



MEMORANDUM

TO: Travis Martin, Senior Planner
City of San Bernardino - Community & Economic Development
201 North E Street, 3rd Floor
San Bernardino, California 92401
martin_tr@sbcity.org

FROM: Tracy Zinn, Principal
Jerrica Harding, Senior Associate

DATE: November 2, 2023

RE: San Bernardino Gateway Business Park (SUB22-0-1 & DP-D22-04) – Responses to Comments on Public Review Draft Mitigated Negative Declaration

On September 19, 2023, the City of San Bernardino issued a Notice of Intent (NOI) to adopt a Mitigated Negative Declaration (MND) for the proposed San Bernardino Gateway Business Park (SBGBP) project (herein, “Project”), which consists of applications for a Subdivision (SUB22-01) and a Development Permit – D/ERC (DP-D22-04) to allow for the construction and operation of three non-refrigerated manufacturing/business park buildings on a 10.4 net-acre property located at the southeast corner of Arrowhead Avenue and Rialto Avenue. During the 30-day public review period for the MND, the City of San Bernardino received comment letters from the Department of Toxic Substance Control (DTSC) and the Center for Community Action and Environmental Justice (CCA EJ).

Based on careful consideration of the comment letters received, and for the reasons noted below, none of the comments on the Project’s MND resulted in the identification of any new or increased impacts to the environment or the identification of additional necessary mitigation measures, and none of the comments required revisions to the Project’s MND.

Comment Letter A: Department of Toxic Substances Control (DTSC), dated October 17, 2023

COMMENTS: DTSC notes that the proposed Project may affect and in turn may be affected by the historical contamination by the Hanford Foundry, refers the City to the EnviroStor website, and recommends that actions be taken for any potential impacts due to hazardous waste or hazardous materials within the Project area.

RESPONSE: The MND acknowledges that the proposed Gateway Business Park project (herein, "Project" or "proposed Project") is located on the site of the former Hanford Foundry and includes a detailed discussion and analysis of potential hazardous materials impacts under the topic of Hazards and Hazardous Materials in MND Subsection 4.9. MND Subsection 4.9 also includes a detailed description of the results of the Project’s Phase I and Phase II Environmental Site Assessments (ESAs), which were included as Technical Appendices G1 and G2, respectively, to the Project’s MND. Commenter is referred



to the discussion and analysis presented in MND Subsection 4.9, and Mitigation Measures MM HM-1 and HM-2 that have been imposed to ensure impacts due to existing site contamination remain below a level of significance. The analysis in MND Subsection 4.9 demonstrates that with implementation of the required mitigation, impacts due to existing site contamination associated with the prior Hanford Foundry would be reduced to less-than-significant levels. No revision to the Project's MND is warranted pursuant to this comment.

It also is acknowledged that the Project site is subject to a Land Use Covenant (LUC) that prohibits future development of the Project site with the specific use types referenced by DTSC in their comment letter. As described in MND Section 3.0, Project Description, the proposed Project would entail development of the Project site with three manufacturing/business park buildings. Manufacturing/business park uses are an allowed use for the Project site based on the LUC.

In addition, on February 13, 2023, the DTSC issued a letter to the Project Applicant indicating that the Project's Soil Management Plan ("SMP"; MND Technical Appendix G3) is approved for use by the current and future owners and occupants when they conduct activities that will disturb the soil at the Project site. A copy of the letter from the DTSC approving the Project's SMP is attached to this memorandum as "ATTACHMENT C." Accordingly, the coordination with DTSC and other agencies already has occurred for the proposed Project, based on the fact that the DTSC approved the Project's SMP on February 13, 2023.

Comment Letter B: Center for Community Action and Environmental Justice (CCA EJ), dated October 18, 2023

COMMENT: CCA EJ notes that the City is undergoing an update to its General Plan and the development of a Downtown Specific Plan, and expresses the desire for non-warehousing uses for the Project site and other sites that are adjacent to the rail line to Redlands.

RESPONSE: Commenter's concerns regarding and stated opposition to the proposed Project are acknowledged. However, the Project would entail development of the property with three non-refrigerated manufacturing/business park buildings, in conformance with the Project site's existing General Plan designation of "Commercial Heavy (CH)" and existing zoning classification of "CH (Commercial Heavy)." The proposed buildings would range in size from 50,432 square feet (s.f.) to 106,755 s.f., and would not be of a size that would support heavy industrial warehouse uses that could create a land use conflict with future anticipated uses within the City's downtown area. Primary uses of the buildings will be required to adhere to CH zoning requirements.

COMMENT: CCA EJ asks about applicability of the South Coast Air Quality Management District's Rule 2305 ("ISR"), which applies to warehousing facilities of 100,000 s.f. and larger in the SCAQMD jurisdiction.

RESPONSE: As defined by the SCAQMD's Indirect Source Rule (ISR), the ISR applies to "...owners and operators of warehouses located in the South Coast Air Quality Management District (South Coast AQMD) jurisdiction with greater than or equal to 100,000 square feet of indoor floor space in a single building" (emphasis added; SCAQMD Rule 2305, Section (b)). As defined by the ISR, "WAREHOUSE means a building that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers" (SCAQMD Rule 2305, Section (c)(27)). The Project Applicant proposes to develop the Project site with three non-refrigerated manufacturing/business park buildings. The uses anticipated to be accommodated by the Project's proposed buildings are not anticipated to include the storage of

cargo, goods, or products for later distribution to businesses and/or retail customers, and thus the Project's buildings likely would not be subject to the ISR. The SCAQMD would be the final authority to determine if the tenant's operations are subject to the ISR.

COMMENT: CCAEJ questions Project compliance with the City's Active Transportation Plan.

RESPONSE: Based on the City's review of the proposed Project's application materials, it was determined that the proposed Project would not conflict with the City's Active Transportation Plan (ATP), dated July 2022. While the commenter is correct that the ATP identifies Rialto Avenue and Sierra Way along the Project site's frontages as "Multi-Modal Corridors," and identifies Arrowhead Avenue as a "Community Connector," the commenter may be misrepresenting some of the ATP's guidance as a planning tool for the City.

As indicated by the City's ATP, "Multi-Modal Corridors" are corridors "...that provide regional connectivity to destinations outside of the City's jurisdictions and regional points of interest within the City of San Bernardino. Multi-modal corridors could support more than one mode: walking, biking, and/or transit" (ATP at pp. 78-79). The ATP defines "Community Connectors" as corridors "...that offer connectivity to local destinations such as schools, parks, civic institutions, and commercial activities. Infrastructure treatments that could be installed along Community Connectors include traffic calming elements, bikeway facilities, and pedestrian treatments" (ATP at p. 79). It is noted that based on these definitions, the ATP contains recommendations and the ATP does not identify any specific mandatory requirements or performance standards for demonstrating compliance with the ATP.

Rialto Avenue:

As indicated in the Project's application materials, the existing sidewalk along the Project site's frontage with Rialto Avenue would remain in place, while this segment of Rialto Avenue is served by OmniTrans Routes 6 and 8; thus, the Project would not conflict with the ATP's guidance for a proposed "Multi-Modal Corridor" along Rialto Avenue because more than one mode of transportation (i.e., sidewalks and bus stops) is accommodated. In addition, the ATP recommends other improvements along Rialto Avenue as a priority corridor, such as removing and relocating obstructions in the sidewalk area, installation of street trees, modification of curb ramps to be ADA complaint, installation of high visibility crosswalks, and addition of a Class IV bike lane (ATP at pp. 119-120). The Project would result in the dedication of an additional 2.75 feet of public right-of-way width along the site's frontage with Rialto Avenue and the installation of street trees behind the sidewalk. The Project neither proposes nor precludes the establishment of a bike lane in the Rialto Avenue public right-of-way, or the removal of existing sidewalk obstructions, or accomplishment of the other ATP-recommended improvements. These improvements, if applicable along the Project site frontage, will be addressed by the City at the time the roadway improvements plans are submitted and reviewed during plan check. The ATP includes a "Ranked Corridor List" that prioritizes City pursuits for grant funding opportunities to make such improvements. Rialto Avenue is ranked 19th out of 130.

Sierra Way:

The existing sidewalk along the site's frontage with Sierra Way would be remain in place, while this segment of Sierra Way currently is served by OmniTrans Route 8; thus, the Project would not conflict with the ATP guidance for a proposed "Multi-Modal Corridor" along Sierra Way because more than one mode

of transportation (i.e., sidewalks and bus stops) is accommodated. The ATP does not call out specific improvement recommendations for the Project site's frontage with Sierra Way.

Arrowhead Avenue:

The ATP calls for a Class II bikeway to pass along the Project Site's frontage with Arrowhead Avenue. The Project would not make any improvements to the travel way along the Project site's frontage with Arrowhead Avenue, with exception of improvements at the proposed Project access driveway. The existing sidewalk would be retained, and the Project Applicant would be required to provide landscaping at the back of the existing sidewalk; thus, the Project would not conflict with the ATP guidance for "Community Connectors," because the Project includes landscaping treatment and because this segment of Arrowhead Avenue can accommodate bicycles. There are no components of the proposed Project that would inhibit the City's ability to establish the planned Class II bike lane along this segment of Arrowhead Avenue.

Accordingly, and based on the foregoing, the proposed Project would not conflict with the ATP, and no revision to the MND is warranted pursuant to this comment.

***COMMENT:** CCAEJ asks about potential conflicts with the Project's location adjacent to the rail line and plans for additional tracks for increased service.*

RESPONSE: The proposed Project would have no impact on plans for expansion of rail service along the Southern California Regional Rail Authority (Metrolink) rail line. The proposed Project would occur fully outside of the rail right-of-way. Accordingly, no revisions to the MND are warranted pursuant to this comment.



Attachment A:

**Department of Toxic Substances Control – Comment Letter on Project’s Mitigated
Negative Declaration (dated October 17, 2023)**



Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D., Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

October 17, 2023

Travis Martin
Associate Planner
City of San Bernardino
201 North E Street, 3rd Floor
San Bernardino, CA 92401
Martin_Tr@sbcity.org

RE: MITIGATED NEGATIVE DECLARATION (MND) FOR THE SAN BERNARDINO GATEWAY BUSINESS PARK PROJECT DATED SEPTEMBER 19, 2023 STATE CLEARINGHOUSE # [2023090396](#)

Dear Travis Martin:

The Department of Toxic Substances Control (DTSC) received a MND for the San Bernardino Gateway Business Park Project. Based on our Project review, DTSC requests consideration of the following comments.

1. Based on the figures included in the MND, the proposed Project may affect and in turn may be affected by the historical contamination by the [Hanford Foundry](#). The Hanford Foundry was owned and occupied by the Hanford Family from 1892 to 1986. The foundry produced commercial pumps and cement and oil tool castings using steel, stainless steel, or high temperature alloys. Sand and silica were used as molds for casting metal products. Foundry operations generated wastes including spent sand and silica. Information regarding onsite waste-handling practices is

unknown. Prior to 1986, a laboratory, a steel foundry with a sand-mixing area, a 1,000-gallon underground fuel tank, a transformer, an office building, sand bins, a scrap storage area and two buildings of unknown operations were located on the Site. In 1986, all onsite structures were demolished, and all equipment was removed from the site. In May of 1982, U.S. EPA conducted a Site Inspection (SI). The purpose of the Preliminary Assessment (PA) and SI was to review existing information on the site and its environs to assess the threat(s), if any, posed to public health, welfare, or the environment, and to determine if further action under CERCLA/SARA is warranted. After reviewing the PA and SI, EPA decided that further investigation of the foundry would be necessary. U.S. EPA then used the Hazard Ranking System (HRS) criteria to assess the relative threat associated with the actual or potential releases of hazardous substances at the site. In 1983, the DTSC conducted a drive-by inspection of the site and documented piles of waste material on site east of the foundry and existing buildings. In 1987, the Hanford Foundries Trust hired an environmental consultant, CHJ, Inc., to sample onsite soil prior to selling the property. Analytical results indicated the presence of various metals in onsite surface soils. In 1988, a second DTSC drive-by inspection documented that the site was a vacant lot. In October 1989, DTSC completed a Preliminary Assessment of the site for U.S. EPA. Analytical results of onsite soil and groundwater samples collected in 1991 during the SI, and soil samples collected during the ESI in March 1995 indicated the presence of chromium and nickel. DTSC became the lead agency for the Hanford Foundry site in July 2004 when the Responsible parties entered a Voluntary Cleanup Agreement. After site characterization activities, the site was deemed to be acceptable for use in commercial/industrial scenarios.

2. Further information on the [Hanford Foundry](#) can be found on EnviroStor. The Site's potential contaminants of concern (COCs) in soil 0-10 ft below

ground surface are arsenic: aroclor 1260, aroclor 1254, and benzo(a)pyrene.

The Project has a [Land Use Covenant](#) (LUC) and under the LUC, the restrictions include but are not limited to:

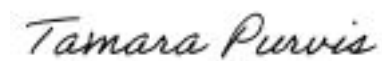
- A residence, including any mobile home or factory-built housing, constructed, or installed for use as residential human habitation prohibited,
 - A hospital for humans prohibited,
 - A public or private school for persons under 21 years of age prohibited,
 - A day care center for children prohibited,
 - Activities that will disturb the soil at or below the surface or below ground surface prohibited,
 - Raising food, fiber crops prohibited,
 - Extraction of groundwater for purposes other than site remediation or construction dewatering prohibited,
 - Any site activities that may be impacted by the terms of the LUC or that involve any hazardous materials should be coordinated with DTSC.
3. The Project is documented in accordance with California Government Code Section 65962.5, commonly known as the Cortese List. DTSC recommends that the Hazards and Hazardous Materials section of the upcoming DEIR address actions to be taken for any potential impacts due to hazardous waste or hazardous materials within the Project area. DTSC recommends further coordination with other agencies that may have regulatory authority over the Project.
 4. The Project and future CEQA documents should acknowledge the

potential for historic or future activities on or near the Project site to result in the release of hazardous wastes/substances on the Project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The DEIR should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

5. If any projects initiated as part of the proposed Project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to [DTSC's 2001 Information Advisory Clean Imported Fill Material](#) webpage.

Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Sincerely,



Tamara Purvis
Associate Environmental Planner
HWMP - Permitting Division – CEQA Unit
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and
Research State Clearinghouse
State.Clearinghouse@opr.ca.gov

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Attachment B:

**Center for Community Action and Environmental Justice – Comment Letter on
Project’s Mitigated Negative Declaration (dated October 18, 2023)**

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CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE

“Bringing People Together to Improve Our Social and Natural Environment”

October 18, 2023

City of San Bernardino
Attn: Travis Martin, Associate Planner
201 North E Street, 3rd Floor
San Bernardino, CA 92401
Via email to Martin_Tr@sbcity.org.

Re: San Bernardino Gateway Business Park Mitigated Negative Declaration (SCH #2023090396)

Dear Travis Martin,

This letter is being provided to you by the Center for Community Action and Environmental Justice to respond to the Mitigated Negative Declaration (SCH #2023090396) for the proposed San Bernardino Gateway Business Park (“Project”). After reviewing the documents, a number of comments and concerns have been generated which this letter seeks to address.

By far the most egregious part of this entire Project is that it is even being proposed at all. The City is currently undergoing both an update to its General Plan as well as the development of a Downtown Specific Plan which includes the area of the city where the Project would be located. In public participation for both processes, community members have made it quite clear in no uncertain terms that there is absolutely a sense that there is more than ample provision of warehouse space and use within the city, particularly in locations which are closer to or *in* downtown.

There is **no** desire for warehouses in locations like this and that is made evident by the outputs from both of those processes, with the General Plan proposing to change the zoning of the Project site to SP-D, Downtown Specific Plan (Figure 1) and the Downtown Specific Plan materials (Figure 2) proposing non-warehousing uses for this and other sites which are adjacent to the rail line to Redlands. It is the height of disrespect to the community which has devoted countless hours to engage in the planning process for this Project which so flagrantly flies in the face of everything they have voiced a desire to see be brought forth in the community and we would like to see it returned to the drawing board to bring back something which aligns with what the community has stated a desire to see developed in this location, **not** warehouses.

Another concern is that the documents provide no mention of the South Coast Air Quality Management District’s Rule 2305 (“ISR”). The ISR applies to all warehousing facilities of

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100,000 sf in the SCAQMD jurisdiction and as depicted on several Figures from the MND document e.g. 3-2, Building 1 of the Project is proposed to be 106,755 sf which places it large enough to be subject to the rule. Yet, no mention is made of the ISR itself, much less complying with it. Furthermore, given the connected nature of the overall Project, all three buildings should be compliant with the ISR as even though Buildings 2 and 3 are not individually large enough to meet the threshold for the rule, they are part of the entire Project which clearly does. This should especially be the case in situations where a single entity is operating in all three buildings or in any combination of buildings which surpass the 100,000 sf threshold (i.e. Building 1 + any of the others or Building 2 + Building 3).

A third concern is that it appears that the Project would not be compliant with the City’s Active Transportation Plan. Based on the maps and documents which were prepared for that Plan, the City desires to see a number of improvements along the borders of the Project site. As depicted in Figure 3, these include Multi-Modal Connectors along Rialto Avenue and Sierra Way and a Community Connector along Arrowhead Avenue and Figure 4 depicts the need for Class IV bikeways along Rialto Avenue and Class II bike lanes along Arrowhead Avenue, none of which have been accounted for in the current planning for the Project. This oversight represents a yet unmitigated significant impact and refusing to enforce the Plan would be a setback for the prospects of the City meeting the plan.

Similarly, the location of the Project adjacent to the rail line potentially puts it in conflict with plans to increase service between Los Angeles and Redlands. On July 5, 2023, the San Bernardino County Transportation Authority SBCTA approved working with the Los Angeles County Metropolitan Transportation Authority and the Southern California Regional Rail Authority (Metrolink) to implement an increased service on the line in accordance with a study completed by those same entities in 2018¹. In that study, the portion of the line which is currently adjacent to the Project site is identified as one where additional tracks would be needed for increased service so it is imperative that the City and Project applicant affirm with Metrolink and SBCTA that as proposed, the Project would remain outside the rail right-of-way and not impede the ability to provide an additional track in the corridor to meet the service needs set forth in prior studies.

In summary, this Project has a number of issues due to conflicts with plans and community desires which remain unresolved and unmitigated, making it incorrect for this Project to be provided with a MND document in the first place. Instead, we need the City to return to the drawing board to ensure that the Project can actually provide the type of development desired by

¹ <https://www.gosbcta.com/plan/hybrid-rail-study-2018/>.

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the community or at least at the barest of minimum, meets the requirements set forth in plans which have already been publicly debated and approved by the City.

Sincerely,



Marven E. Norman

CC:

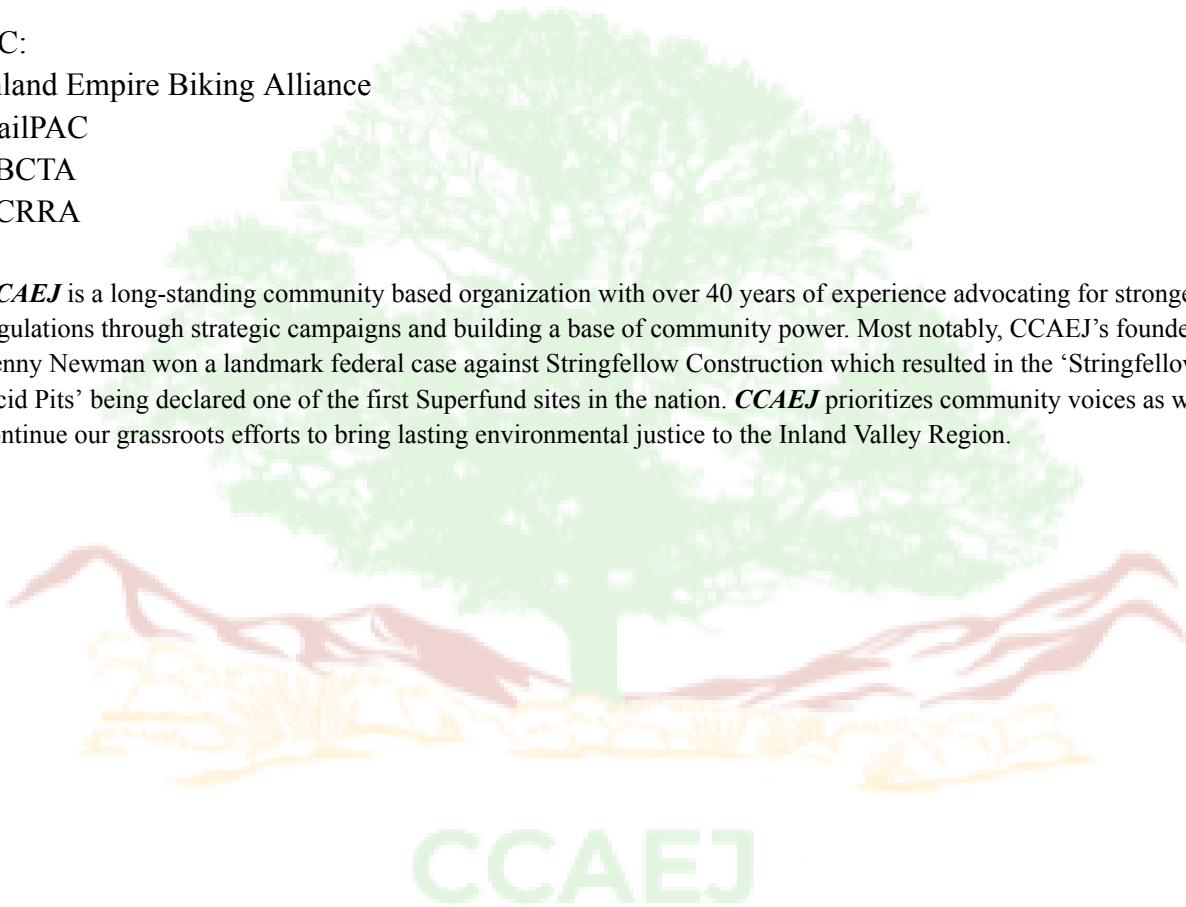
Inland Empire Biking Alliance

RailPAC

SBCTA

SCRRA

CCA EJ is a long-standing community based organization with over 40 years of experience advocating for stronger regulations through strategic campaigns and building a base of community power. Most notably, *CCA EJ*'s founder Penny Newman won a landmark federal case against Stringfellow Construction which resulted in the 'Stringfellow Acid Pits' being declared one of the first Superfund sites in the nation. *CCA EJ* prioritizes community voices as we continue our grassroots efforts to bring lasting environmental justice to the Inland Valley Region.



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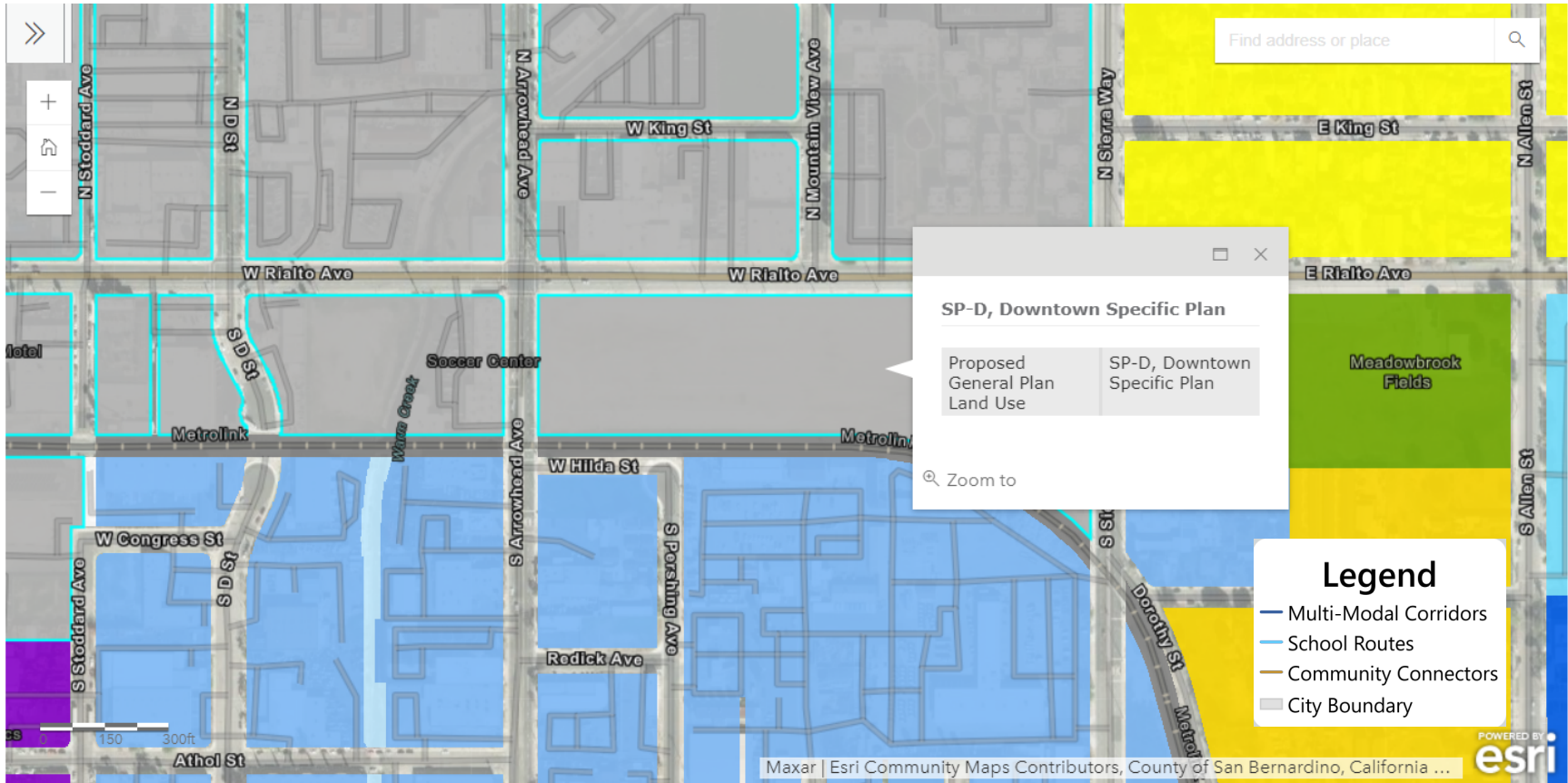


Figure 1: Screenshot of the City’s General Plan Update website² showing the Project site as being proposed for a Downtown Specific Plan zoning.

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² <https://futuresb2050.com/project-overview/proposed-land-use-plan/>.

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Districts – Rail Adjacent



- Today contains existing and new 2-4 story development between Rialto Ave and Rail Tracks
- 27 acres and no residential
- Propose office, artisan manufacturing (i.e., brewing), limited residential
- Range of potential change: 30% - 60%
- Total Buildout: 260 dus, 925K SF
- Uses: Limited Industrial (clean industries, R&D, start-ups), Office, Institutional

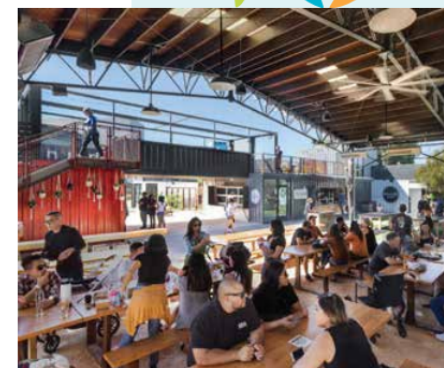
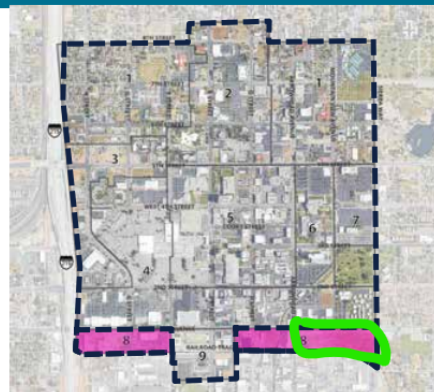


Figure 2: Slide of proposed Rail Adjacent District from March 2022 Downtown Specific Plan meeting materials³ showing the types of uses envisioned for the Project site as artisan manufacturing, clean industries, R&D, start-ups, office, or institutional uses.

³ https://futuresb2050.com/wp-content/uploads/2022/04/DTSB_ProgressReport_March2022_sml.pdf.

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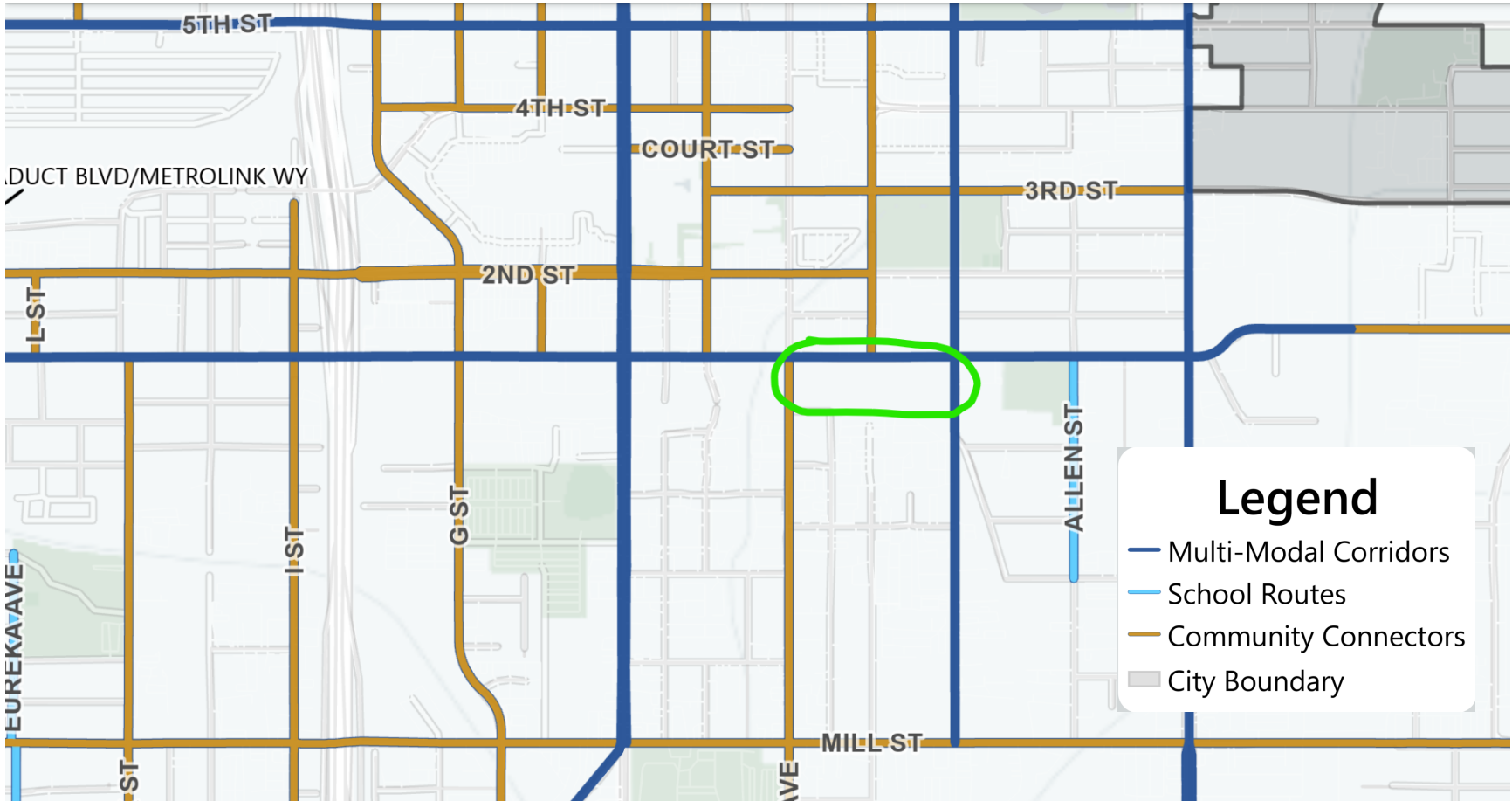


Figure 3: ATP Network Map from the San Bernardino City Active Transportation Plan⁴ with the location of the proposed Project highlighted.

⁴
https://cdnsm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/ATP/2.%20ATP%20Network%20Map.pdf.



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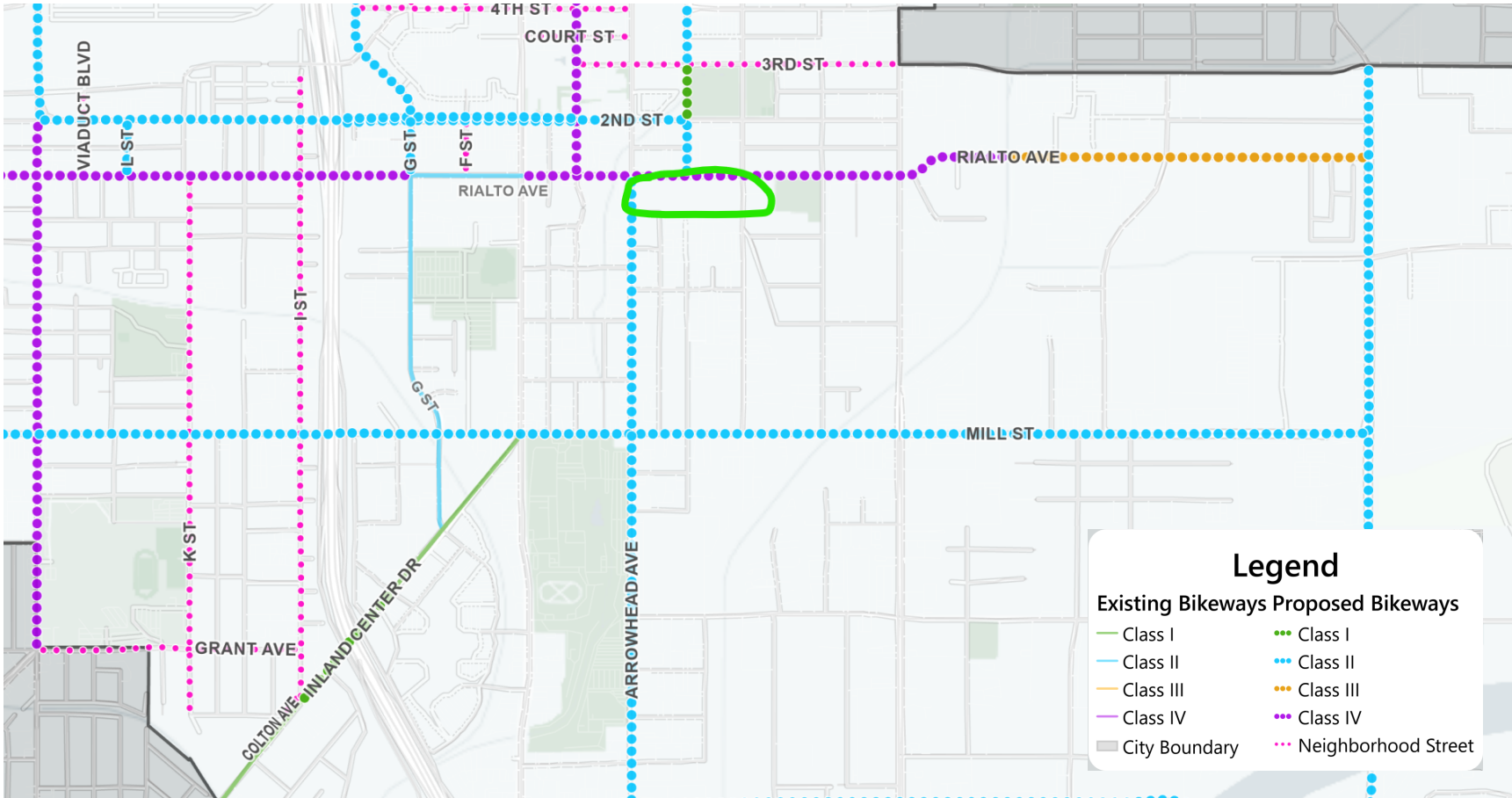


Figure 4: Bike Network Map from the San Bernardino City Active Transportation Plan⁵ with the location of the proposed Project highlighted.

⁵
https://cdnsnm5-hosted.civiclive.com/UserFiles/Servers/Server_17442462/File/Government/Department/Community%20&%20Economic%20Development/Planning/ATP/3.%20BikeNetwork_36x48.pdf.



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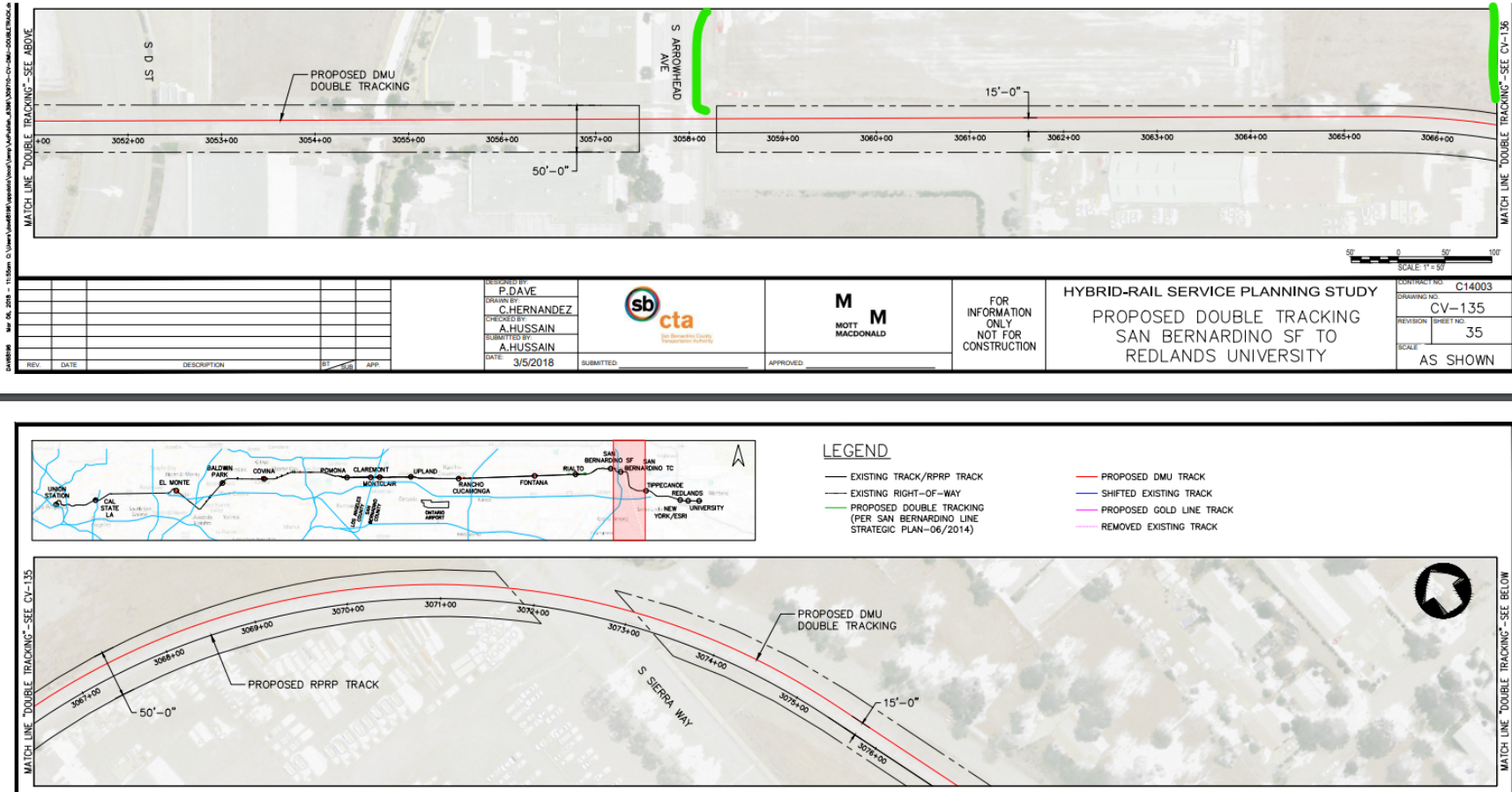


Figure 5: Screenshot of a portion of Part B: Infrastructure Improvement Designs⁶ from the SBCTA 2018 Hybrid Rail Study showing the proposed second track improvements adjacent to the Project site.

CCA EJ

⁶ https://www.gosbcta.com/wp-content/uploads/2019/09/20181119PRT_B_Infrastructure_Improvement-Designs.pdf.

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Attachment C:

**Department of Toxic Substances Control – Approval of Soil Management Plan for
Hanford Foundry, 119 South Arrowhead Avenue, San Bernardino, California 92408
(Site Code: 401251)**

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Yana Garcia
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Director
5796 Corporate Avenue
Cypress, California 90630



Gavin Newsom
Governor

SENT VIA ELECTRONIC MAIL

February 13, 2023

Mr. Matt Enghard
Proficiency Capital LLC
11777 San Vicente Blvd #780
Los Angeles, California 90049
Matt@pcllc.com

**APPROVAL OF SOIL MANAGEMENT PLAN FOR HANFORD FOUNDRY, 119
SOUTH ARROWHEAD AVENUE, SAN BERNARDINO, CALIFORNIA 92408
(SITE CODE: 401251)**

Dear Matt Enghard:

The Department of Toxic Substances Control (DTSC) has reviewed the revised Soil Management Plan (SMP) dated February 6, 2023 prepared by Hazard Management Consulting (HMC) on behalf of Proficiency Capital LLC for the above-referenced site (Site). The SMP was reviewed pursuant to a Standard Voluntary Agreement (SVA) (Voluntary Cleanup Agreement, Docket Number HSA-A 04/05-001), entered into by DTSC and Kenneth C. Bussey Trust, Caston Family LP.

The Hanford Foundry Company Site (Site) is located at 119 South Arrowhead Avenue in San Bernardino, San Bernardino County, California. The Site occupies 10.5 acres of land. The Site is currently a vacant lot with sparse vegetation. The Site is bounded by Rialto Avenue to the north, Sierra Way to the East, Arrowhead Avenue to the west, and the Atchison, Topeka and Santa Fe Railroad tracks to the south. The Site lies within a predominantly commercial and residential area, although the area is zoned as light industrial. After Site characterization activities, the Site was deemed to be acceptable for use in commercial/industrial scenarios. A Land Use Covenant recorded with the County of San Bernardino in February 2007, placed a restriction on the Site to prevent sensitive use and required soil management for soil disturbance activities.

The SMP presents the procedures that will be used during Site grading to notify workers on the Site as to the presence of residual concentrations of constituents of concern in soils. The SMP provides guidance regarding the health & safety procedures that will be implemented to protect both workers at the Site and nearby residents; the segregation, management and disposal of soil containing elevated known chemicals of concern on Site; as well as responding to unknowns that may be encountered during grading.

DTSC hereby approves this SMP for use by the current and future owners and occupants when they conduct activities that will disturb the soil at the Site. This approval letter is not a waiver, variance, or termination of any of the LUC terms, but will serve to put in place a "pre-approved" SMP for implementation by current and future owners and occupants.

In the future, if DTSC determines that use of this pre-approved SMP is no longer appropriate, DTSC may terminate its approval of the SMP by providing notice of such termination to the then current owner of the property. At that time, the owner may seek a replacement pre-approved SMP, or may elect to wait to submit a new SMP when soil disturbance is planned and DTSC's prior approval of an SMP is required. However, in no instance shall there be any soil disturbance at the property without a valid DTSC approved SMP prior to such soil disturbance.

If you have any questions, please contact the Project Manager, Anthony Rosas, at anthony.rosas@dtsc.ca.gov , or you may contact me at maryam.tasnif-abbasi@dtsc.ca.gov.

Sincerely,



Ms. Maryam Tasnif-Abbasi
Unit Chief
Office of Brownfields

Peer reviewed by: Rana Georges, Senior Environmental Scientist (Specialist)

cc: Anthony Rosas
Environmental Scientist/Project Manager
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Anthony.Rosas@dtsc.ca.gov

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