



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/22) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:

36 — 06/02/2022 — 393

STATE CLEARINGHOUSE NUMBER (If applicable)

2021030193

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

City of San Bernardino Community Development Department

LEAD AGENCY EMAIL

DATE

06/02/2022

COUNTY/STATE AGENCY OF FILING

San Bernardino

DOCUMENT NUMBER

PROJECT TITLE

BNSF Ono Lead Track Extension Project (Project)

PROJECT APPLICANT NAME

BNSF Railway

PROJECT APPLICANT EMAIL

MujicaOl@SBCity.org

PHONE NUMBER

(909) 384-7272 ext 3332

PROJECT APPLICANT ADDRESS

201 North E Street, 3rd Floor

CITY

San Bernardino

STATE

CA

ZIP CODE

92401

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☒ Environmental Impact Report (EIR)

\$3,539.25

\$

3,539.25

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,548.00

\$

0.00

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,203.25

\$

0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☒ County documentary handling fee

\$

50.00

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☒ Check

☐ Other

TOTAL RECEIVED

\$

3,589.25

#471954

SIGNATURE

X Debra Lu Brant-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



CLERK OF THE
BOARD OF SUPERVISORS

City of San Bernardino
BNSF Ono Lead Track Extension Project

2022 JUN -2 PM 4:28

Notice of Determination

FORM D

To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

X County Clerk
County of San Bernardino
Clerk of the Board of Supervisors
385 North Arrowhead Avenue
San Bernardino, CA 92415

From: City of San Bernardino (Lead Agency)
Community Development Department
201 North E Street, 3rd Floor
San Bernardino, California 92401
Contact:
Oliver Mujica
Planning Division Manager
MujicaOI@SBCity.org
909.384.7272, Ext. 3332

Subject: Filing of Notice of Determination (NOD) in compliance with Public Resources Code §21152

State Clearing-house No.: 2021030193

Project Title: BNSF Ono Lead Track Extension Project (Project)

Applicant: BNSF Railway

Project Location: City of San Bernardino, County of San Bernardino
Two dis-contiguous track segments extending approximately 4.3 linear miles along the BNSF corridor adjacent to/west of I-215 generally from the northern terminus at the BNSF overpass at State Street/University Parkway to the southern terminus at West 5th Street (just north of the existing BNSF San Bernardino Intermodal Facility A Yard, with an approximately 1.2-linear mile gap where no improvements are proposed). The approximately 0.3-linear mile northern track segment is generally from N State Street to Ogden Street and the approximately 2.8-linear mile southern track segment is generally from 5th Street to Mount Vernon Avenue.

Description: BNSF Railway Company proposes to install a fourth lead track extending the existing BNSF San Bernardino Intermodal Facility A Yard lead track to two existing Ono Storage Sidings. A continuous lead track would be created, closing the existing gap between the Ono Storage Sidings and improving the flow of trains in and out of the A Yard. The Project does not propose to increase rail line operations; instead it would improve the A Yard's operational efficiency by: improving the A Yard's ability to assemble and hold outbound trains, as well as move around railroad cars without obstructing mainline movements; reducing train congestion along the existing lead tracks; and reducing train idling, as they wait to enter and exit the A Yard.

The existing A Yard lead track would be extended by approximately 3.1 miles. Inclusive of the proposed extension, the lead track would total approximately 5.6 miles. Various improvements/modifications (i.e., stormwater drainage/water quality, circulation/ roadway, signal, sound walls, and utility) that are ancillary and related to the lead track extension



City of San Bernardino
BNSF Ono Lead Track Extension Project

are also proposed. To accommodate the proposed improvements partial and full property acquisitions would be required outside the BNSF corridor, and City right-of-way within the BNSF corridor would be vacated and conveyed to BNSF, the track owner. To accommodate the proposed rail improvements, the required circulation/roadway improvements involve modifications (i.e., vacations, realignments, and new cul-de-sacs) to multiple City roadways. The Project also proposes to either: (a) reinstate and extend a pre-existing franchise to construct, operate, and maintain a portion of an existing lead track in the City, between 4th Street and the City's northern boundary, as the boundary existed in 1906; or (b) vacate the railroad bed and convey title of the same to the Project Applicant.

This is to advise that the City of San Bernardino, as the [☒ Lead Agency ☐ Responsible Agency], has approved the above described Project on June 1, 2022 and has made the following determinations regarding the above described Project:

1. The Project, in its approved form, [☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared and certified for this Project pursuant to CEQA provisions.
☐ A Negative Declaration was prepared for this Project pursuant to CEQA provisions.
3. Mitigation measures [☒ were ☐ were not] made a condition of Project approval.
4. A Mitigation Monitoring and Reporting Program [☒ was ☐ was not] adopted for this Project.
5. A Statement of Overriding Considerations [☐ was ☒ was not] adopted for this Project.
6. Findings [☒ were ☐ were not] made pursuant to State CEQA Guidelines Section 15091.

This is to certify that the Environmental Impact Report and the record of Project approval are available for review to the public on the City's website (<http://www.ci.san-bernardino.ca.us/>) and by request at the City of San Bernardino Planning Division, 201 North E Street, Suite 200, San Bernardino, CA 92401. Please contact Oliver Mujica, Planning Division Manager, at 909.384.7272 or via email at MujicaOI@SBCity.org.

Signature (Public Agency): Oliver Mujica

Title: Planning Division Manager

Date: June 2, 2022

Date Received for Filing at OPR: _____