



# Notice of Preparation and Public Scoping Meeting

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October 2, 2020

To: **Office of Planning and Research, Reviewing Agencies, Organizations, and Interested Parties**

Subject: **Notice of Preparation of a Draft Environmental Impact Report (EIR) and Public Scoping Meeting for the Bridge Point Rancho Cucamonga Project (DRC2020-00202)**

From: **City of Rancho Cucamonga Planning Department  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730  
Contact: Sean McPherson, Senior Planner**

Pursuant to Public Resources Code Section 21165 and the California Environmental Quality Act (CEQA) Guidelines Section 15050, the **City of Rancho Cucamonga** will be the lead agency and will prepare an environmental impact report (EIR) that will address potential environmental impacts associated with the Bridge Point Rancho Cucamonga Project (referred to herein as the "Project"). The purpose of this notice is (1) to serve as a Notice of Preparation (NOP) of an EIR pursuant to the CEQA Guidelines Section 15082, (2) to advise and solicit comments and suggestions regarding the scope and content of the EIR to be prepared for the Project, and (3) to serve as a notice for the public scoping meeting.

The City is requesting input from Responsible Agencies, Trustee Agencies, members of the public, and other interested parties regarding the scope and content of the EIR. Public agencies may need to rely on the EIR prepared by the City when considering permits or other approvals that may need to be issued in association with the Project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but **not later than 30 days** after receipt of this notice.

## **Project Title: Bridge Point Rancho Cucamonga Project**

**Project Location and Setting:** The approximately 91.4 gross acre Project site is located at 12434 4<sup>th</sup> Street, in the City of Rancho Cucamonga, San Bernardino County, California. The Project site is bounded by 4<sup>th</sup> Street to the south (which is also the jurisdictional boundary between the City of Rancho Cucamonga and the City of Ontario) and 6<sup>th</sup> Street to the north, and generally located between Etiwanda Avenue to the east and Santa Anita Avenue to the west. The Project site location is shown on Figure 1. Regional access to the Project site is provided from Interstate (I)-10 and I-15 located south and west of the Project site, respectively.

As shown in the aerial photograph provided in Figure 2, the southern portion of the Project site is currently occupied by a 23,240 square foot (sf) retail building and a 1,431,000-sf warehouse building (includes a 58,000-sf mezzanine), which were previously occupied by Big Lots until February 2020. Truck trailer parking surrounds the warehouse building, and loading docks are located on the east and south sides of the building. Automobile parking is provided in the southeast portion of the Project site, and east of the existing retail building. There is ornamental landscaping throughout the site, primarily along 4<sup>th</sup> Street. There are existing surface parking lots (auto and truck trailer) and vacant land (previously a vineyard) in the northern portion of the Project site. A railroad spur is located in the northeast portion of the Project site and provides access to a BNSF rail line. Existing structures and improvements would be demolished to accommodate the Project.

The Project site is largely surrounded by developed areas that have Heavy Industrial and General Industrial General Plan land use designations and zoning. A Southern California Edison (SCE) facility is located to the north of the Project site (across 6<sup>th</sup> Street). The San Bernardino County West Valley Detention Center (a short-term County jail facility) is located to the east (west of Etiwanda Avenue). South of the Project site, across 4<sup>th</sup> Street, are light industrial/warehouse uses in the Crossroads Business Park Specific Plan area of the City of Ontario. There are no residential uses in the Project vicinity.

**Project Description:** The Project includes redevelopment of the Project site with two warehouse buildings (Buildings 1 and 2) with a combined building area, including the mezzanine space, of approximately 2,152,500 sf consisting of 2,120,500 sf of warehouse uses and 32,000 square feet of ancillary office space (refer to the

proposed conceptual site plan presented on Figure 3). There would be approximately 2,144,500 sf of ground level floor space and approximately 8,000 sf of mezzanine. Following is a brief description of the individual buildings.

- **Building 1** would be approximately 1,400,000 sf of ground floor area (including 16,000 sf of office space) and is located in the southern portion of the Project site. Building 1 is a cross-dock building, meaning that loading docks are located on opposite sides of the building; Building 1 provides loading docks on the east and west sides of the building.
- **Building 2** would be approximately 752,500 sf and is located in the northern portion of the Project site. The building includes approximately 744,500 sf of ground level floor area and 8,000 sf of mezzanine. The building would also include 16,000 sf of office within either the ground level or mezzanine. Building 2 also is a cross-dock building and provides loading docks on the north and south sides of the building.

The Project includes construction of two new public roadways referred to as Street "A" and Street "B". Street "A" would extend north-south along the eastern boundary of the Project site between 4<sup>th</sup> Street and 6<sup>th</sup> Street. Street "B" would extend east-west the width of the Project site between Building 1 and Building 2, and would intersect with Street "A" at its eastern terminus. As shown on Figure 3, access to Building 1 would be provided from 4<sup>th</sup> Street, Street "A", and Street "B", and access to Building 2 would be provided from 6<sup>th</sup> Street and Street "A". The Project would also involve improvements to 4<sup>th</sup> Street and 6<sup>th</sup> Street, along the Project site frontage, as well as additional off-site improvements (i.e. utility connections, at-grade railroad crossing at 6<sup>th</sup> Street, etc.). Additional improvements associated with the Project include, but are not limited to, surface parking areas (automobile and truck trailer spaces ancillary to operation of the two buildings), vehicle drive aisles, landscaping, storm water quality/storage, utility infrastructure, and exterior lighting. It is expected that construction of the Project would be initiated in 2021 and be complete by 2022.

The General Plan land use designations and zoning for the Project site are Heavy Industrial (northern portion of the site) and General Industrial (southern portion of the site). Based on available information, anticipated approval actions required from the City to implement the Project include a General Plan Amendment and Zoning Map Amendment to change the Heavy Industrial designations to General Industrial for consistency across the site. Additionally, the Project requires the following discretionary approvals: design review, a parcel map, and a tree removal permit. A Development Agreement may also be proposed as part of the Project's entitlements, and additional entitlements may be required as the project proceeds through the review process.

**Potential Environmental Effects:** In instances where an EIR is clearly required for a project, CEQA Guidelines Sections 15060 and 15063 grant Lead Agencies the ability to proceed with preparation of an EIR without preparing an Initial Study. In this instance, the City has determined that the planning, construction, and/or operation of the Project has the potential to result in one or more significant environmental effects under the topical issues listed below and these potential impacts will be addressed in the Draft EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Noise
- Population and Housing
- Transportation
- Tribal Cultural Resources
- Utilities/Service Systems

Based on available information and existing site conditions, the City has determined that implementation of the Project would have no impacts or less than significant impacts related to the following topical issues, and further analysis of these topical issues in the Draft EIR is not required: Agricultural and Forestry Resources, Mineral Resources, Public Services, Recreation, and Wildfire. This conclusion is further addressed in the attachment to this NOP.

**Responding to this Notice:** Pursuant to CEQA Guidelines Section 15082, responsible and trustee agencies must submit any comments in response to this notice no later than 30 days after receipt; other interested parties, including members of the public must also submit comments in this timeframe. Comments and suggestions should, at a minimum, identify the potential significant environmental issues, reasonable alternatives to the Project, and potential mitigation measures that should be explored in the EIR, in addition to whether the

responding agency will be a responsible or trustee agency for the Project. Please include the name, email, phone number, and address of a contact person in your response. The NOP is available for a 30-day public review period beginning **October 2, 2020 and ending November 2, 2020**. All comments and responses to this notice should be submitted in writing to:

Sean McPherson, Senior Planner  
City of Rancho Cucamonga Planning Department  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730

Email responses to this notice are also acceptable and may be sent to [sean.mcpherson@cityofrc.us](mailto:sean.mcpherson@cityofrc.us). For additional information or any questions regarding the Project, please contact Sean McPherson at (909) 774-4307 or via email at the aforementioned address.

Updated project information and the EIR, when available, can be found at:

<https://www.cityofrc.us/current-projects#other-projects>

**Notice of Scoping Meeting:** The Project is considered a project of statewide, regional, or area-wide significance. In accordance with Section 21083.9(a)(2) of the Public Resources Code and CEQA Guidelines Section 15082(c), the City will hold a public scoping meeting, where agencies, organizations, and members of the public will have the opportunity to provide comments on the scope of the information and analysis to be included in the EIR. The scoping meeting will be held on **October 15, 2020 at 6:00 PM**. Due to COVID-19 and pursuant to San Bernardino County Department of Public Health requirements, the scoping meeting will be held virtually using the information below:

View Meeting Via Zoom App or Zoom.Com at: [zoom.us/join](https://zoom.us/join)

Link: <https://zoom.us/j/92813448405>

Using Webinar/Meeting ID: 928 1344 8405

-OR-

You can Dial in using your phone

United States: +1 (669) 900-6833

Meeting ID: 928 1344 8405

**BRIDGE POINT RANCHO CUCAMONGA PROJECT  
ENVIRONMENTAL EFFECTS DETERMINED NOT TO BE SIGNIFICANT**

Section 15060(d) of the State CEQA Guidelines states: "If the lead agency can determine that an EIR will be clearly required for a project, the agency may skip further initial review of the project and begin work directly on the EIR process described in Article 9, commencing with Section 15080. In the absence of an initial study, the lead agency shall still focus the EIR on the significant effects of the project and indicate briefly its reasons for determining that other effects would not be significant or potentially significant".

As identified in the preceding NOP, based on existing site conditions and available information, the City of Rancho Cucamonga has determined that the Project would have no impact or a less than significant effect related to the following environmental issues. Further evaluation of these issues will not be provided in the Draft EIR.

- **Agriculture and Forestry Resources.** The Project site is classified as "Urban and Built-Up Land" by the California Department of Conservation Farmland Mapping and Monitoring Program.<sup>1</sup> There is no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively referred to as Farmland), forest land, or timberland on or near the Project site. Further, the Project site and surrounding areas are not zoned for agricultural land uses or forestland/timberland, nor is the Project site subject to a Williamson Act contract.<sup>2</sup> Accordingly, implementation of the Project would not result in the loss of Farmland or forest land; result in the conversion of Farmland to non-agricultural use; or result in the conversion of forest land resources to non-forest use.
- **Mineral Resources.** The Project site is not located within an area known to be underlain by regionally-important mineral resources. In addition, the Project site is not identified as a locally-important mineral resource recovery site<sup>3</sup>. Accordingly, implementation of the Project would not result in the loss of availability of a known mineral resource that would be of value to the region or to the residents of the State of California.
- **Public Services.** Fire and police services are provided to the Project site by the Rancho Cucamonga Fire Protection District (RCFPD) and San Bernardino Sheriff Department (SBSD), respectively. The Project would not involve new residential uses or an increase in the City's population, and there is an existing demand for public services at the Project site associated with the existing development on-site. The nearest RCFD fire station is Station No. 174, located approximately 1.4 miles northwest of the Project site at 11297 Jersey Boulevard. The SBSB operates from one station located at 10510 Civic Center Drive, approximately 2.7 miles northwest of the Project site. Consistent with the existing condition, the Project would create the typical range of service calls for the RCFD and SBSB that occur with the proposed industrial uses. Additionally, the Project would comply with all applicable codes, ordinances, and standard conditions, including the current edition of the California Fire Code and the RCFPD Fire Protection Standards and Guidance Documents, regarding fire prevention and suppression measures, fire hydrants, automatic fire extinguishing systems, access, water availability, and fire sprinkler systems, among other measures, which would ensure that impacts to fire protection services resulting from development of the Project are less than significant. Further, in compliance with Chapter 3.64, Police Impact Fee (Ordinance No. 865), of the City's Municipal Code, the Property Owner/Developer would pay the required City Police Impact Fee, which is collected to fund new facilities, vehicles, and equipment. This section of the Municipal Code states that the Police Impact Fee was enacted "to prevent new residential and commercial/industrial development from reducing the quality and availability of public services provided to residents of the City by requiring new residential and business development to contribute to the cost of expanding the availability of police assets in the City." The Project would not require the construction of new or alteration of existing fire or police protection facilities to

maintain an adequate level of service to the Project area, and no physical environmental impacts would result.

The Project would not directly generate students, as it does not involve the development of residential land uses. Additionally, appropriate developer impact fees, as required by State law (Section 65995(b) of the California Government Code), shall be assessed and paid by the Project Applicant to the Cucamonga School District and Chaffey Joint Union High School District. The Project would not require the construction of new or expanded school facilities and no physical environmental impacts would result.

The City's Parks and Recreation Department operates various City parks and provides a wide range of recreational programs to the community. Because the Project does not propose new residential uses and would not result in a direct increase in the population within the City, the Project would not create a demand for parks or recreational facilities. The Project would not require the construction of new or expanded park or recreational facilities and no physical environmental impacts would result.

- **Recreation.** The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. In addition, the Project does not propose to construct any new on- or off-site recreation facilities. Accordingly, implementation of the Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park, or substantial adverse environmental effects related to the construction or expansion of recreational facilities.
- **Wildfire.** The State Responsibility Area (SRA) is the land where the State of California is financially responsible for the prevention and suppression of wildfires. The SRA does not include lands within city boundaries or in federal ownership; therefore, the Project site is not within an SRA. Based on a review of Figure PS-1 of the Rancho Cucamonga General Plan, the Project site is outside all designated fire hazard areas<sup>4</sup>. Similarly, according to the California Department of Forestry and Fire Protection (CalFire), the Project site is not located within VHFHSZ and is surrounded by development, with no wildland areas in the immediate vicinity<sup>5</sup>. As such, no impacts related to wildfire would occur and mitigation is not required.

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*Sources Used in the Preparation of this NOP include:*

<sup>1</sup> California Department of Conservation, 2016. *California Important Farmland Finder*. Available online at <https://maps.conservation.ca.gov/DLRP/CIFF/>.

<sup>2</sup> City of Rancho Cucamonga, 2012. *Zoning Map*. Available online at [https://www.mightydevelopment.com/HillsideRd/Zoning\\_Map.pdf](https://www.mightydevelopment.com/HillsideRd/Zoning_Map.pdf).

<sup>3</sup> City of Rancho Cucamonga, 2010. *Rancho Cucamonga 2010 General Plan Update Draft Program Environmental Impact Report Volume I*, SCH No. 2000061027. Available online at: [https://www.dropbox.com/sh/jq8ppqh277lswqq/AABgaDSgPfG8T9CC5\\_V3Ybbla/General%20Plan?dl=0&preview=2010+General+Plan+EIR.pdf&subfolder\\_nav\\_tracking=1](https://www.dropbox.com/sh/jq8ppqh277lswqq/AABgaDSgPfG8T9CC5_V3Ybbla/General%20Plan?dl=0&preview=2010+General+Plan+EIR.pdf&subfolder_nav_tracking=1)

<sup>4</sup> City of Rancho Cucamonga, 2019. *Rancho Cucamonga 2010 General Plan*. Available online at: [https://www.dropbox.com/sh/micnzuy7wxmd8po/AABneqBoO\\_i2GiNyWkRX9OaRa?dl=0](https://www.dropbox.com/sh/micnzuy7wxmd8po/AABneqBoO_i2GiNyWkRX9OaRa?dl=0)

<sup>5</sup> California Department of Forestry and Fire Protection, 2008. *CAL FIRE Very High Fire Hazard Severity Zones in LRA – Rancho Cucamonga*. Available online at: [https://osfm.fire.ca.gov/media/5948/rancho\\_cucamonga.pdf](https://osfm.fire.ca.gov/media/5948/rancho_cucamonga.pdf).

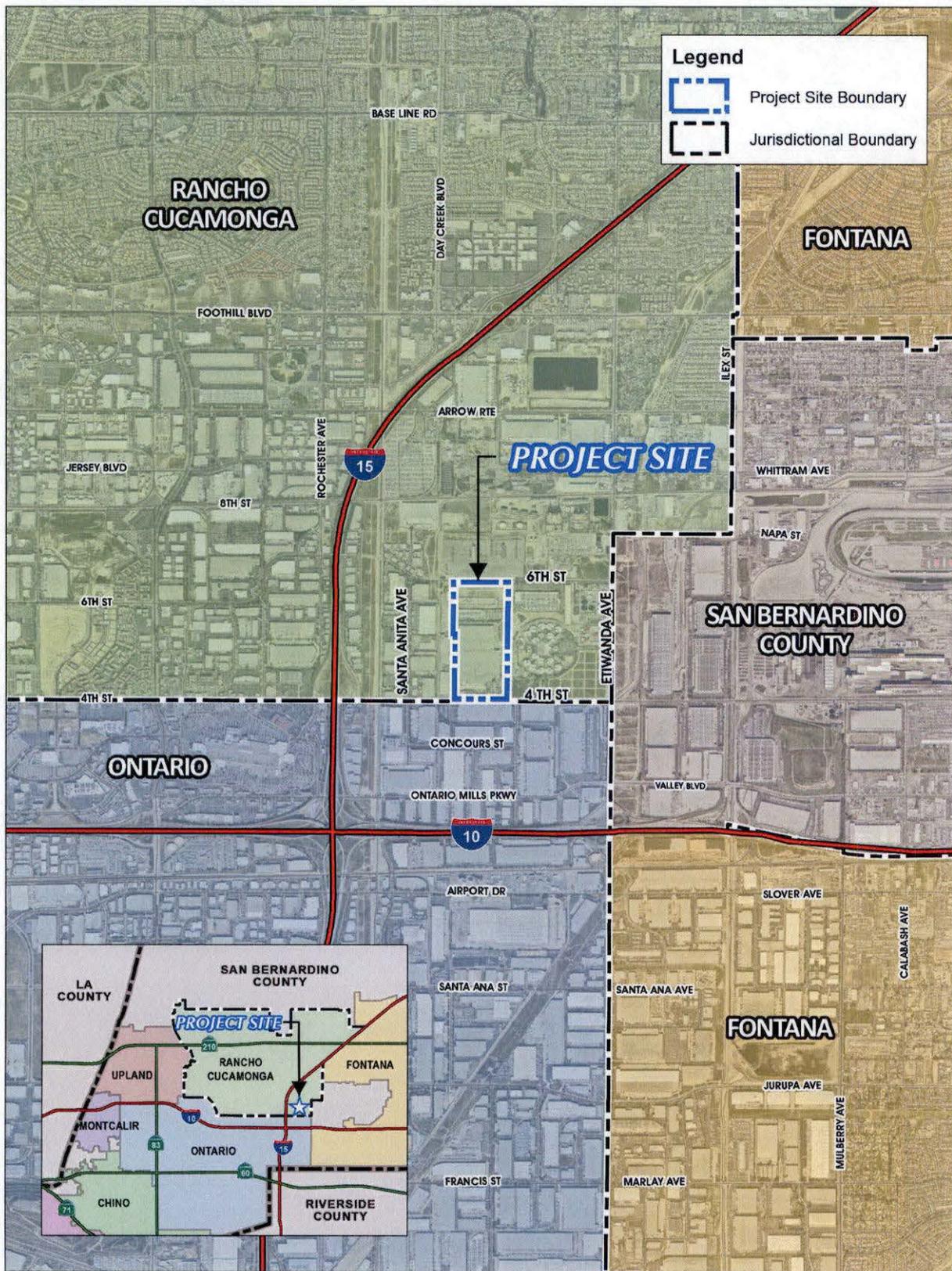
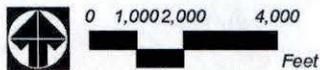
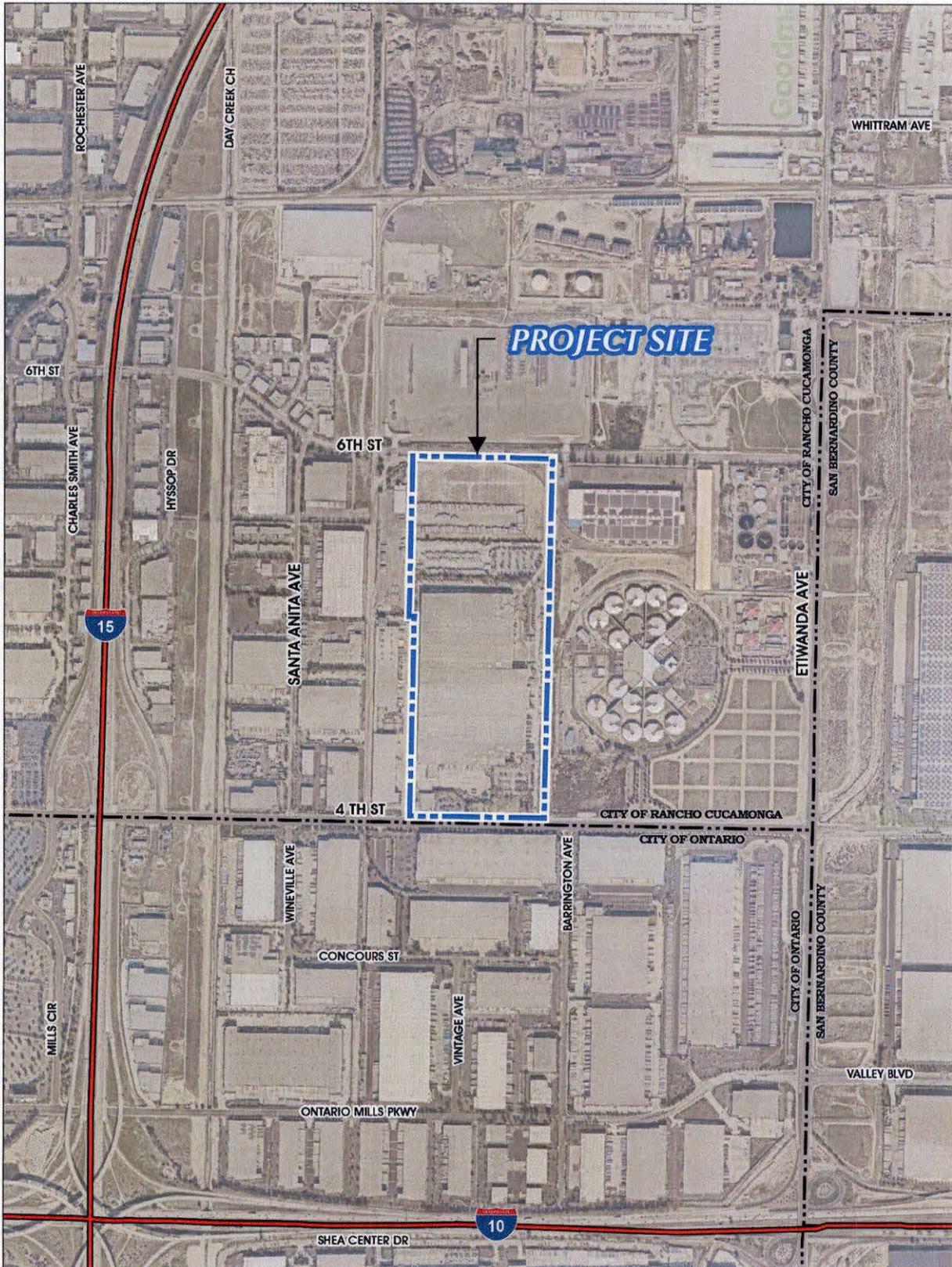


Figure 1



**LOCATION MAP**



Source(s): ESRI, Nearmap Imagery (2019), SB County (2019)



Figure 2

**AERIAL PHOTOGRAPH**





State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C-220  
Ontario, CA 91764  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

*GAVIN NEWSOM, Governor*  
*CHARLTON H. BONHAM, Director*



October 27, 2020  
*Sent via email and US Mail*

Sean McPherson  
City of Rancho Cucamonga  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91701

Subject: Notice of Preparation of a Draft Environmental Impact Report  
Bridge Point Rancho Cucamonga Project  
State Clearinghouse No. 2020100056

Dear Mr. McPherson,

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Rancho Cucamonga for the Bridge Point Rancho Cucamonga Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

## **CDFW ROLE**

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

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<sup>1</sup> CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

## PROJECT DESCRIPTION SUMMARY

The proposed Project includes a general plan amendment, zoning map amendment, and a redevelopment of the project site on Assessor Parcel Number (APN) 0229-283-50 and 0229-283-51, an approximate 91.4 acre parcel, located at 12434 4<sup>th</sup> Street, in the City of Rancho Cucamonga, San Bernardino County, California. Specific details of the proposed Project include:

1. Redevelopment of the Project site including the following:
  - **Building 1:** The building will consist of approximately 1,400,000 sq ft. of ground floor area with 16,000 sq ft. of office space. Building 1 will be located in the southern portion of the Project site and will provide loading docks on the east and west sides of the building.
  - **Building 2:** The building will consist of approximately 744,500 sq ft. of ground floor area and 8,000 sq ft of mezzanine. An office space of 16,000 sq ft. will be on either the ground level or mezzanine. Building 2 will be located on the northern portion of the Project site and will provide loading docks on the north and south sides of the building.
  - **New public roadways:** Construction of two new public roadways referred to as Street "A" and Street "B". Street "A" would extend north-south along the eastern boundary of the Project site between 4<sup>th</sup> Street and 6<sup>th</sup> Street. Street "B" would extend east-west along the width of the Project site between Building 1 and 2 and would intersect with Street "A" at its eastern terminus.
  - **Improvements:** The Project also includes improvements to the Project site frontage as well as offsite improvements (i.e. utility connections, at-grade railroad crossing at 6<sup>th</sup> Street, etc.). Additional improvements include but are not limited to, vehicle drive aisles, landscaping, storm water quality/storage, utility infrastructure, and exterior lighting.
2. A General Plan Amendment and Zoning Map Amendment will be required to change the Heavy Industrial designations to General Industrial for consistency across the site.

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City of Rancho Cucamonga in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW recommends that the forthcoming DEIR address the following:

### Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

The CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential

to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”

CDFW recommends that the City of Rancho Cucamonga follow the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012); available for download from CDFW’s website:

<https://www.wildlife.ca.gov/conservation/survey-protocols>. The Staff Report on Burrowing Owl Mitigation, specifies three steps for project impact evaluations:

- a. A habitat assessment;
- b. Surveys; and
- c. An impact assessment

As stated in the Staff Report on Burrowing Owl Mitigation, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted,

directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

### **Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources**

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The DEIR should analyze the cumulative effects of the plan's land use designations, policies and programs on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

### **Alternatives Analysis**

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would "feasibly attain most of the basic objectives of the Project," and would avoid or substantially lessen any of the Project's

significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a “no project” alternative (CEQA Guidelines § 15126.6[e]).

### **Mitigation Measures for Project Impacts to Biological Resources**

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The City of Rancho Cucamonga should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: California glossy snake, burrowing owl, Southern California legless lizard, Plummer’s mariposa-lily, Northwestern San Diego pocket mouse, Los Angeles pocket mouse, Parry’s spine flower, Western mastiff bat, California saw-grass, Coast horned lizard, white rabbit-tobacco, and San Bernardino aster. For significant nesting populations, such as the burrowing owl, annual monitoring during the nesting season for the period of construction is recommended.

4. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in Southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d)

a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way*: To avoid direct mortality, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Furthermore, it should be noted that the temporary

relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

### **California Endangered Species Act**

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Based on review of CNDDDB, and/or knowledge of the project site/vicinity/general area, CDFW is aware that the following CESA-listed species have the potential to occur onsite or have previously been reported on or adjacent to the site: Tricolored blackbird (*Agelaius tricolor*), San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Stephens’ kangaroo rat (*Dipodomys stephensi*), Crotch bumble bee (*Bombus crotchii*), California black rail (*Laterallus jamaicensis coturniculus*), and coastal California gnatcatcher (*Polioptila californica californica*).

### **ADDITIONAL COMMENTS AND RECOMMENDATIONS**

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Local water agencies/districts, and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information

Mr. Sean McPherson  
City of Rancho Cucamonga  
October 27, 2020  
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on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <http://saveourwater.com/what-you-can-do/tips/landscaping/>

## ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: [CNDDDB@wildlife.ca.gov](mailto:CNDDDB@wildlife.ca.gov). The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

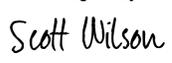
## FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

## CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Bridge Point Rancho Cucamonga Project (SCH No. 2020100056) and recommends that the City of Rancho Cucamonga address the CDFW's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Julisa Portugal, Environmental Scientist, at [Julisa.Portugal@wildlife.ca.gov](mailto:Julisa.Portugal@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
8091B1A9242F49C...

Scott Wilson  
Environmental Program Manager

Mr. Sean McPherson  
City of Rancho Cucamonga  
October 27, 2020  
Page 11 of 11

ec: Kim Freeburn, Senior Environmental Scientist, Supervisor  
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## REFERENCES

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2<sup>nd</sup> ed. California Native Plant Society Press, Sacramento, California.  
<http://vegetation.cnps.org/>

**From:** MATHEW, JACOB K@DOT <[Jacob.MATHEW@dot.ca.gov](mailto:Jacob.MATHEW@dot.ca.gov)>  
**Sent:** Wednesday, October 14, 2020 9:21 AM  
**To:** McPherson, Sean <[Sean.McPherson@cityofrc.us](mailto:Sean.McPherson@cityofrc.us)>  
**Cc:** Clark, Rosa F@DOT <[rosa.f.clark@dot.ca.gov](mailto:rosa.f.clark@dot.ca.gov)>  
**Subject:** Bridge Point Rancho Cucamonga - DRC2020-00202

Hi,

Thank you for providing the California Department of Transportation (Caltrans) the opportunity to review and comment on the Notice of Preparation of a Draft Environmental Impact Report (DEIR) for the Bridge Point Rancho Cucamonga (Project), located at 12434 4th Street, in the City of Rancho Cucamonga. The project proposes the construction of two warehouse buildings (Buildings 1 and 2) with a combined building area, including the mezzanine space, of approximately 2,152,500 sf consisting of 2,120,500 sf of warehouse uses and 32,000 square feet of ancillary office space, on a two parcel site (APN 0229-283-50 and 0229-283-51) totaling approximately 91.4 acres.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when a proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act, it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Rancho Cucamonga, due to the project's potential impact to the State facilities, including Interstate 10, it is also subject to the policies and regulations that govern the SHS.

In the preceding DEIR, we recommend a Traffic Impact Analysis (TIA) be prepared to accurately evaluate the extent of potential impacts of the project to the operational characteristics of the existing State facilities by the project area. We recommend the TIA be submitted prior to the circulation of the DEIR to ensure timely review of the submitted materials to address any potential issues. We offer the following comments:

- 1) Submit copies of all TIA documents for review.** The data used in the TIA should not be more than 2 years old, and shall be based on the Southern California Association of Governments 2016 Regional Transportation Plan Model. Use the Highway Capacity Manual 6 methodology for all traffic analyses.

Caltrans is committed to providing a safe transportation system for all users. We encourage the City to embark a safe, sustainable, integrated and efficient transportation system and complete street to enhance California's economy and livability. A pedestrian/bike-friendly environment served by multimodal transportation would reduce traffic congestion prevalent in the surrounding areas. (See *Complete Street Implementation Action Plan 2.0* at [http://www.dot.ca.gov/hq/tpp/offices/ocp/docs/CSIAP2\\_rpt.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/docs/CSIAP2_rpt.pdf)).

- 2) Design the local streets to serve vehicular and pedestrian circulation equally, and for safe pedestrian friendly environment. Consider both Americans with Disability**

Act and California Highway Design Manual standards and requirements to provide transportation routes for all users and modes, including pedestrian and bicyclists. Provide a continuous multi-modal circulation system throughout the City, specifically for pedestrians, allowing current/future residents, employees, and guests to access the attraction places.

- 3) Relegate the parking spaces to the back of the buildings and locate preferential parking for vanpools and carpools, along with, secure, visible, and convenient bicycle parking/racks accessible to retail and office locations. Consider installing electric vehicle charging stations, and locate parking space for low-emitting, fuel-efficient, alternative-fueled vehicle visitor parking in commercial and office uses.

These recommendations are preliminary and summarize our review of materials provided for our evaluation. If you have any questions regarding this email, please contact me.

Thanks,  
Jacob Mathew  
D-8, Planning

# NATIVE AMERICAN HERITAGE COMMISSION

October 5, 2020

Governor's Office of Planning &amp; Research

Oct 09 2020

## STATE CLEARINGHOUSE

Sean McPherson  
City of Rancho Cucamonga  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730

**Re: 2020100056, Bridge Point Rancho Cucamonga Project, San Bernardino County**

Dear Mr. McPherson:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a.** A brief description of the project.
  - b.** The lead agency contact information.
  - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
  - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
  
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
  - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
  
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a.** Alternatives to the project.
  - b.** Recommended mitigation measures.
  - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
  
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
  - a.** Type of environmental review necessary.
  - b.** Significance of the tribal cultural resources.
  - c.** Significance of the project's impacts on tribal cultural resources.
  - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
  
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
  
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
    - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i.** Protecting the cultural character and integrity of the resource.
    - ii.** Protecting the traditional use of the resource.
    - iii.** Protecting the confidentiality of the resource.
  - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

### NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
  
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:  
[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse



# South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

SENT VIA E-MAIL:

October 27, 2020

[sean.mcpherson@cityofrc.us](mailto:sean.mcpherson@cityofrc.us)

Sean McPherson, Senior Planner  
City of Rancho Cucamonga, Planning Department  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730

## **Notice of Preparation of a Draft Environmental Impact Report for Bridge Point Rancho Cucamonga Project (Proposed Project)**

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

### **CEQA Air Quality Analysis**

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website<sup>1</sup> as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod<sup>2</sup> land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds<sup>3</sup> and localized significance thresholds (LSTs)<sup>4</sup> to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road

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<sup>1</sup> South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

<sup>2</sup> CalEEMod is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

<sup>3</sup> South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

<sup>4</sup> South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment<sup>5</sup>.

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the Final EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*<sup>6</sup> is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory<sup>7</sup>.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES IV), completed in May 2015, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions<sup>8</sup>. According to the MATES IV Carcinogenic Risk interactive Map, the area surrounding the Proposed Project has an estimated cancer risk over 1,100 in one million<sup>9</sup>. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

### **Mitigation Measures**

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook<sup>1</sup>, South Coast AQMD's Mitigation Monitoring and

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<sup>5</sup> South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

<sup>6</sup> CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

<sup>7</sup> CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

<sup>8</sup> South Coast AQMD. May 2015. *Multiple Air Toxics Exposure Study in the South Coast Air Basin*. Available at: <http://www.aqmd.gov/docs/default-source/air-quality/air-toxic-studies/mates-iv/mates-iv-final-draft-report-4-1-15.pdf>.

<sup>9</sup> South Coast AQMD. MATES INV Estimated Risk. Accessed at: <https://scaqmd-online.maps.arcgis.com/apps/webappviewer/index.html?id=470c30bc6daf4ef6a43f0082973ff45f>.

Reporting Plan for the 2016 Air Quality Management Plan<sup>10</sup>, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy<sup>11</sup>.

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule<sup>12</sup> and the Heavy-Duty Low NOx Omnibus Regulation<sup>13</sup>, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year<sup>14</sup> that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

- Maximize use of solar energy by installing solar energy arrays.

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<sup>10</sup> South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

<sup>11</sup> Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: [https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A\\_ConnectSoCal\\_PEIR.pdf](https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf).

<sup>12</sup> CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

<sup>13</sup> CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

<sup>14</sup> CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov).

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS  
SBC201006-04  
Control Number



# INLAND EMPIRE BIKING ALLIANCE

4 October 2020

City of Rancho Cucamonga Planning Department  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730  
Attn: Sean McPherson, Senior Planner

Dear Sean,

I am writing on behalf of the Inland Empire Biking Alliance in response to the Notice of Preparation of a Draft EIR for the Bridge Point Rancho Cucamonga Project ("Project"). After perusing the documents available, the following comments are being provided to guide the study that is to be undertaken to complete the EIR.

The major concern that we would like to see addressed in the EIR is the traffic safety impact and situation of the proposed project as it relates to bicyclists. Although there is currently a Class II bike lane striped on 4<sup>th</sup> St., that is not the case for 6<sup>th</sup> St. even though it is identified for that treatment on the Bicycle Plan. Additionally, in both instances, they meet speed and volume thresholds set by both the FHWA's *Bikeway Selection Guide* and Caltrans' *Contextual Guidance for Bicycle Facilities* memo for bikeway selection above which the recommended bicycle facility is a Class IV separated bikeway, not a Class II bike lane. This is especially critical for 4<sup>th</sup> St. as it is a major connection in the region. And while it does not currently exist, we would like to see the same standards applied to the proposed "New Street 'A'" which would traverse the eastern edge of the Project site.

We would also like to stress the importance and potential for biking to be part of the solution for any traffic mitigation which might be necessary. With the recent switch to VMT for determining traffic impacts, the desire to reduce driving provides an opportunity to make other options more attractive. This includes through the application of the bikeway selection standards to other areas where it might be appropriate to generate bicycle usage to the Project site.

Thank you for your time and attention to this project. If there are any additional questions, please feel free to reach out to have them addressed. We look forward to seeing this project improve the bike connectivity of the city and region as a whole and help the City meet its sustainability goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Marven E. Norman".

Marven E. Norman, Executive Director