



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2023

Record Type: Project Application

Primary

0485031120000

Record Status: In Process

APN: Application

PROJ- 2020-00110- PV Limestone in Trona

Name:

Description:

EXTENSION OF TME FOR CONDITIONAL USE PERMIT PROJ-2020-00110 TO ESTABLISH A LIME PROCESSING PLANT ON 62 ACRES IN TRONA. A MAJOR VARIANCE IS REQUIRED FOR THE 167-FOOT AIR EMISSIONS CONTROL STACK, 164-FOOT KILN, AND 120 FOOT LOADING BINS, SINCE THEY EXCEED THE 75-FOOT HIGH LIMIT AND 50% ADDITIONAL HEIGHT PERMITTED FOR STRUCTURES IN INDUSTRIAL DISTRICTS.

This document does not signify project approval.

If the project has been approved, then an effective date and an expiration date for these conditions can be found below. This content reflects County records as at the System Date and time below.

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

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

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

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

On-going

Land Use Services – Land Development

1. Tributary Drainage: Adequate provisions should be made to intercept and conduct the tributary off site - on site drainage flows around and through the site in a manner, which will not adversely affect adjacent or downstream properties at the time the site is developed.
2. Erosion Control Installation: Erosion control devices must be installed and maintained at all perimeter openings and slopes throughout the construction of the project. No sediment is to leave the job site.
3. Additional Drainage Requirements: In addition to drainage requirements stated herein, other "on-site" and/or "off-site" improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
4. Natural Drainage: The natural drainage courses traversing the site shall not be occupied or obstructed.

Land Use Services - Planning

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



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2023

6. Clear Sight Triangle: Adequate visibility for vehicular and pedestrian traffic shall be provided at clear sight triangles at all 90 degree angle intersections of public rights-of-way and private driveways. All signs, structures and landscaping located within any clear sight triangle shall comply with the height and location requirements specified by County Development Code (SBCC§ 83.02.030) or as otherwise required by County Traffic
7. Continuous Effect/Revocation: All of the conditions of this project approval are continuously in effect throughout the operative life of the project for all approved structures and approved land uses/activities. Failure of the property owner or developer to comply with any or all of the conditions at any time may result in a public hearing and possible revocation of the approved land use, provided adequate notice, time and opportunity is provided to the property owner, developer or other interested party to correct the non-complying situation.
8. Revisions: Any proposed change to the approved Project and/or conditions of approval shall require that an additional land use application (e.g. Revision to an Approved Action) be submitted to County Land Use Services for review and approval.
9. Construction Hours: Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday in accordance with the County of San Bernardino Development Code standards. No construction activities are permitted outside of these hours or on Sundays and Federal holidays.
10. Cultural Resources: During grading or excavation operations, should any potential paleontological or archaeological artifacts be unearthed or otherwise discovered, the San Bernardino County Museum shall be notified and the uncovered items shall be preserved and curated, as required. For information, contact the County Museum, Community and Cultural Section, telephone (909) 798-8570.
11. Extension of Time: Extensions of time to the expiration date (listed above or as otherwise extended) may be granted in increments each not to exceed an additional three years beyond the current expiration date. An application to request consideration of an extension of time may be filed with the appropriate fees no less than thirty days before the expiration date. Extensions of time may be granted based on a review of the application, which includes a justification of the delay in construction and a plan of action for completion. The granting of such an extension request is a discretionary action that may be subject to additional or revised conditions of approval or site plan modifications. (SBCC §86.06.060)
12. Lighting: Lighting shall comply with Table 83-7 "Shielding Requirements for Outdoor Lighting in the Mountain Region and Desert Region" of the County's Development Code (i.e. "Dark Sky" requirements). All lighting shall be limited to that necessary for maintenance activities and security purposes. This is to allow minimum obstruction of night sky remote area views. No light shall project onto adjacent roadways in a manner that interferes with on-coming traffic. All signs proposed by this project shall only be lit by steady, stationary, shielded light directed at the sign, by light inside the sign, by direct stationary neon lighting or in the case of an approved electronic message center sign, an alternating message no more than once every five seconds.
13. On-going Condition: Mitigation Measure AIR-10. Any operation or activity that might cause the emission of any smoke, fly ash, dust, fumes, vapors, gases, or other forms of air pollution, which can cause damage to human health, vegetation, or other forms of property, or can cause excessive soiling on any other parcel, shall conform to the requirements of the Mojave Desert Air Quality Management District.
14. On-going Condition: Mitigation Measure AIR-4. As they become available and financially feasible, the Applicant shall consider replacing bulk delivery trucks with hydrogen or electric trucks/tractors.
15. On-going Condition: Mitigation Measure GEO-6. The applicant/operator shall not process or otherwise import produced minerals as defined by California Code of Regulations Section 3695 unless the applicant/operator certifies, under penalty of perjury, that the imported minerals are not subject to SMARA or obtained from a mining operation identified on the AB 3098 List published by the California Department of Conservation pursuant to Public Resources Code Section 2717(b).



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

16. On-going Condition: Mitigation Measure HYD-2. Should the Applicant obtain process water (39.9 AFY) from SDWC, and if recycled water becomes available at the project site, the Applicant shall connect to this system and utilize recycled water for landscape irrigation, and any other feasible uses of recycled water on the project site. The Applicant shall inform the Planning Staff upon utilizing recycled water.
17. On-going Condition: Mitigation Measure HYD-3. Should the Applicant obtain process water (39.9 AFY) from SDWC, once IWVGA has identified basin-wide conservation measures, the Applicant shall implement business practices that are consistent with these conservation measures and consistent with facility operational requirements, thereby ensuring that this project contributes to basin-wide water conservation. The applicant shall inform the County upon adoption of basin-wide measures and the actions they have undertaken to be consistent with these measures.
18. On-going Condition: Mitigation Measure TRAN-2. The County shall require that all disturbances to public roadways maintained by the County be repaired in a manner that complies with the Standard Specifications for Public Works Construction (green book) or other applicable Caltrans or County standard design requirements.
19. Underground Utilities: No new above-ground power or communication lines shall be extended to the site. All required utilities shall be placed underground in a manner that complies with the California Public Utilities Commission General Order 128, and avoids disturbing any existing/natural vegetation or the site appearance.
20. Performance Standards : The approved land uses shall operate in compliance with the general performance standards listed in the County Development Code Chapter 83.01, regarding air quality, electrical disturbance, fire hazards (storage of flammable or other hazardous materials), heat, noise, vibration, and the disposal of liquid waste
21. Additional Permits: The developer shall ascertain compliance with all laws, ordinances, regulations and any other requirements of Federal, State, County and Local agencies that may apply for the development and operation of the approved land use. These may include but are not limited to: a. FEDERAL: b. STATE: c. COUNTY: d. LOCAL:
22. GHG - Operational Standards: The developer shall implement the following as greenhouse gas (GHG) mitigation during the operation of the approved project: a. Waste Stream Reduction. The "developer" shall provide to all tenants and project employees County-approved informational materials about methods and need to reduce the solid waste stream and listing available recycling services. b. Vehicle Trip Reduction. The "developer" shall provide to all tenants and project employees County-approved informational materials about the need to reduce vehicle trips and the program elements this project is implementing. Such elements may include: participation in established ride-sharing programs, creating a new ride-share employee vanpool, designating preferred parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading for ride sharing vehicles with benches in waiting areas, and/or providing a web site or message board for coordinating rides. c. Provide Educational Materials. The developer shall provide to all tenants and staff education materials and other publicity about reducing waste and available recycling services. The education and publicity materials/program shall be submitted to County Planning for review and approval. d. Landscape Equipment. The developer shall require in the landscape maintenance contract and/or in onsite procedures that a minimum of 20% of the landscape maintenance equipment shall be electric-powered.
23. Construction Noise: The following measures shall be adhered to during the construction phase of the project: - All construction equipment shall be muffled in accordance with manufacturer's specifications. - All construction staging shall be performed as far as possible from occupied dwellings. The location of staging areas shall be subject to review and approval by the County prior to the issuance of grading and/or building permits. - All stationary construction equipment shall be placed in a manner so that emitted noise is directed away from sensitive receptors (e.g. residences and schools) nearest the project site.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

24. Project Account: The Project account number is PROJ-2020-00110. This is an actual cost project with a deposit account to which hourly charges are assessed by various county agency staff (e.g. Land Use Services, Public Works, and County Counsel). Upon notice, the "developer" shall deposit additional funds to maintain or return the account to a positive balance. The "developer" is responsible for all expense charged to this account. Processing of the project shall cease, if it is determined that the account has a negative balance and that an additional deposit has not been made in a timely manner. A minimum balance of \$2,000.00 must be in the project account at the time the Condition Compliance Review is initiated. Sufficient funds must remain in the account to cover the charges during each compliance review. All fees required for processing shall be paid in full prior to final inspection, occupancy and operation of the approved use.
25. Continuous Maintenance: The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to: a) Annual maintenance and repair: The developer shall conduct inspections for any structures, fencing/walls, driveways, and signs to assure proper structural, electrical, and mechanical safety. b) Graffiti and debris: The developer shall remove graffiti and debris immediately through weekly maintenance. c) Landscaping: The developer shall maintain landscaping in a continual healthy thriving manner at proper height for required screening. Drought-resistant, fire retardant vegetation shall be used where practicable. Where landscaped areas are irrigated it shall be done in a manner designed to conserve water, minimizing aerial spraying. d) Dust control: The developer shall maintain dust control measures on any undeveloped areas where landscaping has not been provided. e) Erosion control: The developer shall maintain erosion control measures to reduce water runoff, siltation, and promote slope stability. f) External Storage: The developer shall maintain external storage, loading, recycling and trash storage areas in a neat and orderly manner, and fully screened from public view. Outside storage shall not exceed the height of the screening walls. g) Metal Storage Containers: The developer shall NOT place metal storage containers in loading areas or other areas unless specifically approved by this or subsequent land use approvals. h) Screening: The developer shall maintain screening that is visually attractive. All trash areas, loading areas, mechanical equipment (including roof top) shall be screened from public view. i) Signage: The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis. Signs on the site shall be of the size and general location as shown on the approved site plan or subsequently a County-approved sign plan. j) Lighting: The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways. Lighting shall adhere to applicable glare and night light rules. k) Parking and on-site circulation: The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan. Any modification to parking and access layout requires the Planning Division review and approval. The markings and signs shall be clearly defined, un-faded and legible; these include parking spaces, disabled space and access path of travel, directional designations and signs, stop signs, pedestrian crossing, speed humps and "No Parking", "Carpool", and "Fire Lane" designations. l) Fire Lanes: The developer shall clearly define and maintain in good condition at all times all markings required by the Fire Department, including "No Parking" designations and "Fire Lane" designations.
26. Project Location: The Project site is located approximately 0.87 miles west of the intersection of Trona Road and Athol Street, in Trona.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

27. Project Approval Description (CUP/MUP): This Conditional Use Permit is conditionally approved to establish a limestone processing plant and a Major Variance for a 167 foot high air emissions stack, 164 foot high kiln, and 120 foot high loading bins that exceed the 112.5 foot height limit for structures in the Regional Industrial District, in compliance with the San Bernardino County Code (SBCC), California Building Codes (CBC), the San Bernardino County Fire Code (SBCFC), the following Conditions of Approval, the approved site plan, and all other required and approved reports and displays (e.g. elevations). The developer shall provide a copy of the approved conditions and the approved site plan to every current and future project tenant, lessee, and property owner to facilitate compliance with these Conditions of Approval and continuous use requirements for the Project.
28. Expiration: This project permit approval shall expire and become void if it is not "exercised" within 36 months of the effective date of this approval, unless an extension of time is approved. The permit is deemed "exercised" when either: (a.) The permittee has commenced actual construction or alteration under a validly issued building permit, or (b.) The permittee has substantially commenced the approved land use or activity on the project site, for those portions of the project not requiring a building permit. (SBCC §86.06.060) (c.) Occupancy of approved land use, occupancy of completed structures and operation of the approved and exercised land use remains valid continuously for the life of the project and the approval runs with the land, unless one of the following occurs: - Construction permits for all or part of the project are not issued or the construction permits expire before the structure is completed and the final inspection is approved. - The land use is determined by the County to be abandoned or non-conforming. - The land use is determined by the County to be not operating in compliance with these conditions of approval, the County Code, or other applicable laws, ordinances or regulations. In these cases, the land use may be subject to a revocation hearing and possible termination. PLEASE NOTE: This will be the ONLY notice given of this approval's expiration date. The developer is responsible to initiate any Extension of Time application.

Public Health- Environmental Health Services

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

County Fire - Community Safety

32. Permit Expiration: Construction permits, including Fire Condition Letters, shall automatically expire and become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Suspension or abandonment shall mean that no inspection by the Department has occurred with 180 days of any previous inspection. After a construction permit or Fire Condition Letter, becomes invalid and before such previously approved work recommences, a new permit shall be first obtained and the fee to recommence work shall be one-half the fee for the new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. A request to extend the Fire Condition Letter or Permit may be made in writing PRIOR TO the expiration date justifying the reason that the Fire Condition Letter should be extended.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

33. Jurisdiction: The above referenced project is under the jurisdiction of the San Bernardino County Fire Department herein "Fire Department". Prior to any construction occurring on any parcel, the applicant shall contact the Fire Department for verification of current fire protection requirements. All new construction shall comply with the current California Fire Code requirements and all applicable status, codes, ordinances and standards of the Fire Department.

Prior to Land Disturbance

Outstanding

Land Use Services - Building and Safety

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

Land Use Services - Land Development

37. On-site Flows: On-site flows need to be directed to the nearest County road or drainage facilities unless a drainage acceptance letter is secured from the adjacent property owners and provided to Land Development.
38. Regional Board Permit: Construction projects involving one or more acres must be accompanied by Regional Board permit WDID #. Construction activity includes clearing, grading, or excavation that results in the disturbance of at least one (1) acre of land total.
39. NPDES Permit: An NPDES permit - Notice of Intent (NOI) - is required on all grading of one (1) acre or more prior to issuance of a grading/construction permit. Contact your Regional Water Quality Control Board for specifics. www.swrcb.ca.gov
40. Grading Plans: Grading and Erosion control plans shall be submitted for review and approval obtained, prior to construction. All Drainage and WQMP improvements shall be shown on the Grading plans according to the approved Drainage study and WQMP reports. Fees for grading plans will be collected upon submittal to the Land Development Division and are determined based on the amounts of cubic yards of cut and fill. Fee amounts are subject to change in accordance with the latest approved fee schedule.
41. Topo Map: A topographic map shall be provided to facilitate the design and review of necessary drainage facilities.
42. FEMA Flood Zone: The project is located within Flood Zone D and X-Unshaded according to FEMA Panel Number 06027C4825D dated 8/16/2011. Flood hazards are undetermined in this area, but possible. No elevation requirements within Flood Zone X-Unshaded.. The requirements may change based on the recommendations of a drainage study accepted by the Land Development Division and the most current Flood Map prior to issuance of grading permit.
43. Drainage Improvements: A Registered Civil Engineer (RCE) shall investigate and design adequate drainage improvements to intercept and conduct the off-site and on-site drainage flows around and through the site in a safety manner, which will not adversely affect adjacent or downstream properties. Submit drainage study for review and obtain approval. A \$750 deposit for drainage study review will be collected upon submittal to the Land Development Division. Deposit amounts are subject to change in accordance with the latest approved fee schedule.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

Land Use Services - Planning

44. Grading/Land Disturbance Condition: Mitigation Measure AIR-1. Fugitive Dust Control. The following measures shall be incorporated into all building and grading plans and specifications prior to issuance of permits for implementation during construction: • Apply soil stabilizers as necessary to inactive areas. • Prepare a high wind dust control plan and implement plan elements and terminate soil disturbance when winds exceed 25 mph. • Stabilize previously disturbed areas if subsequent construction is delayed. • Apply water to disturbed surfaces and haul roads 3 times/day. • Replace ground cover in disturbed areas quickly. • Reduce speeds on unpaved roads to less than 15 mph. • Trenches shall be left exposed for as short a time as possible. • Identify proper compaction for backfilled soils in construction specifications. AIR-1
45. Grading/Land Disturbance Condition: Mitigation Measure AIR-2. The following signage shall be erected no later than the commencement of grading: A minimum 48 inch high by 96 inch wide sign containing the following shall be located within 50 feet of each project site entrance, meeting the specified minimum height text, black text on white background, on one inch A/C laminated plywood board, with the lower edge between six and seven feet above grade, identifying a responsible official for the site and local or toll free number that is accessible 24 hours per day: "[Site Name] {four-inch text} [Project Name/Project Number] {four-inch text} IF YOU SEE DUST COMING FROM {four-inch text} THIS PROJECT CALL: {six-inch text} [Contact Name], PHONE NUMBER {six-inch text} If you do not receive a response, Please Call {three-inch text} The MDAQMD at 1-800-635-4617 {three-inch text}"
46. Grading/Land Disturbance Condition: Mitigation Measure AIR-3. During project operations a 4,000-gallon water truck shall be available on-site at all times for dust control.
47. Grading/Land Disturbance Condition: Mitigation Measure AIR-5. Prior to grading, wind breaks and/or fencing shall be installed in areas that are susceptible to high wind induced dusting.
48. Grading/Land Disturbance Condition: Mitigation Measure AIR-6. Off-road diesel equipment operators shall be required to shut down their engines rather than idle for more than five minutes and shall ensure that all off-road equipment is compliant with the CARB in-use off-road diesel vehicle regulation.
49. Grading/Land Disturbance Condition: Mitigation Measure AIR-7. During construction all material transported off-site with dust blow off potential shall be sufficiently watered or securely covered to prevent excessive amounts of dust being generated.
50. Grading/Land Disturbance Condition: Mitigation Measure AIR-8. The Applicant shall use a water truck to maintain moist disturbed surfaces and actively spread water during visible dusting episodes to minimize visible fugitive dust emissions. If the site contains exposed sand or fines deposits (and if the project would expose such soils through earthmoving), water application or chemical stabilization will be required to eliminate visible dust/sand from sand/fines deposits.
51. Grading/Land Disturbance Condition: Mitigation Measure AIR-9. The Applicant shall formulate and provide to Planning Staff for acceptance prior to issuance of a grading permit a high wind response plan that addresses enhanced dust control if winds are forecast to exceed 25-mph in any upcoming 24-hour period.
52. Grading/Land Disturbance Condition: Mitigation Measure AIR-11. Dust Control Plan. The Applicant shall prepare and submit a Dust Control Plan to Planning Staff for review and approval prior to issuance of a grading permit and to the MDAQMD prior to commencement of construction, which shall outline dust control measures that will be implemented during construction and operation of the proposed Project. This Plan shall meet MDAQMD's requirements, including applicable provisions of MDAQMD Rules 403 and 403.1.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

53. Grading/Land Disturbance Condition: Mitigation Measure AIR-12. The Applicant shall be required to utilize Tier 4 construction equipment for the duration of construction and, where applicable, during operation of the PVL Lime Plant.
54. Grading/Land Disturbance Condition: Mitigation Measure BIO-1. Where avoidance of the adjacent habitat is not feasible, the following actions shall be implemented prior to grading. For the temporary loss of the presumed occupied MGS habitat, the Applicant shall provide compensation for temporary loss of habitat and individual MGS in the following manner: (1) the Applicant shall obtain a 2081 Incidental Take Permit (ITP) from the CDFW; (2) the Applicant shall offset the loss of the temporarily disturbed habitat by purchase of acceptable MGS habitat at a 1:1 ratio; and (3) conserved habitat shall be provided with an appropriate endowment to ensure permanent protection and the conserved habitat shall be managed by an agency or party considered acceptable to the CDFW. No ground disturbance shall occur until the Applicant obtains an ITP. Note that the final compensation package contained in the permit may differ from the above compensation package, but the Applicant finds that this compensation package shall at a minimum meet the requirements of this measure. Documentation shall be provided to Planning Staff confirming such actions have occurred. Alternatively, the Applicant may perform a protocol MGS presence/absence survey consistent with CDFW Guidelines prior to initiating construction and should it be determined that the adjacent habitat is not occupied by MGS, the above mitigation measure need not be implemented.
55. Grading/Land Disturbance Condition: Mitigation Measure BIO-2. Prior to grading, the Applicant shall conduct a plant survey for the Borrego milk-vetch (*Astragalus lentiginosus* var. *borreganus*). This survey shall be conducted by a qualified professional biologist familiar with this species. If these plants are identified within the temporary project area of impact, the botanists shall relocate these plants to adjacent comparable habitat that will not be disturbed. Planning Staff shall be provided a copy of the report prior to relocation of the plants.
56. Grading/Land Disturbance Condition: Mitigation Measure BIO-3. In compliance with the CDFW Staff Report on Burrowing Owl Mitigation (CDFW 2012) the project proponent shall ensure that a pre-construction burrowing owl survey is conducted a maximum of 30 days prior to grading activities and Planning Staff is provided with a copy of the report findings. A qualified biologist shall conduct the survey to determine if there are any active burrowing owl burrows within or adjacent to (within 300 feet) the impact area. If an active burrow is observed outside the nesting season (September 1 to January 31) and the burrow is within the impact area, a Burrowing Owl Exclusion Plan shall be prepared and submitted to CDFW for approval, outlining procedures used to exclude burrowing owls (e.g., using passive relocation with one-way doors). The loss of any active burrowing owl burrow territory shall be mitigated through replacement of habitat and burrows at no less than a 1:1 ratio. If an active burrow is observed outside the nesting season (i.e., between September 1 and January 31) and the burrow is not within the impact area, construction work shall be restricted within 160 to 1,605 feet of the burrow (per CDFW 2012), depending on the time of year and level of disturbance near the site in accordance with guidelines specified by the CDFW.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

57. Grading/Land Disturbance Condition: Mitigation Measure BIO-4. Although no golden eagle nests were observed during the survey of the project footprint, habitat along the pipeline alignments is considered marginally suitable for this species. Therefore, a qualified biologist shall conduct a pre-construction clearance survey within 30 days prior to initiating construction in accordance with procedures described in the USFWS Interim Golden Eagle Inventory and Monitoring Protocols; and other Recommendations (Pagel et al. 2010). This requires two aerial flights of the project boundary within a 10-mile radius of the project site are required to occur between March and May, at least 30 days apart, to assess golden eagle presence. An eagle take permit is not required. Should any habitat suitable for the golden eagle be impacted, the Applicant shall provide compensation for loss of habitat in the following manner: (1) the Applicant shall offset the loss of the temporarily disturbed habitat by purchase of acceptable golden eagle habitat at a 1:1 ratio; and (2) conserved habitat shall be provided with an appropriate endowment to ensure permanent protection and the conserved habitat shall be managed by an agency or party considered acceptable to the USFWS. Documentation shall be provided to Planning Staff confirming such actions have occurred.
58. Grading/Land Disturbance Condition: Mitigation Measure BIO-5. A qualified biologist shall conduct a protocol level survey to determine presence or absence of desert tortoise in the Project area in accordance with procedures described in Chapter 6 of the US Fish and Wildlife Service Desert Tortoise (Mojave Population) Field Manual. In addition, the survey shall utilize perpendicular survey routes and 100-percent visual coverage of the Project area and 50-foot buffer zone for desert tortoise and their sign. Should desert tortoise presence be confirmed during the survey, the Project Proponent shall obtain an ITP prior to the start of Project activities. If desert tortoise and their sign are not identified during the protocol level survey, the Project Proponent shall contact for CDFW for additional guidance.
59. Grading/Land Disturbance Condition: Mitigation Measure BIO-6. Prior to ground disturbance of the following phases of the Project— 1. Construction of the Lime Plant and 2. Construction of the Natural Gas Pipeline—the entity responsible for the construction thereof (Phase 1. Panamint Valley Lime, Phase 2. PG&E) shall conduct a floristic based assessment of special status plants and natural communities that adheres to the CDFW Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. If it is determined that special status plants and/or natural communities may be impacted from the Project specific avoidance, minimization, and mitigation measures will be developed and implemented. The Biological Resources Assessments generated shall be provided to Planning Staff for review and acceptance and deemed adequate for three years following the date of the field assessment(s). After this time period an updated biological field assessment(s) will be required.
60. Grading/Land Disturbance Condition: Mitigation Measure BIO-7. Prior to ground disturbance of the proposed project, preconstruction surveys for desert kit fox and American badger pursuant to the corresponding approved CDFW protocols, as determined by a qualified biologist. • Desert kit fox is a protected species and may not be taken at any time pursuant to Title 14 of the California Code of Regulations Section 460. • American badger is a Species of Special Concern. • Should either species be found on or adjacent to the Project area, the Applicant shall require the preparation of either/both a desert kit fox or/and American badger mitigation and monitoring plan. • Desert Kit fox breeding season is January to the end of May. If a natal burrow is located on the Project site, a qualified biologist shall determine appropriate buffers and maintain connectivity to adjacent habitat. No Project activities or vegetation removal may occur within the buffer or habitat connectivity zone.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

61. Grading/Land Disturbance Condition: Mitigation Measure BIO-8. The Applicant and/or PG&E shall submit a Lake and Streambed Alteration Notification (SAA) to CDFW. If CDFW finds that the channel in the natural gas pipeline alignment is jurisdictional, the Applicant and/or PG&E shall process and obtain the SAA. No ground disturbance within potential jurisdictional areas shall occur until the Applicant and/or PG&E obtains an SAA. Note that the final compensation package contained in the permit shall be implemented by the Applicant and/or PG&E. Planning Staff shall be provided a copy of the final determination and/or SAA.
62. Grading/Land Disturbance Condition: Mitigation Measure BIO-9. The State of California prohibits the "take" of nesting birds and their nests. To avoid an illegal take of active bird nests, any grubbing, brushing or tree removal should be conducted outside of the State identified nesting season (Raptor nesting season is February 15 through July 31; and migratory bird nesting season is March 15 through September 1). Alternatively, a qualified biologist shall be retained by the Applicant, and shall be on site during the nesting season period identified above to monitor all active nests, the efficacy of established buffers, and to document any new nesting occurrences. The qualified biologist shall also monitor the habitat within a 50-foot perimeter of the project footprint. Active bird nests **MUST** be avoided during the nesting season. If an active nest is located in the project construction area it will be flagged and a 300-foot avoidance buffer placed around it. No activity shall occur within the 300-foot buffer until the young have fledged the nest.
63. Grading/Land Disturbance Condition: Mitigation Measure BIO-10. The following operational controls shall be implemented: a) Bird Cannons - set to operate at given intervals during operating hours; and, b) Bird bombs and whistler pyrotechnics - used by site personnel as a supplemental control tool. These tools shall be supplemental, and shall not be intended to harm birds. The operational controls shall only be implemented during the presence of stormwater in the onsite basin. Planning Staff shall be provided a schedule of proposed actions at least 48 hours in advance.
64. Grading/Land Disturbance Condition: Mitigation Measure CUL-1. Should any cultural resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an on-site inspection shall be performed immediately by a qualified archaeologist. Responsibility for making this determination shall be with the on-site archaeological professional, who is acceptable to the County and retained by the applicant. The archaeological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the guidelines of the California Environmental Quality Act.
65. Grading/Land Disturbance Condition: Mitigation Measure GEO-2. Stored backfill material shall be covered with water resistant material during periods of heavy precipitation to reduce the potential for rainfall erosion of stored backfill material. If covering is not feasible, then measures such as the use of straw bales or sand bags, shall be placed around the stored material and used to capture and hold eroded material on the project site for future cleanup. Planning Staff shall be provided a letter identifying the measures that were instituted.
66. Grading/Land Disturbance Condition: Mitigation Measure GEO-3. The Applicant shall provide a letter of agreement that all exposed, disturbed soil (trenches, stored backfill, etc.) shall be sprayed with water or soil binders twice a day, or more frequently if fugitive dust is observed migrating from the site within which the PVL Lime Plant is being constructed.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

67. Grading/Land Disturbance Condition: Mitigation Measure GEO-4. The Applicant shall provide a letter of agreement that should any paleontological resources be encountered during construction of these facilities, earthmoving or grading activities in the immediate area of the finds shall be halted and an on-site inspection shall be performed immediately by a qualified paleontologist. Responsibility for making this determination shall be with the on-site paleontological professional, who is acceptable to the County and retained by the applicant. The paleontological professional shall assess the find, determine its significance, and make recommendations for appropriate mitigation measures within the CEQA Guidelines.
68. Grading/Land Disturbance Condition: Mitigation Measure NOI-1. All construction vehicles and fixed or mobile equipment shall be equipped with properly operating and maintained mufflers.
69. Grading/Land Disturbance Condition: Mitigation Measure NOI-2. All employees that will be exposed to noise levels greater than 75 dB over an 8 hour period shall be provided adequate hearing protection devices to ensure no hearing damage will result from construction activities.
70. Grading/Land Disturbance Condition: Mitigation Measure NOI-3. No construction activities shall occur during the hours of 7 PM through 7 AM, Monday through Friday, and 5 PM to 9 AM Saturdays; at no time shall construction activities occur on Sundays or holidays, unless a declared emergency exists.
71. Grading/Land Disturbance Condition: Mitigation Measure NOI-4. Equipment not in use for five minutes shall be shut off.
72. Grading/Land Disturbance Condition: Mitigation Measure NOI-5. Equipment shall be maintained and operated such that loads are secured from rattling or banging.
73. Grading/Land Disturbance Condition: Mitigation Measure NOI-6. Construction employees shall be trained in the proper operation and use of equipment consistent with these mitigation measures, including no unnecessary revving of equipment.
74. Grading/Land Disturbance Condition: Mitigation Measure NOI-7. The County will require that all construction equipment be operated with mandated noise control equipment (mufflers or silencers). Enforcement will be accomplished by random field inspections by applicant personnel during construction activities with copies of the report filed with the County Planning Department. The Report shall be filed with the County within a 72 hour period.
75. Grading/Land Disturbance Condition: Mitigation Measure NOI-8. Construction staging areas shall be located as far from adjacent sensitive receptor locations as possible, for example near the north- or south-west corners of the project site.
76. Grading/Land Disturbance Condition: Mitigation Measure TRAN-1. The construction contractor will provide adequate traffic management resources, as determined by San Bernardino County. The County shall require a construction traffic management plan for work in public roads that complies with the Work Area Traffic Control Handbook, or other applicable standards, to provide adequate traffic control and safety during excavation activities. At a minimum, this plan shall include the following: a) Methods to minimize the amount of time spent on construction activities; b) Methods to minimize disruption of vehicle and alternative modes of transport traffic at all times, but particularly during periods of high traffic volumes; c) Methods to maintain safe traffic flow on local streets affected by construction at all times, including through the use of adequate signage, protective devices, flag persons or police assistance to ensure adequate traffic flow; d) Identification of alternative routes, if necessary, that can meet the traffic flow requirements of a specific area, including communication (signs, webpages, etc.) with drivers and neighborhoods where construction activities will occur; and e) Identification of methods or procedures to ensure that at the end of each construction day roadways shall be prepared for continued utilization without any significant roadway hazards remaining.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

77. Grading/Land Disturbance Condition: Mitigation Measure GEO-5. All grading activities shall be undertaken consistent with the adopted site Closure Plan agreed upon with the Regional Water Board.
78. Air Quality: Although the Project does not exceed Mojave Desert Air Quality Management District thresholds, the Project proponent is required to comply with all applicable rules and regulations as the Mojave Desert Air Quality Management District is in non-attainment status for ozone and suspended particulates [PM10 and PM2.5 (State)]. To limit dust production, the Project proponent must comply with Rules 402 nuisance and 403 fugitive dust, which require the implementation of Best Available Control Measures for each fugitive dust source. This would include, but not be limited to, the following Best Available Control Measures. Compliance with Rules 402 and 403 are mandatory requirements and thus not considered mitigation measures: a. The Project proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities. 1. The Project proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading. Portions of the site that are actively being graded shall be watered to ensure that a crust is formed on the ground surface, and shall be watered at the end of each workday. 2. The Project proponent shall ensure that all disturbed areas are treated to prevent erosion. 3. The Project proponent shall ensure that all grading activities are suspended when winds exceed 25 miles per hour. b. Exhaust emissions from vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, will increase NOX and PM10 levels in the area. Although the Project will not exceed Mojave Desert Air Quality Management District thresholds during operations, the Project proponent will be required to implement the following requirements: 1. All equipment used for grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel. 2. The operator shall maintain and effectively utilize and schedule on-site equipment and on-site and off-site haul trucks in order to minimize exhaust emissions from truck idling.
79. Diesel Regulations: The operator shall comply with all existing and future California Air Resources Board and Mojave Desert Air Quality Management District regulations related to diesel-fueled trucks, which among others may include: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment. The Mojave Desert Air Quality Management District rules for diesel emissions from equipment and trucks are embedded in the compliance for all diesel fueled engines, trucks, and equipment with the statewide California Air Resources Board Diesel Reduction Plan. These measures will be implemented by the California Air Resources Board in phases with new rules imposed on existing and new diesel-fueled engines.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

80. GHG - Construction Standards: The developer shall submit for review and obtain approval from County Planning of a signed letter agreeing to include as a condition of all construction contracts/subcontracts requirements to reduce GHG emissions and submitting documentation of compliance. The developer/construction contractors shall do the following: a) Implement the approved Coating Restriction Plans. b) Select construction equipment based on low GHG emissions factors and high-energy efficiency. All diesel/gasoline-powered construction equipment shall be replaced, where possible, with equivalent electric or CNG equipment. c) Grading contractor shall provide and implement the following when possible: - training operators to use equipment more efficiently. - identifying the proper size equipment for a task can also provide fuel savings and associated reductions in GHG emissions. - replacing older, less fuel-efficient equipment with newer models. - use GPS for grading to maximize efficiency. d) Grading plans shall include the following statements: - "All construction equipment engines shall be properly tuned and maintained in accordance with the manufacturers specifications prior to arriving on site and throughout construction duration." - "All construction equipment (including electric generators) shall be shut off by work crews when not in use and shall not idle for more than 5 minutes." e) Schedule construction traffic ingress/egress to not interfere with peak-hour traffic and to minimize traffic obstructions. Queuing of trucks on and off site shall be firmly discouraged and not scheduled. A flagperson shall be retained to maintain efficient traffic flow and safety adjacent to existing roadways. f) Recycle and reuse construction and demolition waste (e.g. soil, vegetation, concrete, lumber, metal, and cardboard) per County Solid Waste procedures. g) The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew and educate all construction workers about the required waste reduction and the availability of recycling services.

Public Health- Environmental Health Services

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

Public Works - Flood Control

82. Unauthorized Structures: The proposed Project is located adjacent to a San Bernardino County Flood Control District (SBCFCD) facility and right of way, Trona Channel (6-803-1A). Any encroachments including, but not limited to, grading, fence removal and installation, side drain connections on the District's right-of-way or facilities will require an encroachment permit from the SBCFCD prior to start of construction. Please contact the San Bernardino County Flood Control Permit Section (909) 387-7995 for further information regarding this process.

Public Works - Surveyor

83. Corner Records Required Before Grading: Pursuant to Sections 8762(b) and/or 8773 of the Business and Professions Code, a Record of Survey or Corner Record shall be filed under any of the following circumstances: a. Monuments set to mark property lines or corners; b. Performance of a field survey to establish property boundary lines for the purposes of construction staking, establishing setback lines, writing legal descriptions, or for boundary establishment/mapping of the subject parcel; c. Any other applicable circumstances pursuant to the Business and Professions Code that would necessitate filing of a Record of Survey.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

84. Monument Disturbed by Grading: If any activity on this project will disturb ANY land survey monumentation, including but not limited to vertical control points (benchmarks), said monumentation shall be located and referenced by or under the direction of a licensed land surveyor or registered civil engineer authorized to practice land surveying PRIOR to commencement of any activity with the potential to disturb said monumentation, and a corner record or record of survey of the references shall be filed with the County Surveyor pursuant to Section 8771(b) Business and Professions Code.

Prior to Issuance

Outstanding

County Fire - Community Safety

85. Access - 150+ feet: Roadways exceeding one hundred fifty (150) feet in length shall be approved by the Fire Department. These shall be extended to within one hundred fifty (150) feet of and shall give reasonable access to all portions of the exterior walls of the first story of any building.
86. Access - 30% slope: Where the natural grade between the access road and building is in excess of thirty percent (30%), an access road shall be provided within one hundred and fifty (150) feet of all buildings. Where such access cannot be provided, a fire protection system shall be installed. Plans shall be submitted to and approved by the Fire Department.
87. Combustible Protection: Prior to combustibles being placed on the project site an approved all-weather fire apparatus access surface and operable fire hydrants with acceptable fire flow shall be installed. The topcoat of asphalt does not have to be installed until final inspection and occupancy.
88. Fire Flow Test: Your submittal did not include a flow test report to establish whether the public water supply is capable of meeting your project fire flow demand. You will be required to produce a current flow test report from your water purveyor demonstrating that the fire flow demand is satisfied. This requirement shall be completed prior to combination inspection by Building and Safety.
89. Primary Access Paved: Prior to building permits being issued to any new structure, the primary access road shall be paved or an all-weather surface and shall be installed as specified in the General Requirement conditions, including width, vertical clearance and turnouts.
90. Additional Requirements: In addition to the Fire requirements stated herein, other onsite and offsite improvements may be required which cannot be determined from tentative plans at this time and would have to be reviewed after more complete improvement plans and profiles have been submitted to this office.
91. Building Plans: Building plans shall be submitted to the Fire Department for review and approval.
92. Turnaround: Turnaround. An approved turnaround shall be provided at the end of each roadway one hundred and fifty (150) feet or more in length. Cul-de-sac length shall not exceed six hundred (600) feet; all roadways shall not exceed a 12 % grade and have a minimum of forty-five (45) foot radius for all turns. In the Fire Safety Overlay District areas, there are additional requirements.
93. Water System: Prior to any land disturbance, the water systems shall be designed to meet the required fire flow for this development and shall be approved by the Fire Department. The required fire flow shall be determined by using Appendix IIIA of the Uniform Fire Code.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

94. Water System Certification: The applicant shall provide the Fire Department with a letter from the serving water company, certifying that the required water improvements have been made or that the existing fire hydrants and water system will meet distance and fire flow requirements. Fire flow water supply shall be in place prior to placing combustible materials on the jobsite.
95. Water System Commercial: A water system approved and inspected by the Fire Department is required. The system shall be operational, prior to any combustibles being stored on the site. Fire hydrants shall be spaced no more than three hundred (300) feet apart (as measured along vehicular travel-ways) and no more than three hundred (300) feet from any portion of a structure.
96. Solar: Solar / Photovoltaic System Plans. Plans shall be submitted online through EZOP to the Fire Department for review and approval. Plans must be submitted and approved prior to Conditional Compliance Release of Building.
97. Access: The development shall have a minimum of two points of vehicular access. These are for fire/emergency equipment access and for evacuation routes. a. Single Story Road Access Width. All buildings shall have access provided by approved roads, alleys and private drives with a minimum twenty-six (26) foot unobstructed width and vertically to fourteen (14) feet six (6) inches in height. Other recognized standards may be more restrictive by requiring wider access provisions. b. Multi-Story Road Access Width. Buildings three (3) stories in height or more shall have a minimum access of thirty (30) feet unobstructed width and vertically to fourteen (14) feet six (6) inches in height.
98. Fire Fee: The required fire fees shall be paid to the San Bernardino County Fire Department/Community Safety Division.

County Fire - Hazardous Materials

99. Haz-Mat Approval: The applicant shall contact the San Bernardino County Fire Department/Hazardous Materials Division (909) 386-8401 for review and approval of building plans, where the planned use of such buildings will or may use hazardous materials or generate hazardous waste materials.

Land Use Services - Building and Safety

100. Construction Plans: Any building, sign, or structure to be added to, altered (including change of occupancy/use), constructed, or located on site, will require professionally prepared plans based on the most current adopted County and California Building Codes, submitted for review and approval by the Building and Safety Division.
101. Temporary Use Permit: A Temporary Structures (TS) permit for non-residential structures for use as office, retail, meeting, assembly, wholesale, manufacturing, and/ or storage space will be required. A Temporary Use Permit (PTUP) for the proposed structure by the Planning Division must be approved prior to the TS Permit approval. A TS permit is renewed annually and is only valid for a maximum of five (5) years.

Land Use Services - Land Development

102. No Comments: CMRS Exclusion. Road improvements required for this development shall not be entered into the County Maintained Road System (CMRS).
103. No Comments: Turnarounds. Turnarounds at dead end streets shall be in accordance with the requirements of the County Department of Public Works and Fire Department.
104. No Comments: Two Access Points. A minimum two points of ingress/egress are required or alternative approved by County Fire Department.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

105. Road Dedication/Improvements: The developer shall submit for review and obtain approval from the Land Use Services Department the following dedications and plans for the listed required improvements, designed by a Registered Civil Engineer (RCE), licensed in the State of California. Athol St (Local Road - 60') • Road Dedication. A 30 foot grant of easement is required to provide a half-width right-of-way of 30 feet. • Street Improvements. Design AC dike with match up paving 18 feet from centerline with a minimum 26 foot paved section within a 40 foot right-of-way. For double frontage parcels on Athol Street a full width section of 36 feet shall be required. • Driveway Approach. Design driveway approach per San Bernardino County Standard 129B, and located per San Bernardino County Standard 130. • Cul-de-sac Design. The proposed cul-de-sac shall be designed to County Standard 120.
106. Street Gradients: Road profile grades shall not be less than 0.5% unless the engineer at the time of submittal of the improvement plans provides justification to the satisfaction of County Public Works confirming the adequacy of the grade.
107. Slope Easements: Slope rights shall be dedicated, where necessary.
108. Encroachment Permits: Prior to installation of driveways, sidewalks, etc., an encroachment permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction.
109. Construction Permits: Prior to installation of road and drainage improvements, a construction permit is required from County Public Works, Transportation Operations Division, Permit Section, (909) 387-8046, as well as other agencies prior to work within their jurisdiction. Submittal shall include a materials report and pavement section design in support of the section shown on the plans. Applicant shall conduct classification counts and compute a Traffic Index (TI) Value in support of the pavement section design.
110. Road Standards and Design: All required street improvements shall comply with latest San Bernardino County Road Planning and Design Standards and the San Bernardino County Standard Plans. Road sections shall be designed to Valley Mountain Desert Road Standards of San Bernardino County, and to the policies and requirements of the County Department of Public Works and in accordance with the General Plan, Circulation Element

Land Use Services - Planning

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



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

112. GHG - Building Design: Building Design. Building design and construction shall incorporate the following elements:
 - Orient building locations to best utilize natural cooling/heating with respect to the sun and prevailing winds/natural convection to take advantage of shade, day lighting and natural cooling opportunities.
 - Utilize natural, low maintenance building materials that do not require finishes and regular maintenance.
 - Roofing materials shall have a solar reflectance index of 78 or greater.
 - All supply duct work shall be sealed and leak- tested. Oval or round ducts shall be used for at least 75 percent of the supply duct work, excluding risers.
 - Energy Star or equivalent appliances shall be installed.
 - A building automation system including outdoor temperature/humidity sensors will control public area heating, vent, and air conditioning units.
113. GHG - Design Standards: The developer shall submit for review and obtain approval from County Planning evidence that the conditioned measures have been incorporated into the design of the project. These are intended to reduce potential project greenhouse gas (GHGs) emissions. Proper installation of the approved design features and equipment shall be confirmed by County Building and Safety prior to final inspection of each structure.
114. GHG - Irrigation: Irrigation. The developer shall submit irrigation plans that are designed, so that all common area irrigation areas shall be capable of being operated by a computerized irrigation system, which includes either an on-site weather station, ET gauge or ET-based controller capable of reading current weather data and making automatic adjustments to independent run times for each irrigation valve based on changes in temperature, solar radiation, relative humidity, rain and wind. In addition, the computerized irrigation system shall be equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. These features will assist in conserving water, eliminating the potential of slope failure due to mainline breaks and eliminating over-watering and flooding due to pipe and/or head breaks.
115. GHG - Landscaping: Landscaping. The developer shall submit for review and obtain approval from County Planning of landscape and irrigation plans that are designed to include drought tolerant and smog tolerant trees, shrubs, and groundcover to ensure the long-term viability and to conserve water and energy. The landscape plans shall include shade trees around main buildings, particularly along southern and western elevations, where practical.
116. GHG - Lighting: Lighting. Lighting design for building interiors shall support the use of:
 - Compact fluorescent light bulbs or equivalently efficient lighting.
 - Natural day lighting through site orientation and the use of reflected light.
 - Skylight/roof window systems.
 - Light colored building materials and finishes shall be used to reflect natural and artificial light with greater efficiency and less glare.
 - A multi-zone programmable dimming system shall be used to control lighting to maximize the energy efficiency of lighting requirements at various times of the day. Provide a minimum of 2.5 percent of the project's electricity needs by on-site solar panels.
117. GHG - Plumbing: Plumbing. All plumbing shall incorporate the following:
 - All showerheads, lavatory faucets, and sink faucets shall comply with the California Energy Conservation flow rate standards.
 - Low flush toilets shall be installed where applicable as specified in California State Health and Safety Code Section 17921.3.
 - All hot water piping and storage tanks shall be insulated. Energy efficient boilers shall be used.
118. GHG - Recycling: Recycling. Exterior storage areas for recyclables and green waste shall be provided. Where recycling pickup is available, adequate recycling containers shall be located in public areas. Construction and operation waste shall be collected for reuse and recycling.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

119. GHG - TDM Program: Transportation Demand Management (TDM) Program. The project shall include adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Preferred carpool/vanpool spaces shall be provided and, if available, mass transit facilities shall be provided (e.g. bus stop bench/shelter). The developer shall demonstrate that the TDM program has been instituted for the project or that the buildings will join an existing program located within a quarter mile radius from the project site that provides a cumulative 20% reduction in unmitigated employee commute trips. The TDM Program shall publish ride-sharing information for ride-sharing vehicles and provide a website or message board for coordinating rides. The Program shall ensure that appropriate bus route information is placed in each building.
120. GHG - Title 24 Energy Efficiency Requirements: Meet Title 24 Energy Efficiency requirements. The Developer shall document that the design of the proposed structures meets the current Title 24 energy-efficiency requirements. County Planning shall coordinate this review with the County Building and Safety. Any combination of the following design features may be used to fulfill this requirement, provided that the total increase in efficiency meets or exceeds the cumulative goal (100%+ of Title 24) for the entire project (Title 24, Part 6 of the California Code of Regulations; Energy Efficiency Standards for Residential and Non Residential Buildings, as amended: - Incorporate dual paned or other energy efficient windows, - Incorporate energy efficient space heating and cooling equipment, - Incorporate energy efficient light fixtures, photocells, and motion detectors, - Incorporate energy efficient appliances, - Incorporate energy efficient domestic hot water systems, - Incorporate solar panels into the electrical system, - Incorporate cool roofs/light colored roofing, - Incorporate other measures that will increase energy efficiency. - Increase insulation to reduce heat transfer and thermal bridging. - Limit air leakage throughout the structure and within the heating and cooling distribution system to minimize energy consumption.
121. Issuance/Building Permit Condition: Mitigation Measure AES-2. Prior to issuance of a Building Permit, an analysis of potential glare from sunlight or exterior lighting that may impact vehicles traveling on adjacent roadways shall be submitted to Planning Staff for review and approval. This analysis shall demonstrate that due to building orientation or exterior treatment, no significant glare may be caused that could negatively impact drivers on the local roadways or impact adjacent land uses. If potential glare impacts are identified, the building orientation, use of non-glare reflective materials or other design solutions acceptable to the County of San Bernardino shall be implemented to eliminate glare impacts.
122. Issuance/Building Permit Condition: Mitigation Measure GEO-1. Based upon the findings contained in the Geotechnical Investigation and Geotechnical Investigation Update (Appendix 4a and 4b of this document), all of the recommended design and construction measures identified in Appendix 4a (listed under "Conclusions and Recommendations," pages 5-16) and the site preparation summary identified in Appendix 4b (pages 3-7) shall be implemented by the Applicant. Implementation of these specific measures will address all of the identified geotechnical constraints identified at project site, including soil stability of future project-related structures.
123. Transitional Improvements: Right-of-way and improvements (including off-site) to transition traffic and drainage flows from proposed to existing, shall be required as necessary.
124. Street Type Entrance: Street type entrance(s) with curb returns shall be constructed at the entrance(s) to the development.
125. Soils Testing: Any grading within the road right-of-way prior to the signing of the improvement plans shall be accomplished under the direction of a soils testing engineer. Compaction tests of embankment construction, trench back fill, and all sub-grades shall be performed at no cost to San Bernardino County and a written report shall be submitted to the Transportation Operations Division, Permits Section of County Public Works, prior to any placement of base materials and/or paving.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

Public Health- Environmental Health Services

126. California Regional Water Quality Control Board Clearance: Written clearance shall be obtained from the designated California Regional Water Quality Control Board (listed below) and a copy forwarded to the Division of Environmental Health Services for projects with design flows greater than 10,000 gallons per day. Lahontan Region, 15095 Amargosa Road Bldg 2 Suite 210 Victorville, CA92392.
127. Existing OWTS: Existing onsite wastewater treatment system can be used if applicant provides certification from a qualified professional (i.e., Professional Engineer (P.E.), Registered Environmental Health Specialist (REHS), C42 contractor, Certified Engineering Geologist (C.E.G.), etc.) that the system functions properly, meets code, and has the capacity required for the proposed project. Applicant shall provide documentation outlining methods used in determining function.
128. New OWTS: If sewer connection and/or service are unavailable, onsite wastewater treatment system(s) may then be allowed under the following conditions: A soil percolation report per June 2017 standards shall be submitted to EHS for review and approval. If the percolation report cannot be approved, the project may require an alternative OWTS. For information, please contact the Wastewater Section at 1-800-442-2283.
129. Sewage Disposal: Method of sewage disposal shall be EHS approved onsite wastewater treatment system (OWTS).
130. Water and Sewer Service Verification: Water and/or Sewer Service Provider Verification. Please provide verification that the parcel(s) associated with the project is/are within the jurisdiction of the water and/or sewer service provider. If the parcel(s) associated with the project is/are not within the boundaries of the water and/or sewer service provider, submit to DEHS verification of Local Agency Formation Commission (LAFCO) approval of either: (1) Annexation of parcels into the jurisdiction of the water and/or sewer service provider; or, (2) Out-of-agency service agreement for service outside a water and/or sewer service provider's boundaries. Such agreement/contract is required to be reviewed and authorized by LAFCO pursuant to the provisions of Government Code Section 56133. Submit verification of LAFCO authorization of said Out-of-Agency service agreement to DEHS.
131. Water Purveyor: Water purveyor shall be Searles Domestic Water Company or EHS approved.
132. Water Service Verification Letter: Applicant shall procure a verification letter from the water service provider. This letter shall state whether or not water connection and service shall be made available to the project by the water provider. This letter shall reference the File Index Number and Assessor's Parcel Number(s). For projects with current active water connections, a copy of water bill with project address may suffice. For information, contact the Water Section at 1-800-442-2283.
133. Demolition Inspection Required: All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.
134. Existing Wells: If wells are found on-site, evidence shall be provided that all wells are: (1) properly destroyed, by an approved C57 contractor and under permit from the County OR (2) constructed to EHS standards, properly sealed and certified as inactive OR (3) constructed to EHS standards and meet the quality standards for the proposed use of the water (industrial and/or domestic). Evidence shall be submitted to DEHS for approval.
135. Demolition Inspection Required: All demolition of structures shall have a vector inspection prior to the issuance of any permits pertaining to demolition or destruction of any such premises. For information, contact EHS Vector Section at 1-800-442-2283.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

136. Preliminary Acoustical Information: Submit preliminary acoustical information demonstrating that the proposed project maintains noise levels at or below San Bernardino County Noise Standard(s), San Bernardino Development Code Section 83.01.080. The purpose is to evaluate potential future on-site and/or adjacent off-site noise sources. If the preliminary information cannot demonstrate compliance to noise standards, a project specific acoustical analysis shall be required. Submit information/analysis to the DEHS for review and approval. For information and acoustical checklist, contact DEHS at 1-800-442-2283.

Public Works - Solid Waste Management

137. CDWMP Part I: CDWMP Part I must be submitted prior to issuance of the permit. For questions related to the submittal of this plan please call (909) 386-8701 or visit the SMWD website at <https://cms.sbcounty.gov/dpw/SolidWasteManagement/ConstructionWasteManagement.aspx>

Prior to Final Inspection

Outstanding

County Fire - Community Safety

138. Fire Sprinkler-NFPA #13: An automatic fire sprinkler system complying with NFPA Pamphlet #13 and the Fire Department standards is required. The applicant shall hire a Fire Department approved fire sprinkler contractor. The fire sprinkler contractor shall submit plans to the with hydraulic calculation and manufacturers specification sheets to the Fire Department for approval and approval. The contractor shall submit plans showing type of storage and use with the applicable protection system. The required fees shall be paid at the time of plan submittal.
139. Hydrant Marking: Blue reflective pavement markers indicating fire hydrant locations shall be installed as specified by the Fire Department. In areas where snow removal occurs or non-paved roads exist, the blue reflective hydrant marker shall be posted on an approved post along the side of the road, no more than three (3) feet from the hydrant and at least six (6) feet high above the adjacent road.
140. Roof Certification: A letter from a licensed structural (or truss) engineer shall be submitted with an original wet stamp at time of fire sprinkler plan review, verifying the roof is capable of accepting the point loads imposed on the building by the fire sprinkler system design.
141. Fire Lanes: The applicant shall submit a fire lane plan to the Fire Department for review and approval. Fire lane curbs shall be painted red. The "No Parking, Fire Lane" signs shall be installed on public/private roads in accordance with the approved plan.
142. Street Sign: This project is required to have an approved street sign (temporary or permanent). The street sign shall be installed on the nearest street corner to the project. Installation of the temporary sign shall be prior any combustible material being placed on the construction site. Prior to final inspection and occupancy of the first structure, the permanent street sign shall be installed.
143. Fire Extinguishers: Hand portable fire extinguishers are required. The location, type, and cabinet design shall be approved by the Fire Department.
144. Key Box: An approved Fire Department key box is required. In commercial, industrial and multi-family complexes, all swing gates shall have an approved fire department Knox Lock.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

145. Material Identification Placards: The applicant shall install Fire Department approved material identification placards on the outside of all buildings and/or storage tanks that store or plan to store hazardous or flammable materials in all locations deemed appropriate by the Fire Department. Additional placards shall be required inside the buildings when chemicals are segregated into separate areas. Any business with an N.F.P.A. 704 rating of 2-3-3 or above shall be required to install an approved key box vault on the premises, which shall contain business access keys and a business plan.
146. Combustible Vegetation: Combustible vegetation shall be removed as follows: a. Where the average slope of the site is less than 15% - Combustible vegetation shall be removed a minimum distance of thirty (30) feet from all structures or to the property line, whichever is less. b. Where the average slope of the site is 15% or greater - Combustible vegetation shall be removed a minimum one hundred (100) feet from all structures or to the property line, whichever is less.
147. Fire Alarm - Automatic: An automatic fire sprinkler monitoring fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.
148. Fire Alarm - Manual: A manual, automatic or manual and automatic fire alarm system complying with the California Fire Code, NFPA and all applicable codes is required. The applicant shall hire a Fire Department approved fire alarm contractor. The fire alarm contractor shall submit three (3) sets of detailed plans to the Fire Department for review and approval. The required fees shall be paid at the time of plan submittal.

Public Works - Solid Waste Management

149. CDWMP Part II: CDWMP Part II must be submitted prior to the Final Inspection. For questions related to the submittal of this plan please call (909) 386-8701 or visit the SWMD website at <https://cms.sbcounty.gov/dpw/SolidWasteManagement/ConstructionWasteManagement.aspx>

Prior to Occupancy

Outstanding

County Fire - Community Safety

150. Inspection by the Fire Department: Permission to occupy or use the building (certificate of Occupancy or shell release) will not be granted until the Fire Department inspects, approves and signs off on the Building and Safety job card for "fire final".

County Fire - Hazardous Materials

151. Prior to occupancy, a business or facility that handles hazardous materials in quantities at or exceeding 55 gallons, 500 pounds, or 200 cubic feet (compressed gas) at any one time or generates any amount of hazardous waste shall obtain hazardous material permits from this department. Prior to occupancy, the business operator shall apply for permits (Hazardous Material Handler Permit, Hazardous Waste Generator Permit, Aboveground Petroleum Storage Tank Permit, Underground Storage Tank Permit, or other applicable permits) or apply for exemption from permitting requirements.
152. Prior to occupancy, an application for one or more of these permits shall be obtained by submitting a complete hazardous materials business plan using the California Environmental Reporting System (CERS) at <http://cers.calepa.ca.gov/>
153. Prior to occupancy, a business or facility handling an aggregate storage capacity of 1,320 gallons or more of petroleum in aboveground storage containers or tanks with a shell capacity equal to or greater than 55 gallons shall prepare and implement a Spill Prevention, Control, and Countermeasure (SPCC) Plan in accordance with 40 CFR 1 112.3 and CHSC 25270.4.5(a). The SPCC plan shall be maintained on site.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

154. "Hazardous Material" means any material that because of its quantity, concentration, physical characteristics or chemical characteristics poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace. Hazardous Materials include but are not limited to, hazardous substances, hazardous waste, or any material which the administering agency has a reasonable basis for believing would be injurious to human health or the environment.

Land Use Services - Building and Safety

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

Land Use Services - Land Development

156. No Comments: Open Roads/Cash Deposit. Existing County roads, which will require reconstruction, shall remain open for traffic at all times, with adequate detours, during actual construction. A cash deposit shall be made to cover the cost of grading and paving prior to issuance of road encroachment permit. Upon completion of the road and drainage improvement to the satisfaction of the Department of Public Works, the cash deposit may be refunded.

157. Drainage Improvements: All required drainage improvements shall be completed by the applicant. The private Registered Civil Engineer (RCE) shall inspect improvements outside the County right-of-way and certify that these improvements have been completed according to the approved plans.

158. LDD Requirements: All LDD requirements shall be completed by the applicant prior to occupancy.

159. Parkway Planting: Trees, irrigation systems, and landscaping required to be installed on public right-of-way shall be approved by County Public Works and Current Planning and shall be maintained by the adjacent property owner or other County-approved entity.

160. Structural Section Testing: A thorough evaluation of the structural road section, to include parkway improvements, from a qualified materials engineer, shall be submitted to County Public Works.

161. Private Roads/Improvements: All required on-site and off-site improvements shall be completed by the applicant. Construction of private roads and private road related drainage improvements shall be inspected and certified by the engineer. Certification shall be submitted to Land Development by the engineer identifying all supporting engineering criteria.

162. Road Improvements: All required on-site and off-site improvements shall be completed by the applicant, inspected and approved by County Public Works.

Land Use Services - Planning

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



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

164. Fees Paid: Prior to final inspection by Building and Safety Division and/or issuance of a Certificate of Conditional Use by the Planning Division, the applicant shall pay in full all fees required under actual cost job number PROJ-2020-00110.
165. Installation of Improvements: All required on-site improvements shall be installed per approved plans.
166. Landscaping/Irrigation: All landscaping, dust control measures, all fences, etc. as delineated on the approved Landscape Plan shall be installed. The developer shall submit the Landscape Certificate of Completion verification as required in SBCC Section 83.10.100. Supplemental verification should include photographs of the site and installed landscaping.
167. Screen Rooftop: All roof top mechanical equipment is to be screened from ground vistas.
168. Shield Lights: Any lights used to illuminate the site shall include appropriate fixture lamp types as listed in SBCC Table 83-7 and be hooded and designed so as to reflect away from adjoining properties and public thoroughfares and in compliance with SBCC Chapter 83.07, "Glare and Outdoor Lighting" (i.e. "Dark Sky Ordinance).
169. GHG - Installation/Implementation Standards: The developer shall submit for review and obtain approval from County Planning of evidence that all applicable GHG performance standards have been installed, implemented properly and that specified performance objectives are being met to the satisfaction of County Planning and County Building and Safety. These installations/procedures include the following: a) Design features and/or equipment that cumulatively increases the overall compliance of the project to exceed Title 24 minimum standards by five percent. b) All interior building lighting shall support the use of fluorescent light bulbs or equivalent energy-efficient lighting. c) Installation of both the identified mandatory and optional design features or equipment that have been constructed and incorporated into the facility/structure.
170. Occupancy Condition: Mitigation Measure AES-1. The Applicant shall paint structures exceeding the 75 feet height limit a similar color to the surrounding mountains (specifically, the Argus Mountain Range to the general north of the PVL Lime Plant site). Prior to painting the applicant shall provide Planning Staff with a color example for review and approval.
171. Occupancy Condition: Mitigation Measure GHG-1. The Applicant shall acquire 60,000 tons of permanent CO2 emission reduction credits, or the equivalent thereof equal to an offset of 60,000 tons of CO2 per year. The emission reduction credits shall be obtained from a trusted source that must be approved by the MDAQMD staff. A copy of the certification shall be provided to the MDAQMD and County Planning Staff upon receipt. The emission reduction credits must be purchased prior to operations of the PVL Lime Plant.
172. Occupancy Condition: Mitigation Measure HYD-1. PVL shall establish a fund in the amount of \$50,000 to provide Searles Domestic Water Company/Searles Valley Minerals and/or Indian Wells Valley Water District funds to replace existing domestic water equipment (low flush toilets, repair of water leaks, high efficiency faucets, etc.) of their customers to offset 2.1-acre feet of existing potable water demand. Should SDWC, IWVWD, or their customers not accept or otherwise be able to put the total funds to use as provided herein within a period of one year, PVL will leave the remainder of the funds in a trust account dedicated for future use to reduce the water demand from the IWVGB. Information documenting the actions undertaken shall be provided to Planning Staff after each step of the process.



Conditions of Approval

Record: PEXT-2023-00019

System Date: 12/20/2020

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

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