



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

Print **Save**

RECEIPT NUMBER:
 36 — 05072024 — 323
 STATE CLEARINGHOUSE NUMBER (if applicable)
 N/A

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY City of San Bernardino	LEAD AGENCY EMAIL	DATE 05072024
COUNTY/STATE AGENCY OF FILING San Bernardino	DOCUMENT NUMBER	

PROJECT TITLE
Amazing 34 Distribution Center Project

PROJECT APPLICANT NAME Orly Corp.	PROJECT APPLICANT EMAIL	PHONE NUMBER (917) 378-1022
PROJECT APPLICANT ADDRESS 15 West 34th Street, 7th Floor	CITY New York	STATE NY
		ZIP CODE 10001

PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	2,916.75
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

7790

TOTAL RECEIVED \$ 2,966.75

SIGNATURE X Debra LuBrant-Contreras	AGENCY OF FILING PRINTED NAME AND TITLE Debra LuBrant-Contreras, Deputy Clerk
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NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due).*

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due).*

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090

NOTICE OF DETERMINATION

TO:	<input checked="" type="checkbox"/> Clerk of the Board of Supervisors or <input type="checkbox"/> County Clerk Address: 385 N. Arrowhead Avenue San Bernardino, CA 92415	FROM:	Public Agency/Lead Agency: City of San Bernardino (lead agency) Address: 290 North D Street San Bernardino, CA 92401 Contact: Travis Martin Senior Planner Phone: (909) 384.5313
TO:	<input type="checkbox"/> Office of Planning and Research P. O. Box 3044 Sacramento, CA 95812-3044 <input checked="" type="checkbox"/> 1400 Tenth Street, Rm. 113 Sacramento, CA 95814	Lead Agency (if different from above) Click to enter Agency Address: Click enter address Contact: Click to enter contact Phone: Click to enter phone no.	

COUNTY OF SAN BERNARDINO
 CALIFORNIA
 2024 MAY - 7 PM 4: 03
 CLERK OF SUPERVISORS

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

State Clearinghouse Number (if submitted to SCH): Click to enter no.	
Project Title: Amazing 34 Distribution Center Project	
Project Applicant (include address and telephone number):	DATE FILED & POSTED Posted On: <u>5-7-24</u> Removed On: <u>6-12-24</u> Receipt No: <u>36-05072024-323</u>
Orly Corp. 15 West 34th Street, 7th Floor New York, New York 10001 Contact: Ruby Antebi Phone: (917) 378-1022	
Specific Project Location – Identify street address and cross street or attach a map showing project site (preferably a USGS 15’ or 7 ½’ topographical map identified by quadrangle name): 791 South Waterman Avenue, on the northeast corner of South Waterman Avenue and East Central Avenue. (APN(S): 0280-021-34, -44, and -47) See attached map.	
General Project Location (City and/or County): City of San Bernardino	

Project Description: On May 1, 2024, the City Council of the City of San Bernardino adopted Resolution No. 2024-078 adopting the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program under the California Environmental Quality Act and approving Development Permit Type-D 20-03 allowing the development and establishment of an industrial warehouse containing approximately 89,475 square feet on a project site comprised of three parcels (APN(s): 0280-021-34, -44, and -47) containing a total of approximately 4.02 acres ("Project" or "Amazing 34 Distribution Center Project"). The City also introduced for first reading Ordinance No. MC-1637 approving Development Code Amendment (Zoning Map Amendment) 20-05 changing the Zoning District Classification from Office Industrial Park (OIP) to Industrial Light (IL) of two parcels (APN(S):0280-021-44 and -47) containing a total of approximately 3.84 acres.

The Project is located at 791 S. Waterman Avenue within the Office Industrial Park (OIP) and Industrial Light (IL) zones. It would be used for the applicant's family-run fashion merchandise business. Approximately 4,560 square feet of the new building will be used for office and wholesaling, with the remainder dedicated for the warehouse facility. No intensive manufacturing would be permitted within the Industrial Light zone.

The Project site previously had two warehouse buildings located onsite. A fire caused by trespassers destroyed one of the buildings at which point it had become a hazard. In March 2021, the San Bernardino County Fire Protection District declared the property unsafe and subject to immediate demolition. A permit application for demolition was submitted to the City on March 3, 2021, and Demolition Permit (D2100012) was issued on April 29, 2021. The Demolition Permit also covered the second warehouse building because the trespassing vagrants had stripped out the electrical and mechanical infrastructure in the second building, making it susceptible to hazards. The demolition work was completed April through June 2021. The existing areas consist of graded dirt. Trespassing by vagrants on the vacant project site (including illegal camping, fires, and trash dumping) continues to be an issue, despite the applicant's efforts to prevent trespassing with fencing and other measures. The Project would transform an underutilized property into a development that meets the City's economic development goals, while satisfying the Development Code.

Identify the person or entity undertaking the project, including any private applicant, any other person undertaking an activity that receives financial assistance from the Public Agency as part of the project, and any person receiving a lease, permit, license, certificate, or other entitlement of use from the Public Agency as part of the project.

Orly Corp.
15 West 34th Street, 7th Floor
New York, New York 10001

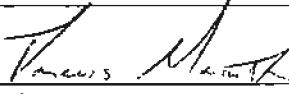
Contact: Ruby Antebi
Phone: (917) 378-1022

COUNTY OF SAN BERNARDINO
 CALIFORNIA
 2024 MAY -7 PM 4:52

This is to advise that the City of San Bernardino (Lead Agency or Responsible Agency) has approved the above-described project on May 1, 2024 and has made the following determinations regarding the above described project:

1.	The project [<input type="checkbox"/> will <input checked="" type="checkbox"/> will not] have a significant effect on the environment.
2.	<input type="checkbox"/> An Environmental Impact Report was prepared and certified for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
	<input type="checkbox"/> A Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
	<input checked="" type="checkbox"/> A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA and reflects the independent judgment of the Lead Agency.
3.	Mitigation measures [<input checked="" type="checkbox"/> were <input type="checkbox"/> were not] made a condition of the approval of the project.
4.	A Mitigation Monitoring or Reporting Plan [<input checked="" type="checkbox"/> was <input type="checkbox"/> was not] adopted for this project.
5.	A Statement of Overriding Considerations [<input type="checkbox"/> was <input checked="" type="checkbox"/> was not] adopted for this project.

6.	Findings [<input type="checkbox"/> were <input checked="" type="checkbox"/> were not] made pursuant to the provisions of CEQA.	
	<p>This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to General Public at:</p> <p>Community Development and Housing Department, 201 North E Street, 3rd Floor, San Bernardino, CA 92401 during regular business hours, Monday, Tuesday, and Thursday, 8:00a.m. to 5:00p.m; Wednesday, 10:00a.m. to 5:00p.m.; and, Friday, 8:00a.m. to 4:00p.m. or online at https://www.sbcity.org/city_hall/community_development_and_housing/planning/environmental_documents</p>	
	<p>Custodian:</p> <p>City Clerk</p>	<p>Location:</p> <p>290 North D Street San Bernardino, CA 92401</p>

<p>Date: Click or tap to enter a date.</p> <p>MAY 7, 2024</p>	 <p>Signature</p> <p>Name: Travis Martin</p> <p>Title: Senior Planner</p>
<p>Date Received for Filing: Click or tap to enter a date.</p>	

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

2024 MAY -7 PM 4: 03
 COUNTY OF SAN BERNARDINO
 CALIFORNIA



Exhibit 3: Aerial View
Amazing 34 Distribution Center
City of San Bernardino

