not permit an intensification of uses that would lead to increased environmental impacts beyond those that are already analyzed in the Final EIR;
 - the Project does not modify previously analyzed project in a substantive way;
 - no new Project-specific mitigation measures are required;
 - none of the conditions identified in Public Resources Code Section 21166 or Section 15162 of the CEQA Guidelines apply; and,
 - no new significant adverse Project-specific or cumulative impacts in any environmental areas were identified, nor would any project-specific or cumulative impacts in any environmental areas be made worse as a result of implementing the Project.

Therefore, pursuant to State CEQA Guidelines Section 15164, this document serves as an Addendum to the Certified Final EIR prepared for the original Approved Project - MCN15-078. It is the independent judgment of San Bernardino County LAFCO that the proposed changes to the Modified Project do not require the preparation of a subsequent MND or EIR as described in State CEQA Guidelines Section 15162.

9 REFERENCES

- BCRConsulting, LLC. Cultural Resources Assessment. November 17, 2021. Appendix G.
- California Department of Conservation. California Important Farmland Finder. Accessed: <https://maps.conservation.ca.gov/dlrp/ciff/>
- California Department of Conservation. Earthquake Zones of Required Investigation. Accessed: <https://maps.conservation.ca.gov/cgs/EQZApp/app/>
- California Department of Fish and Wildlife. Streambed Alteration Agreement. Map 5, 2020. Appendix B.
- CALFire. Fire Hazard Severity Zone Map. Accessed: <https://egis.fire.ca.gov/FHSZ/>
- City of Fontana Municipal Code. (October 5, 2022). Accessed: https://library.municode.com/ca/fontana/codes/code_of_ordinances
- City of Fontana General Plan Land Use Map. April 20, 2022. Accessed: <https://www.fontana.org/DocumentCenter/View/28163/General-Plan-Land-Use-Map-04-20-2022?bidId=>
- City of Fontana Zoning District Map. April 20, 2022. Accessed: <https://www.fontana.org/DocumentCenter/View/30623/Zoning-District-Map-04-20-2022?bidId=>
- Department of Toxic Substances Control EnviroStor Database: Accessed: <https://www.envirostor.dtsc.ca.gov/public/>
- Glenn Lukos Associates, Inc. Addendum to the Jurisdictional Delineation Report for the I-15 Logistics Project. August 23, 2021. Appendix E.
- Glenn Lukos Associates, Inc. Plummer's Mariposa Lily Mitigation and Monitoring Plan. June 29, 2021. Appendix G.
- Glenn Lukos Associates, Inc. Tree Survey and Report. June 29, 2021. Appendix D.
- Glenn Lukos Associates, Inc. Vegetation Map. April 1, 2021. Appendix C.
- Michael Baker International. Habitat Assessment. October 2017. Appendix A.

**ADDENDUM #1 APPENDICES:
Addendum #1 to the Final Environmental Impact Report for the
I-15 Logistics Project (SCH No. 218011008)**

- [Addendum Appx A – Habitat Assessment](#)
- [Addendum Appx B – Streambed Alteration Agreement](#)
- [Addendum Appx C – Vegetation Layout Map](#)
- [Addendum Appx D – Tre Survey and Report](#)
- [Addendum Appx E – Jurisdictional Delineation Addendum](#)
- [Addendum Appx F – Plummer’s Mariposa Lily Mitigation & Monitoring Plan](#)
- [Addendum Appx G – Cultural Resources Assessment](#)

**Environmental Documents Related to the City of Fontana’s
Approval of the I-15 Logistics Project (SCH No. 2018011008)**

- ❖ [Notice of Determinations \(Filed June 26, 2020, and July 16, 2020\)](#)
- ❖ [Resolution No. 2020-072 Certifying the EIR \(SCH #2018011008\)](#)
- ❖ [Ordinance No. 1812 \(Rezoning\)](#)

- ❖ [Final Environmental Impact Report \(FEIR\)](#)
 - [FEIR Errata Dated 06-10-2020](#)
 - [FEIR Errata Dated 06-26-2020](#)
 - [FEIR Errata Dated 06-29-2020](#)

- ❖ [Draft Environmental Impact Report \(DEIR\)](#)
 - [DEIR Appx A – Notice of Preparation, Initial Study](#)
 - [DEIR Appx B – Air Quality Impact Analysis, Health Risk Assessment, GHG Emissions Report](#)
 - [DEIR Appx C – Habitat Assessment](#)
 - [DEIR Appx D – Cultural Resources Assessment](#)
 - [DEIR Appx E – Geotechnical/Fault Rupture Hazard Investigation Report](#)
 - [DEIR Appx F – Phase 1 Environmental Site Assessment Report](#)
 - [DEIR Appx G – Water Quality Management Plan](#)
 - [DEIR Appx H – Acoustical Analysis](#)
 - [DEIR Appx I – Traffic Impact Analysis](#)
 - [DEIR Appx J – Water Supply Assessment](#)

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

PROPOSAL NO.: LAFCO 3261

HEARING DATE: APRIL 19, 2023

RESOLUTION NO. 3368

A RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY MAKING DETERMINATIONS ON LAFCO 3261 - REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF FONTANA AND DETACHMENT FROM FONTANA FIRE PROTECTION DISTRICT AND COUNTY SERVICE AREA 70

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 April 19, 2023 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, objections and 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 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.

RESOLUTION NO. 3368

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

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

CONDITIONS:

Condition No. 1. The boundaries of this change of organization 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 3261.

Condition No. 3. All previously authorized charges, fees, assessments, and/or taxes currently in effect by the City of Fontana (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 I-15 Logistics, LLC 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. Pursuant to Government Code Section 56886.1, public utilities, as defined in Section 216 of the Public Utilities Code, have ninety (90) days following the recording of the Certificate of Completion to make the necessary changes.

Condition No. 6. The date of issuance of the Certification of Completion shall be the effective date of the 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 required to be provided by Commission policy and Government Code Section 56668:

1. The reorganization area is legally uninhabited containing zero registered voters as certified by the Registrar of Voters as of March 24, 2023.

RESOLUTION NO. 3368

2. The County Assessor's Office has determined that the total assessed value of land within the reorganization area is \$1,191,323 as of November 29, 2022.
3. The reorganization area is within the sphere of influence for the City of Fontana.
4. Legal notice of the Commission's consideration of the proposal has been provided through publication in *The Sun*, 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. In compliance with the requirements of Government Code Section 56157 and Commission policies, LAFCO staff has provided individual notice to landowners (10) and registered voters (6) surrounding the reorganization area (totaling 16 notices). Comments from registered voters, landowners, and other individuals and any affected local agency in support or opposition have been reviewed and considered by the Commission in making its determination.
6. The City of Fontana pre-zoned the reorganization area as Residential Estate (R-E) and Open Space – Natural (OS-N).
7. The Southern California Associated Governments ("SCAG") recently adopted its 2020-2045 Regional Transportation Plan and Sustainable Communities Strategy (RTP-SCS) pursuant to Government Code Section 65080. LAFCO 3261 has no direct impact on SCAG's Regional Transportation Plan and Sustainable Communities Strategy; however, the reorganization area is close to the I-15 Freeway, which is part of the RTP-SCS's regional express lane network that will be adding two express lanes on both freeways in each direction for completion by 2040.
8. The City of Fontana approved and adopted its 2017 Local Hazard Mitigation Plan on August 14, 2018 that shows the reorganization area is adjacent to both high and very high Fire Hazard Severity Zones.
9. A Complete Final Environmental Impact Report (EIR) was prepared and certified as adequate by the City of Fontana for the I-15 Logistics Project (SCH No. 218011008). This Complete Final EIR addresses environmental impacts of the Project and an Addendum, Addendum #1 to the Final EIR was prepared for the Commission's use in considering the reorganization proposal (Copies of the City's Complete Final EIR and Addendum #1, including all associated documents, were provided to Commission). The Commission's staff and its Environmental Consultant have independently reviewed the Complete Final EIR and Addendum #1 and found them to be adequate for the LAFCO 3261 decision.

The Commission certified that it had reviewed and considered the City's Complete Final EIR and Addendum #1 and the environmental effects outlined therein prior to reaching a decision as a CEQA lead agency. The Commission acknowledged the mitigation measures and Mitigation Monitoring and Reporting Program contained in the City's Complete Final EIR and found that no additional alternatives or mitigation measures would be adopted by the Commission. The Commission found that all changes, alterations, and mitigation measures are within the responsibility and jurisdiction of the City and other agencies, not the Commission. The Commission

RESOLUTION NO. 3368

found that it is the responsibility of the City to oversee and implement these measures and the Mitigation Monitoring and Reporting Program.

10. The reorganization area is served by the following local agencies: County of San Bernardino, Inland Empire Resource Conservation District, Fontana Fire Protection District, West Valley Water District, San Bernardino Valley Municipal Water District, and County Service Area 70 (multi-function unincorporated area Countywide)

County Service Area 70 will be detached and its sphere of influence reduced upon successful completion of this proposal.

11. A Plan of Service was prepared for the extension of services to the reorganization area, as required by law. The Plan for Service and the Fiscal Impact Analysis, as certified by the City indicates that the City can maintain and/or improve the level and range of services currently available in the area.

The Plan for Service and Fiscal Impact Analysis 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 the Plan for Service and the Fiscal Impact Analysis conform to those adopted standards and requirements.

12. The reorganization proposal complies with Commission policies that indicate the preference for areas proposed for development at an urban-level land use be included within a City so that the full range of municipal services can be planned, funded, extended and maintained.
13. The reorganization area can benefit from the availability and extension of municipal services from the City of Fontana, as evidenced by their Plans for Service.
14. This proposal will not have an effect on the City of Fontana's ability to achieve its fair share of the regional housing needs since a debris basin is being built on the property.
15. With respect to environmental justice, which is the fair treatment of people of all races, cultures, and incomes approval of the reorganization to annex the parcel into the City of Fontana to be used for a debris basin to serve the I-15 Logistics Project will not result in the deprivation of service or the unfair treatment of any person based on race, culture or income.
16. The County of San Bernardino and the City of Fontana have successfully negotiated a transfer of property tax revenues that will be implemented upon completion of this reorganization. This fulfills the requirements of Section 99 of the Revenue and Taxation Code.
17. The maps and legal descriptions, as revised, are in substantial compliance with LAFCO and State standards through certification by the County Surveyor's Office.

SECTION 4. The primary reason the property owner/developer initiated the reorganization proposal is to construct a debris basin (and storm drain connection) within the property that is needed to support the I-15 Logistics Project—a 1,171,788 sq. ft. high-cube warehouse logistics facility that was previously annexed into the City of Fontana.

EXHIBIT "A"
LEGAL DESCRIPTION
ANNEXATION

LAFCO 3261 – REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF
FONTANA AND DETACHMENT FROM COUNTY SERVICE AREA 70
(APN 0239-072-02)

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 5 WEST, SAN BERNARDINO MERIDIAN, LOCATED IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

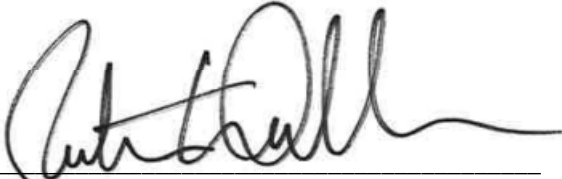
BEGINNING AT A POINT ON THE EXISTING BOUNDARY OF THE CITY OF FONTANA PER ANNEXATION NO. _____, (LAFCO 3243), RECORDED MARCH 29, 2021, AS INSTRUMENT NO. 2021-0140584, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING THE INTERSECTION OF THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 18 WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF LYTLE CREEK ROAD (60.00 FEET WIDE) AS DESCRIBED IN DEED DATED JULY 16, 1934 AND RECORDED IN BOOK 982, PAGE 158 OF OFFICIAL RECORDS OF SAID COUNTY;

1. THENCE ALONG SAID CITY BOUNDARY AND SAID NORTHWESTERLY RIGHT-OF-WAY LINE AS ESTABLISHED PER ANNEXATION NO. _____, (LAFCO 3243), THROUGH ITS VARIOUS COURSES IN A GENERALLY WESTERLY, SOUTHERLY, AND SOUTHWESTERLY DIRECTION TO THE INTERSECTION OF SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF LYTLE CREEK ROAD AND THAT CERTAIN AGREED BOUNDARY LINE DESCRIBED IN DEED RECORDED NOVEMBER 23, 1949 IN BOOK 2491, PAGE 324, OFFICIAL RECORDS OF SAID COUNTY;
2. THENCE LEAVING SAID NORTHWESTERLY RIGHT OF WAY LINE, AND ALSO LEAVING SAID EXISTING CITY BOUNDARY, ALONG SAID AGREED BOUNDARY LINE, NORTH 00°30'32" WEST, 637.97 FEET MORE OR LESS TO THE INTERSECTION OF SAID AGREED BOUNDARY LINE WITH SAID NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 18;
3. THENCE ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 18, NORTH 89°51'25" EAST, 838.74 FEET MORE OR LESS TO THE **POINT OF BEGINNING**.

CONTAINING: 233,114 SQUARE FEET, OR 5.352 ACRES, MORE OR LESS

EXHIBIT "B": ATTACHED HERETO AND MADE A PART HEREOF FOR CLARIFICATION PURPOSES IF NECESSARY.

THIS LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION.

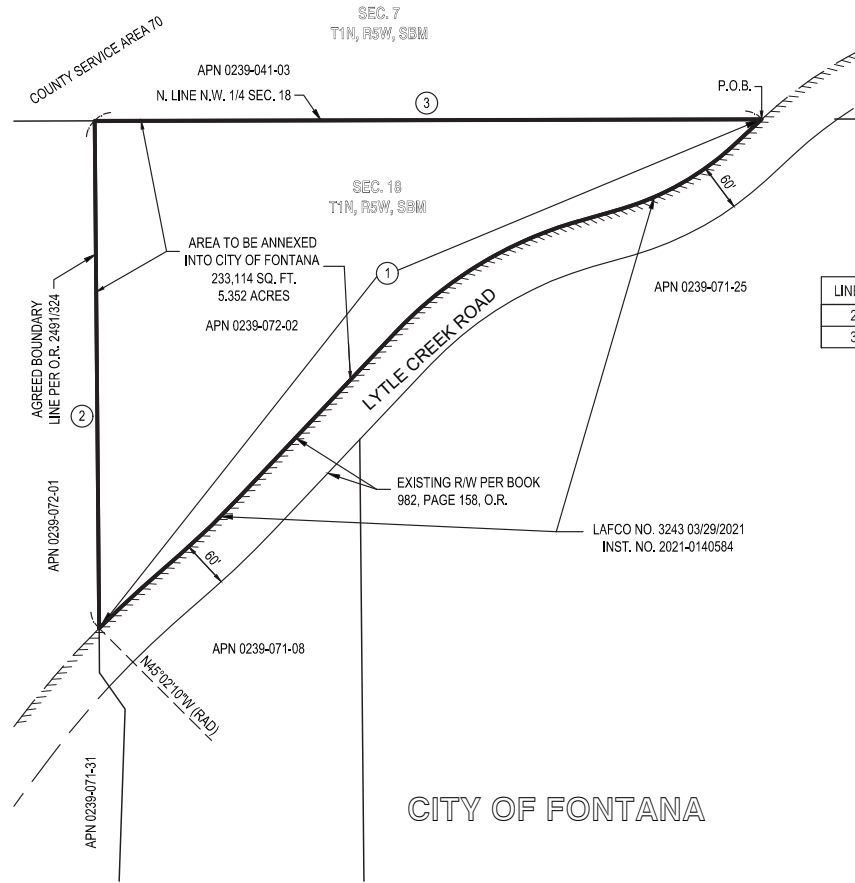
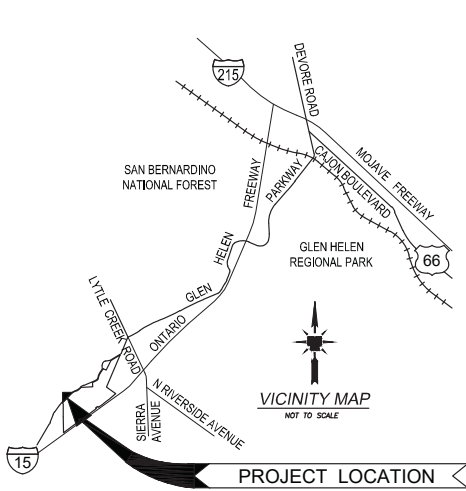


ROBERT WALKER, L.S. 7137

03/14/2023

DATE

**EXHIBIT B
ANNEXATION MAP**
LAFCO 3261 - REORGANIZATION TO INCLUDE ANNEXATION TO THE CITY OF FONTANA
AND DETACHMENT FROM COUNTY SERVICE AREA 70 (APN 0239-072-02)



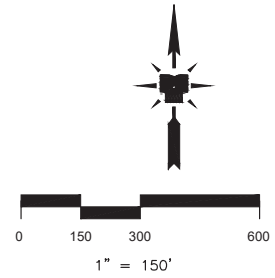
LINE #	BEARING/DELTA	RADIUS	LENGTH
2	N00°30'32"W		637.97'
3	N89°51'25"E		838.74'

- LEGEND**
- P.O.B. = POINT OF BEGINNING
 - [Solid Line] = ANNEXATION/DETACHMENT BOUNDARY
 - [Dashed Line] = EXISTING CITY OF FONTANA BOUNDARY AND LAFCO 3243 BOUNDARY
 - (#) = COURSE NUMBER

Robert Walker

 ROBERT WALKER, PLS 7137
 DATE PREPARED: 03/14/2023

AFFECTED AGENCIES
 CITY OF FONTANA
 COUNTY SERVICE AREA 70



ANNEXATION TO THE CITY OF FONTANA

DAVID EVANS AND ASSOCIATES INC.
 4141 E. Main Street, Suite 250
 Ontario, CA 91764
 Phone: 951.941.0700

REVISIONS: APPD.

DATE: March 14, 2023
 DESIGN: SKZ
 DRAWN: SKZ
 CHECKED: RW
 REVISION NUMBER:

SCALE: 1"=150'

PROJECT NUMBER:
 CPRK115L0001

DRAWING FILE:
 CPRK115L0001 Annexation Exhibit B.

SHEET NO.
1
 OF 1

EXHIBIT A-1

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