

# CATEGORICAL EXEMPTION EVALUATION REPORT

## Rialto High School Baseball Field Lighting

February 2024

This Categorical Exemption Evaluation Report (CE Evaluation) documents the eligibility of Rialto Unified School District's (District) proposed baseball field lighting improvements at Rialto High School (proposed Project) to be exempt from expanded environmental review, pursuant to the California Environmental Quality Act (CEQA) under California Public Resources Code Section 21084 and California Code of Regulations, Title 14 (CEQA Guidelines) Sections 15061(b)(2) and 15300 et seq.

## 1. Location

The Project is proposed at Rialto High School at 595 South Eucalyptus Avenue in the City of San Bernardino (City), San Bernardino County, California. The school is bounded by West Mill Street to the north, South Pepper Avenue to the east, residential uses to the south, and South Eucalyptus Avenue to the west. Regional access is provided via Interstate 10, approximately 1.2 miles south of the school campus. Rialto High School encompasses Assessor's Parcel Numbers (APNs) 0142-171-02, 0142-171-04, 0142-171-05, 0142-171-06, and 0142-171-08.<sup>1</sup> The Project Site is on portions of APNs 0142-171-02, 0142-171-05, and 0142-171-06. *Figure 1, Project Site and Regional Location*, shows the Project Site locations and surrounding areas.

## 2. Existing Setting

### a. Existing Uses

The Rialto High School campus encompasses approximately 55.4 acres on a generally flat, rectangular group of five parcels, at an elevation of approximately 1,200 feet above mean sea level.<sup>2</sup> The school opened in 1992 and has been improved over the years with permanent and portable structures, landscaping, and solar panels. Rialto High School operates a traditional high school program. During the 2022-2023 school year, 2,886 students were enrolled. With exception of the 2018-19 school year, annual enrollment has increased since the 2016-2017 school year, which had an enrollment of 2,739 students.<sup>3</sup>

As shown in *Figure 1, Project Site and Regional Location*, the classroom buildings are located in the northeastern portion of the campus. Parking lots are located on the west side of the campus, with the drop-off area at the northern edge of campus.

The school's athletic facilities are in the southern portion of the campus, including four asphalt basketball courts in the center of the campus and the track and football facilities in the southwest portion of the campus. There are four ballfields in the southeast portion of the campus.

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<sup>1</sup> San Bernardino County, Assessor Property Information, accessed January 25, 2024, <https://arcpropertyinfo.sbcounty.gov/>.

<sup>2</sup> United States Geological Survey, San Bernardino South Quadrangle, California – San Bernardino County, 7.5-Minute Series, 2021, accessed January 31, 2024, [https://ngmdb.usgs.gov/ht-bin/tv\\_browse.pl?id=7dfccf97f1e7ac45a9407d901397c7f7](https://ngmdb.usgs.gov/ht-bin/tv_browse.pl?id=7dfccf97f1e7ac45a9407d901397c7f7).

<sup>3</sup> California Department of Education, DataQuest, accessed January 31, 2024, <https://dq.cde.ca.gov/dataquest>.

The Project Site is the northeastern-most of the ballfields, the varsity baseball field. The field is surrounded by chain-link fencing on all sides and developed with a grass outfield and dirt infield and home and visitor bleachers, dugouts, and bullpens. A drinking fountain is connected to the “E” Building located directly west of the field, between the baseball field and the track. There are no existing field lights. *Figure 2, Site Photographs*, shows the existing condition of the baseball field.

### b. Surrounding Land Uses

Residential uses are located to the north of the school campus across West Mill Street; to the west across South Eucalyptus Avenue; directly adjacent to the south of the campus; and east of the campus across South Pepper Avenue. There are single-story, strip commercial uses and vacant land to the east across South Pepper Avenue, just south of West Mill Street.

The Project Site is surrounded by the campus on the north, west, and south sides. There are athletic fields to the west and south, and portable structures, maintenance uses, and a vacant dirt area to the north. The Project Site is bordered by South Pepper Avenue on the east, with residential uses across the street.

### c. Land Use and Zoning

According to the City of San Bernardino General Plan, the campus has a Public Facilities (PF) and Single-Family Residential (RS; 4.5 dwelling units/acre) land use designation.<sup>4</sup> The site is zoned Public Facilities (PF) and Residential Suburban (RS).<sup>5</sup> Allowed uses in the PF zone include schools, government administrative, police, fire, libraries, social service, and other public facilities.<sup>6</sup> The RS zone is intended to promote the development of single-family detached units in a suburban setting with a minimum lot size of 7,200 square feet and a maximum density of 4.5 units per net acre.<sup>7</sup> It should be noted that, although the southern portion of the Project Site is identified for residential use, the Rialto High School is an existing use on the subject campus. No changes to the existing General Plan land use designation or zoning are required or proposed to allow for the intended improvements to the varsity baseball field; current use of the site as a high school would remain unchanged with the proposed Project.

Pursuant to California Government Code Section 53094 et seq., the governing board of a school district may render city or county zoning ordinances and general plan requirements inapplicable. The District’s Board of Education may exempt the Project and campus from any zoning ordinances or regulations of the

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<sup>4</sup> City of San Bernardino, *General Plan*, Chapter 2, Land Use, Figure LU-2, General Plan Land Use, 2005, [https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf).

<sup>5</sup> City of San Bernardino, Zoning Map, accessed January 30, 2024, <https://experience.arcgis.com/experience/a5ccda2981cf4698b0a1370b0f4c30e2/page/Zoning/>.

<sup>6</sup> City of San Bernardino, Municipal Code, Chapter 19.10, Special Purpose Zones, accessed January 31, 2024, [https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Community%20&%20Economic%20Development/Development%20Code/19.10%20Special%20Purpose%20Zones.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Development%20Code/19.10%20Special%20Purpose%20Zones.pdf).

<sup>7</sup> City of San Bernardino, Municipal Code, Chapter 19.04, Residential Zones, accessed January 31, 2024, [https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Community%20&%20Economic%20Development/Development%20Code/19.04%20Residential%20Zones.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Development%20Code/19.04%20Residential%20Zones.pdf).

City of San Bernardino, including, without limitation, the City’s Municipal Code, General Plan, and related ordinances and regulations that otherwise would be applicable.

### 3. Project Description

#### a. Project Characteristics

The District proposes the installation of new nighttime lighting and a replacement drinking fountain at the varsity baseball field in the southeast corner of the Rialto High School campus. The location of the improvements are shown in *Figure 3, Site Plan*.

##### Lighting

Eight new light poles would be installed along the perimeter of the existing baseball field. Two poles would be installed along the first baseline and two poles would be installed along the third baseline (south and west perimeters of the Project Site). Four poles would be installed along the perimeter of the outfield. All poles would be 80 feet in height. Light fixtures would be mounted at various heights on the poles to provide infield and outfield lighting, as well as security and safety lighting along walkways. All fixtures would be shielded to limit glare and directed downward onto the field to minimize the potential for spill light and sky glow.

##### Drinking Fountain

The existing drinking fountain on the western edge of the Project Site, on the northwest corner of the exterior of the “E” Building, would be removed. A new drinking fountain would be constructed in the same place using the existing plumbing line.

#### b. Operation

The Project would not change Rialto High School’s existing programs, including those related to the varsity baseball field. However, with the execution of Senate Bill 328, passed in 2019, which requires all high schools to start classes no earlier than 8:30 a.m., the proposed lighting would allow practices and games to be extended beyond dusk. The baseball field would be available for community use in accordance with the Civic Center Act as already occurs under existing conditions.<sup>8</sup> The Project would not increase the classroom count or enrollment capacity of Rialto High School. No additional school-sponsored programming is proposed that would increase athlete participation or spectator attendance beyond existing conditions.

#### c. Construction

Construction would begin in April 2024 and last approximately nine months. The proposed improvements would be available for use in January 2025, after winter break.

Construction staging would occur either on the grass portion of the baseball field or in the vacant dirt area located north of the field. The staging area would be fenced with green screening and gated to limit trespassing and vandalism. Existing storm drain inlets would be protected, and the driveways providing construction access would be stabilized and installed with a tire wash.

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<sup>8</sup> Education Code Section 38134, et seq.

#### d. Best Management Practices and Regulatory Compliance

The Project would implement the following construction best management practices (BMPs) and adopted regulations:

- **Construction Noise.** The District will adhere to the City of San Bernardino’s construction work hours of 7:00 a.m. to 8:00 p.m. as provided in Section 8.54.070, Disturbances from Construction Activity, of the City’s Municipal Code.<sup>9</sup>
- **Migratory Bird Treaty Act (MBTA).** A biological habitat assessment was prepared for the Project (Attachment A). To avoid potential direct and/or indirect impacts to active bird nests and/or nesting birds, the District will comply with the federal MBTA and California Fish and Game Code (CFGF) and conduct preconstruction clearance surveys, prior to ground disturbance, as follows:

**MBTA / CFGF Preconstruction Clearance Surveys** – If construction commences during the bird breeding season (February 15–September 15), a qualified biologist must be retained to conduct a nesting bird survey. The survey must be conducted three days prior to the start of any work occurring within 50 feet of any tree. If an active nest is found, no work may occur within 25 feet of the nest until nesting activity has ceased. Any time that construction activities have ceased for more than seven days, a new nesting bird survey must be prepared.

- **Clean Air Act.** Under federal and state law, the California Air Resources Board oversees the compliance of the federal Clean Air Act through State Implementation Plans. Local districts, including the South Coast Air Quality Management District, enforce air pollution regulations. These regulations are primarily meant to ensure that the surrounding (or ambient) air meets federal and state air quality standards and include the following:

**Rule 402 (Nuisance)** – This rule prohibits the discharge “from any source whatsoever in such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.” This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

**Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources and prohibits all forms of visible particulate matter (PM) from crossing any property line. This rule is intended to reduce coarse PM (PM<sub>10</sub>) emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. Potential PM<sub>10</sub> suppression techniques are summarized below.

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.

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<sup>9</sup> City of San Bernardino, Municipal Code, Section 8.54.070 – Disturbances from Construction Activity, accessed February 13, 2024, [https://codelibrary.amlegal.com/codes/sanbernardinoca/latest/sanbernardino\\_ca/0-0-0-7662](https://codelibrary.amlegal.com/codes/sanbernardinoca/latest/sanbernardino_ca/0-0-0-7662).

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- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

**Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce reactive organic gases (ROG) emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.

#### 4. Applicability of Categorical Exemption

The CEQA Guidelines includes classes of projects that have been determined to not have a significant effect on the environment and that can be categorically exempt from extended environmental review. As discussed below, the Project qualifies for a categorical exemption under Classes 4 and 14.

##### Class 4, Minor Alterations to Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes, including minor trenching and backfilling where the surface is restored. (CEQA Guidelines § 15304[f])

The Project would require minor alterations to the varsity baseball field, including excavation and trenching activity, to install the proposed new field lights and electrical conduits. Disturbed surfaces would be backfilled and restored with the proposed facilities. No trees would be removed by the Project. The Project meets the requirements of Class 4.

##### Class 14, Minor Additions to Schools

Class 14, Minor Additions to Schools, consists of minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than 25 percent or ten classrooms, whichever is less. The addition of portable classrooms is included in this exemption. (CEQA Guidelines § 15314)

The Project would improve an existing outdoor instructional area (baseball field and supporting facilities) and would not add new classrooms or change the number of classrooms at Rialto High School. The Project would not introduce any new athletic programs or sports at the school. Therefore, the school enrollment capacity would remain the same as under existing conditions. The Project meets the requirements of Class 14.

## 5. Exceptions to Categorical Exemptions

CEQA Guidelines Section 15300.2, Exceptions, lists conditions under which categorical exemptions are inapplicable. The discussion below addresses whether these conditions apply.

### a. Location

Section 15300.2(a) of the CEQA Guidelines states that Classes 3, 4, 5, 6, and 11 are qualified by consideration of whether a project is located in a uniquely sensitive environment of hazardous or critical concern that has been designated, precisely mapped, or officially adopted pursuant to federal, state, or local laws (i.e., a project that would ordinarily be insignificant may in that particularly sensitive environment be significant).

According to the City of San Bernardino General Plan, the Project Site is not within any areas of unique sensitive environment of hazardous or critical concern, including a 100-year floodplain, dam inundation zone, Alquist-Priolo Fault zone, Very High Fire Hazard Severity Zone, liquefaction hazard zone, or landslide susceptibility area, as mapped and/or designated by federal, state, or local agencies.<sup>10</sup> The Project Site is identified as being in an area of potential ground subsidence;<sup>11</sup> however, the proposed improvements would result in installation of new lighting and a drinking fountain at an existing on-site baseball field. No new habitable structures are proposed. Therefore, the Project would not increase exposure of a greater number of people to any hazardous conditions, nor result in construction of any buildings that would be occupied by students or visitors.

Similarly, a portion of the Project Site is identified as lying within the future community noise equivalent level (CNEL) noise contour of 65 dB relative to North Pepper Avenue. However, the proposed improvements would not introduce a new land use at the Project Site, nor increase the number of attendees at events occurring on the varsity baseball field. Installation of the new field lighting and drinking fountain would therefore not increase the number of students or visitors exposed to future roadway noise levels, nor increase a potential hazard relative to such noise levels experienced. No change in exposure to future roadway noise levels would occur with the proposed Project.

For the reasons stated above, this exception does not apply to the Project.

### b. Cumulative Impact

Exemptions are inapplicable when there is a significant cumulative impact of “successive projects of the same type in the same place, over time.” (§ 15300.2[b])

The District is not pursuing any other projects at Rialto High School. Each project would be required to implement construction BMPs and comply with state and local regulations to limit construction-related environmental effects. Moreover, the proposed Project is relatively minor in scope and the improvements

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<sup>10</sup> City of San Bernardino, General Plan, Chapter 10, Safety, and Chapter 14, Noise, 2005, accessed January 25, 2024.

[https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf).

<sup>11</sup> Ibid.

would generally occur immediately adjacent or within close proximity to the varsity baseball field. Therefore, any potential overlap of the Project's construction activities with related projects at Rialto High School would not cause cumulatively considerable environmental effects. CEQA Guidelines Section 15300.2(b) would not apply to the Project.

#### c. Significant Effects

A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The determination of whether this exception applies involves two distinct questions: (1) whether the project presents unusual circumstances, and (2) whether there is a reasonable possibility that a significant environmental impact will result from the unusual circumstances. The lead agency considers the second prong of this test only if it finds that some circumstance of the project is unusual. (*Berkeley Hillside Preservation v City of Berkeley* (2015) 60 C4th 1086, 1104)

The Project would not present unusual circumstances or special environmental constraints during Project planning, construction, or operation that may lead to a significant environmental impact. The existing high school has operated on the overall property since 1992. The Project would comply with all applicable California laws and regulations related to public school construction. Construction methods would be typical for public schools in the State. The Project would comply with the current California Building Code and the Americans with Disabilities Act and would be plan-checked by the Division of the State Architect. The Project would implement construction BMPs, as listed in Section 3.d, to reduce potential impacts to biological resources, water quality, air quality, and community noise. Additionally, the proposed field lights would be shielded and directed downward onto the field to minimize the potential for glare and/or sky glow. The Project does not propose new school-sponsored events or programs at the varsity baseball field. While the varsity baseball field would be used after dusk, the frequency of school-sponsored events and the related effects would not substantially differ from existing use and activity. Therefore, this exception does not apply to the Project.

#### d. Scenic Highways

A categorical exemption cannot be used for a project that may damage scenic resources—including but not limited to trees, historic buildings, rock outcroppings, or similar resources—within an officially designated state scenic highway.

The closest officially designated state scenic highway is a segment of State Route 91, approximately 32 miles southwest of the Project Site, in the City of Anaheim.<sup>12</sup> Due to the distance, Project implementation would not have the ability to devalue the highway. This exception does not apply to the Project.

#### e. Hazardous Waste Sites

Subsection 15300.2 of the CEQA Guidelines states that a categorical exemption shall not be used for a project on a site that is on any list compiled pursuant to Section 65962.5 of the California Government Code, which requires the Secretary of the California Environmental Protection Agency to compile lists of

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<sup>12</sup> California Department of Transportation, California State Scenic Highway System Map, accessed January 25, 2024, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>.

hazardous materials sites and waste facilities, also known as the “Cortese List.” A computer search of the data resources that provide information regarding facilities or sites identified as meeting the Cortese List requirements, including from the Department of Toxic Substances Control and State Water Resources Control Board,<sup>13</sup> determined that the Project Site is not listed on any of the databases compiled pursuant to Section 65962.5. Project implementation would not expose hazardous waste to the environment. Therefore, CEQA Guidelines Section 15300.2(e) does not apply to the Project.

#### f. Historical Resources

A categorical exemption cannot be used for a project that may cause a substantial adverse change in the significance of a historical resource, as specified in Public Resources Code Section 21084.1, which defines a historical resource as one listed in or determined to be eligible for listing in the California Register of Historical Resources and local register of historical resources.

The Project Site is not listed on the National Register of Historic Places, California Historical Resources, California Historical Landmarks, or California Office of Historic Preservation’s Built Environment Resource Directory.<sup>14</sup> Additionally, the City does not classify Rialto High School as a historic structure or site.<sup>15</sup> Therefore, this exception does not apply to the proposed Project.

## 6. Conclusion

As documented herein, the proposed Project meets the requirements of Categorical Exemption Class 4, Minor Alterations to Land, and Class 14, Minor Additions to Schools, and none of the conditions listed in

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<sup>13</sup> Department of Toxic Substances Control, EnviroStor, Hazardous Waste and Substances Site List (Cortese), accessed January 30, 2024, [https://www.envirostor.dtsc.ca.gov/public/search.asp?page=6&cmd=search&business\\_name=&main\\_street\\_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site\\_type=CSITES%2CFUDS&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&reporttype=CORTESE&federal\\_su perfund=&state\\_response=&voluntary\\_cleanup=&school\\_cleanup=&operating=&post\\_closure=&non\\_operating=&corrective\\_action=&tiered\\_permit=&evaluation=&spec\\_prog=&national\\_priority\\_list=&senate=&congress=&assembly=&critical\\_pol=&business\\_type=&case\\_type=&searchtype=&hwmp\\_site\\_type=&cleanup\\_type=&ocioerp=&hwmp=False&permitted=&pc\\_permitted=&inspections=&inspectionsother=&complaints=&censustract=&cesdecile=&school\\_district=&orderby=city](https://www.envirostor.dtsc.ca.gov/public/search.asp?page=6&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2CFUDS&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&reporttype=CORTESE&federal_su perfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocioerp=&hwmp=False&permitted=&pc_permitted=&inspections=&inspectionsother=&complaints=&censustract=&cesdecile=&school_district=&orderby=city); California State Water Resources Control Board, GeoTracker, accessed January 30, 2024,

<https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1321+norh+lilac+avenue+rialto+>

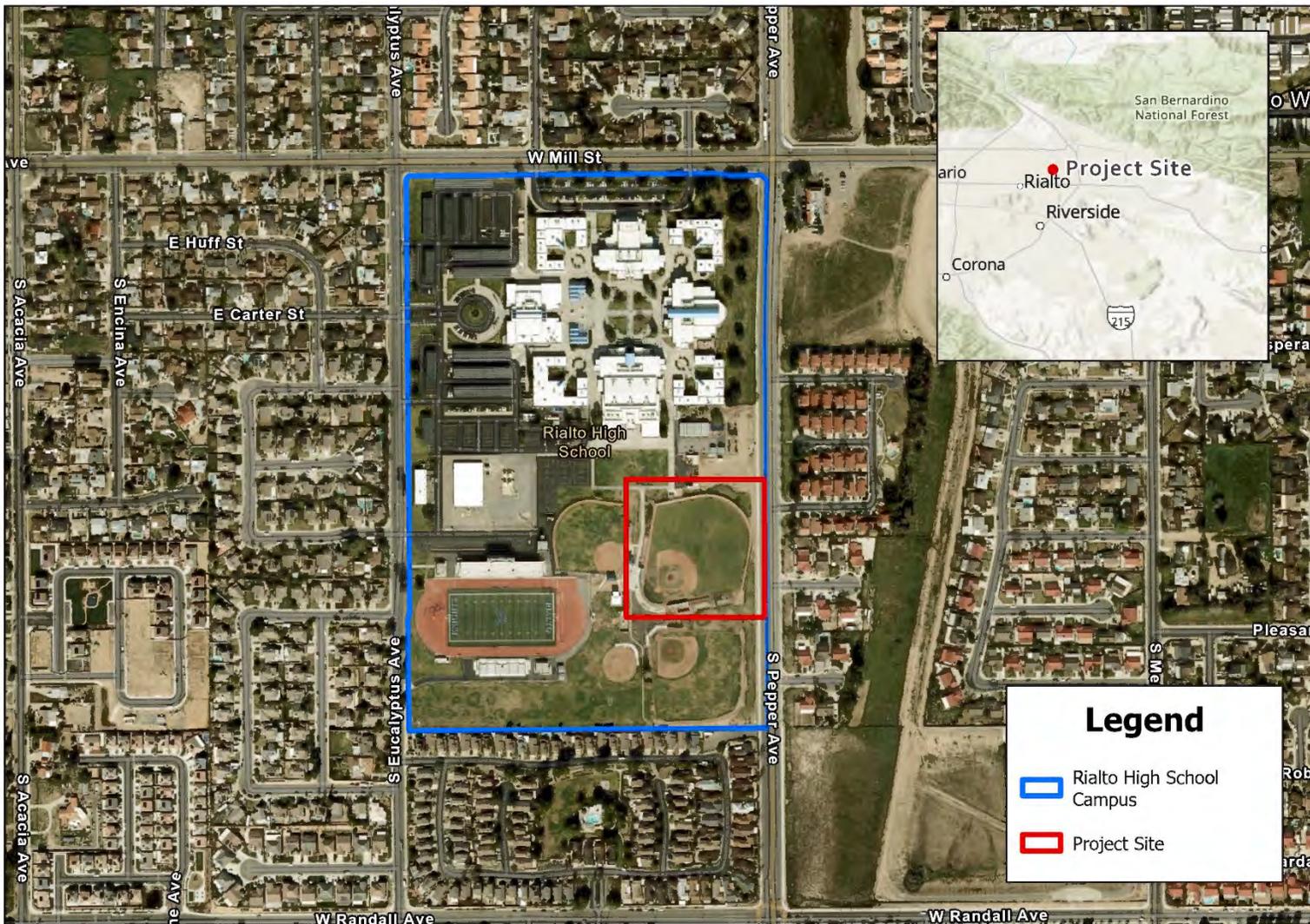
<sup>14</sup> National Park Services, National Register of Historic Places, accessed January 30, 2024, <https://www.nps.gov/subjects/nationalregister/database-research.htm#table>; Office of Historic Preservation, California Historical Resources, accessed January 30, 2024, <https://ohp.parks.ca.gov/ListedResources/?view=county&criteria=19>; Office of Historic Preservation, California Historical Landmarks, accessed April 3, 2023, [https://ohp.parks.ca.gov/?page\\_id=21387](https://ohp.parks.ca.gov/?page_id=21387); Office of Historic Preservation, Built Environment Resource Directory, accessed April 18, 2023, [https://ohp.parks.ca.gov/?page\\_id=30338](https://ohp.parks.ca.gov/?page_id=30338).

<sup>15</sup> City of San Bernadino, General Plan, , Chapter 11, Historical and Archaeological Resources, 2005, [https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server\\_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf](https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/Complete%20General%20Plan%20Compressed.pdf).

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CEQA Guidelines Section 15300.2, Exceptions, apply. Accordingly, the Project is exempt from extended environmental review in accordance with the provisions of CEQA.

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Michael Baker  
INTERNATIONAL  
Source: San Bernardino County Assessor

Project Site and Regional Location

Figure 1



**Photo 1.** View of the Project Site from the northern end, facing south.



**Photo 2.** View of the Project Site facing northwest, from the southern perimeter of the site.



**Photo 3.** View of the Project Site facing east from the northwest corner of the site.



**Photo 4.** Looking south towards the Project Site from the northwest corner of the site.

