



OLIVE AVENUE DEVELOPMENT PROJECT

Draft Environmental Impact Report

SCH No. 2020120036

CITY OF RIALTO

150 Palm Avenue

Rialto, California 92376

December 2021

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OLIVE AVENUE DEVELOPMENT PROJECT
DRAFT ENVIRONMENTAL IMPACT REPORT
SCH NO. 2020120036

Prepared for

City of Rialto
150 Palm Avenue
Rialto, California 92376

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TABLE OF CONTENTS

SECTION	PAGE
1.0 EXECUTIVE SUMMARY.....	1-1
1.1 Introduction	1-1
1.2 Project Overview.....	1-1
1.3 Project Objectives	1-1
1.4 Alternatives Analyzed	1-2
1.5 Summary of Effects with No Impact	1-2
1.6 Summary of Environmental Impacts and Mitigation Measures.....	1-5
2.0 INTRODUCTION.....	2-1
2.1 Purpose of this Environmental Impact.....	2-1
2.1.1 Type of Environmental Impact Report.....	2-1
2.1.2 Standards of Adequacy Under CEQA.....	2-2
2.1.3 Compliance with CEQA	2-2
2.2 Scope of the Environmental Impact Report.....	2-3
2.2.1 Notice of Preparation (NOP)	2-3
2.2.2 Scoping Meeting.....	2-3
2.3 EIR Scope and Content.....	2-5
2.4 Documents Incorporated by Reference.....	2-5
2.5 Lead Agency and Contact Persons.....	2-6
2.6 Environmental Review Process.....	2-6
2.7 List of Acronyms Used in The EIR.....	2-7
3.0 PROJECT DESCRIPTION	3-1
3.1 Introduction	3-1
3.2 Project Location.....	3-1
3.3 On-site and Surrounding Land Uses.....	3-1
3.4 Land Use Designations	3-2
3.4.1 General Plan Designations.....	3-2
3.4.2 Zoning Designations	3-2
3.5 Project Objectives	3-7
3.6 Project Characteristics	3-7
3.6.1 Site Access and Parking.....	3-8

3.6.2	Building Design, Landscaping, and Lighting	3-18
3.6.3	Infrastructure and Off-Site Improvements	3-25
3.7	Construction Phasing.....	3-26
3.8	Intended Use of the EIR.....	3-26
3.8.1	City of Rialto.....	3-26
3.8.2	Responsible Agencies	3-26
4.0	ENVIRONMENTAL IMPACT ANALYSIS.....	4-1
4.0.1	Environmental Assessment Methodology	4-1
4.0.2	Environmental Setting.....	4-1
4.0.3	Environmental Analysis	4-1
4.0.4	Cumulative Impacts.....	4-3
4.1	AESTHETICS.....	4.1-1
4.1.1	Introduction.....	4.1-1
4.1.2	Visual Resource Terminology and Concepts	4.1-1
4.1.3	Regulatory Setting.....	4.1-2
4.1.4	Environmental Setting	4.1-4
4.1.5	Methodology.....	4.1-5
4.1.6	Thresholds of Significance	4.1-6
4.1.7	Project Impacts and Mitigation	4.1-6
4.1.8	Cumulative Impacts.....	4.1-9
4.1.9	Level of Significance After Mitigation	4.1-10
4.2	AIR QUALITY.....	4.2-1
4.2.1	Introduction.....	4.2-1
4.2.2	Regulatory Setting.....	4.2-1
4.2.3	Environmental Setting	4.2-8
4.2.4	Methodology.....	4.2-12
4.2.5	Thresholds of Significance	4.2-14
4.2.6	Project Impacts and Mitigation	4.2-15
4.2.7	Cumulative Impacts.....	4.2-30
4.2.8	Level of Significance After Mitigation	4.2-31
4.3	BIOLOGICAL RESOURCES	4.3-1
4.3.1	Introduction.....	4.3-1

4.3.2	Regulatory Setting.....	4.3-1
4.3.3	Environmental Setting	4.3-5
4.3.4	Methodology.....	4.3-6
4.3.5	Thresholds of Significance	4.3-19
4.3.6	Project Impacts and Mitigation	4.3-19
4.3.7	Cumulative Impacts.....	4.3-22
4.3.8	Level of Significance After Mitigation	4.3-23
4.4	CULTURAL RESOURCES.....	4.4-1
4.4.1	Introduction.....	4.4-1
4.4.2	Regulatory Setting.....	4.4-1
4.4.3	Environmental Setting	4.4-4
4.4.4	Methodology and Results.....	4.4-8
4.4.5	Thresholds of Significance	4.4-8
4.4.6	Project Impacts and Mitigation	4.4-8
4.4.7	Cumulative Impacts.....	4.4-11
4.4.8	Level of Significance After Mitigation	4.4-11
4.5	ENERGY	4.5-1
4.5.1	Regulatory Setting.....	4.5-1
4.5.2	Environmental Setting	4.5-6
4.5.3	Methodology.....	4.5-8
4.5.4	Thresholds of Significance	4.5-8
4.5.5	Project Impacts and Mitigation	4.5-9
4.5.6	Cumulative Impacts.....	4.5-16
4.5.7	Level of Significance After Mitigation	4.5-17
4.6	GEOLOGY AND SOILS	4.6-1
4.6.1	Introduction.....	4.6-1
4.6.2	Regulatory Setting.....	4.6-1
4.6.3	Environmental Setting	4.6-5
4.6.4	Methodology.....	4.6-8
4.6.5	Thresholds of Significance	4.6-9
4.6.6	Project Impacts and Mitigation	4.6-9
4.6.7	Cumulative Impacts.....	4.6-14

4.6.8	Level of Significance After Mitigation	4.6-15
4.7	GREENHOUSE GAS EMISSIONS	4.7-1
4.7.1	Environmental Setting	4.7-1
4.7.2	Regulatory Setting.....	4.7-3
4.7.3	Methodology.....	4.7-13
4.7.4	Thresholds of Significance	4.7-14
4.7.5	Project Impacts and Mitigation	4.7-16
4.7.6	Cumulative Impacts.....	4.7-25
4.7.7	Level of Significance After Mitigation	4.7-25
4.8	HAZARDS AND HAZARDOUS MATERIALS.....	4.8-1
4.8.1	Regulatory Setting.....	4.8-1
4.8.2	Environmental Setting	4.8-10
4.8.3	Methodology.....	4.8-12
4.8.4	Thresholds of Significance	4.8-12
4.8.5	Project Impacts and Mitigation	4.8-13
4.8.6	Cumulative Impacts.....	4.8-17
4.8.7	Level of Significance After Mitigation	4.8-17
4.9	HYDROLOGY AND WATER QUALITY.....	4.9-1
4.9.1	Regulatory Setting.....	4.9-1
4.9.2	Environmental Setting	4.9-4
4.9.3	Methodology.....	4.9-9
4.9.4	Thresholds of Significance	4.9-10
4.9.5	Project Impacts and Mitigation	4.9-13
4.9.6	Cumulative Impacts.....	4.9-20
4.9.7	Level of Significance After Mitigation	4.9-20
4.10	LAND USE AND PLANNING.....	4.10-1
4.10.1	Regulatory Setting.....	4.10-1
4.10.2	Environmental Setting	4.10-3
4.10.3	Methodology.....	4.10-3
4.10.4	Thresholds of Significance	4.10-3
4.10.5	Project Impacts and Mitigation	4.10-4
4.10.6	Cumulative Impacts.....	4.10-11

4.10.7	Level of Significance After Mitigation	4.10-11
4.11	NOISE	4.11-1
4.11.1	Noise Criteria and Definitions	4.11-1
4.11.2	Regulatory Setting.....	4.11-3
4.11.3	Environmental Setting	4.11-7
4.11.4	Methodology.....	4.11-9
4.11.5	Thresholds of Significance	4.11-10
4.11.6	Project Impacts and Mitigation	4.11-11
4.11.7	Cumulative Noise Impacts	4.11-20
4.11.8	Level of Significance After Mitigation	4.11-22
4.12	POPULATION AND HOUSING.....	4.12-1
4.12.1	Regulatory Setting.....	4.12-1
4.12.2	Environmental Setting	4.12-2
4.12.3	Methodology.....	4.12-4
4.12.4	Thresholds of Significance	4.12-5
4.12.5	Project Impacts and Mitigation	4.12-5
4.12.6	Cumulative Impacts.....	4.12-6
4.12.7	Level of Significance After Mitigation	4.12-6
4.13	PUBLIC SERVICES.....	4.13-1
4.13.1	Introduction.....	4.13-1
4.13.2	Regulatory Setting.....	4.13-1
4.13.3	Environmental Setting	4.13-4
4.13.4	Methodology.....	4.13-6
4.13.5	Thresholds of Significance	4.13-6
4.13.6	Project Impacts and Mitigation	4.13-6
4.13.7	Cumulative Impacts.....	4.13-10
4.13.8	Level of Significance After Mitigation	4.13-10
4.14	TRANSPORTATION.....	4.15-1
4.14.1	Introduction.....	4.14-1
4.14.2	Regulatory Setting.....	4.14-1
4.14.3	Environmental Setting	4.14-4
4.14.4	Methodology.....	4.14-5

4.14.5	Thresholds of Significance	4.14-6
4.14.6	Project Impacts and Mitigation	4.14-6
4.14.7	Cumulative Impacts.....	4.14-15
4.14.8	Level of Significance After Mitigation	4.14-15
4.15	TRIBAL CULTURAL RESOURCES.....	4.15-1
4.15.1	Introduction.....	4.15-1
4.15.2	Regulatory Setting.....	4.15-1
4.15.3	Environmental Setting	4.15-3
4.15.4	Methodology.....	4.15-4
4.15.5	Thresholds of Significance	4.15-4
4.15.6	Project Impacts and Mitigation	4.15-5
4.15.7	Cumulative Impacts.....	4.15-9
4.15.8	Level of Significance After Mitigation	4.15-9
4.16	UTILITIES AND SERVICE SYSTEMS.....	4.16-1
4.16.1	Introduction.....	4.16-1
4.16.2	Water Supply	4.16-1
4.16.3	Wastewater	4.16-7
4.16.4	Solid Waste.....	4.16-11
5.0	LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT	5-1
5.1	Significant and Unavoidable Impacts.....	5-1
5.2	Significant Irreversible Effects	5-1
5.3	Growth-Inducing Effects.....	5-1
6.0	ALTERNATIVES	6-1
6.1	Introduction	6-1
6.2	Project Summary.....	6-1
6.3	Criteria for Selecting Alternatives	6-2
6.4	Alternatives for Analysis.....	6-3
6.5	Environmentally Superior Alternative	6-18
7.0	PREPARERS AND CONTRIBUTORS.....	7-1
7.1	EIR Preparers.....	7-1
7.2	Contributors.....	7-1
8.0	REFERENCES	8-1

LIST OF TABLES

<u>TABLE</u>	<u>PAGE</u>
Table 1-1: Summary of Impacts and Mitigation.....	1-7
Table 2-1: Summary of Written Comments on Notice of Preparation.....	2-4
Table 3-1: Building Site Summary	3-7
Table 3-2: Automobile Parking	3-17
Table 3-3: Truck Trailer Loading.....	3-18
Table 4.1-1: Development Standard Consistency Summary	4.1-8
Table 4.2-1: State and Federal Ambient Air Quality Standards	4.2-2
Table 4.2-2: South Coast Air Basin Attainment Status	4.2-5
Table 4.2-3: Air Contaminants and Associated Public Health Concerns.....	4.2-10
Table 4.2-4: Ambient Air Quality Data	4.2-11
Table 4.2-5: Sensitive Receptors.....	4.2-12
Table 4.2-6: South Coast Air Quality Management District Emissions Thresholds	4.2-14
Table 4.2-7: Local Significance Thresholds for Construction/Operations	4.2-15
Table 4.2-8: Construction-Related Emissions.....	4.2-18
Table 4.2-9: Long-Term Operational Emissions	4.2-19
Table 4.2-10: Equipment-Specific Grading Rates	4.2-22
Table 4.2-11: Localized Significance of Mitigated Construction Emissions	4.2-22
Table 4.2-12: Construction Risk Assessment Results	4.2-24
Table 4.2-13: Localized Significance of Mitigated Operational Emissions	4.2-24
Table 4.2-14: Risk Assessment.....	4.2-29
Table 4.3-1: Special-Status Plant and Wildlife Species – Potential for Occurrence	4.3-11
Table 4.3-2: Potential Project Impacts on Vegetation Communities/Land Uses.....	4.3-21
Table 4.5-1: Energy Resources Used to Generate Electricity for SCE.....	4.5-7
Table 4.5-2: Energy Use During Construction.....	4.5-9
Table 4.5-3: Annual Energy Use During Operations	4.5-12
Table 4.6-1: Regional Faults and Seismicity	4.6-6
Table 4.7-1: Description of Greenhouse Gases.....	4.7-2
Table 4.7-2: Construction-Related Greenhouse Gas Emissions	4.7-16
Table 4.7-3: Project Greenhouse Gas Emissions (Unmitigated).....	4.7-17
Table 4.7-4: San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency	4.7-18

Table 4.7-5: Connect SoCal: Regional Transportation Plan/Sustainable Communities Strategy Consistency Summary	4.7-19
Table 4.7-6: Project Consistency with Applicable CARB Scoping Plan Measures	4.7-21
Table 4.8-1: Adjacent Properties	4.8-10
Table 4.10-1: Specific Plan Consistency.....	4.10-9
Table 4.11-1: Rialto Noise Guidelines for Land Use Planning	4.11-5
Table 4.11-2: Permitted Hours of Construction Work	4.11-6
Table 4.11-3: Existing Traffic Noise Levels	4.11-8
Table 4.11-4: Existing Noise Measurements	4.11-8
Table 4.11-5: Sensitive Receptors	4.11-9
Table 4.11-6: Typical Construction Equipment Noise Levels.....	4.11-12
Table 4.11-7: Project Construction Noise Levels.....	4.11-13
Table 4.11-8: Construction Traffic Noise Levels	4.11-14
Table 4.11-9: Operational Noise	4.11-16
Table 4.11-10: Opening Year Traffic Noise Levels	4.11-17
Table 4.11-11: Typical Construction Equipment Vibration Levels	4.11-19
Table 4.11-12: Opening Year Plus Project Conditions Predicted Traffic Noise Levels	4.11-21
Table 4.12-1: Population Projections for San Bernardino County and the City of Rialto.....	4.12-3
Table 4.12-2: Housing for San Bernardino County and the City of Rialto.....	4.12-3
Table 4.12-3: Labor Force Data for San Bernardino County and the City of Rialto.....	4.12-4
Table 4.14 1: Project Trip Generation.....	4.14-8
Table 4.14 2: SBCT VMT Screening Tool Results	4.14-9
Table 4.14 3: VMT Impact Thresholds.....	4.14-10
Table 4.14 4: Roadway Segments: Opening Year 2022 - Existing Plus Growth Plus Project.....	4.14-12
Table 4.16-1: Water Supplies (Projected in Acre Feet)	4.16-4
Table 4.16-2: Multiple Dry Year Water Supply and Demand.....	4.16-5
Table 6-1: Summary of Proposed Project and Alternative Impacts.....	6-4
Table 6-2: Project Objectives Consistency Analysis.....	6-4
Table 6-3: Alternative 2 and Proposed Project Comparison	6-9
Table 6-4: Alternative 3 and Proposed Project Comparison	6-13

LIST OF FIGURES

<u>FIGURE</u>	<u>PAGE</u>
Figure 3-1: Regional Location Map.....	3-3
Figure 3-2: Project Vicinity Map	3-5
Figure 3-3: Conceptual Site Plan.....	3-9
Figure 3-4: Potential Multi-Tenant Site Plan.....	3-11
Figure 3-5a: Conceptual Elevations – Building 1.....	3-13
Figure 3-5b: Conceptual Elevations – Building 2.....	3-15
Figure 3-6: Truck Queuing	3-19
Figure 3-7a: Conceptual Landscape Plans.....	3-21
Figure 3-7b: Conceptual Landscape Plans	3-23
Figure 3-8: Proposed Parcel Division	3-27
Figure 4.3-1: Existing On-Site Biological Resources	4.3-7
Figure 4.3-2: Special-Status Species	4.3-9
Figure 4.3-3: Soils.....	4.3-17
Figure 4.9-1: Watersheds	4.9-5
Figure 4.9-2: Cactus Basin System.....	4.9-7
Figure 4.9-3: Baseline Road Storm Drain.....	4.9-11
Figure 4.9-4: Chamber System Example.....	4.9-15
Figure 4.9-5: Underground Chamber Systems.....	4.9-21
Figure 4.9-6: Outlet Alternative.....	4.9-23

Volume II

LIST OF APPENDICES

- A Notice of Preparation and Correspondence
- B Air Quality and Health Risk Assessment
- C Biology Resources Reports
- D Cultural Resources
- E Energy Calculations
- F Geotechnical Report
- G Greenhouse Gas Emissions Assessment
- H Environmental Site Assessment
- I Drainage and Water Quality Management Plan
- J Acoustical Assessment
- K Traffic Impact Study
- L Fire Flow Test Results

1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

The environmental impact report (EIR) process, as defined by the California Environmental Quality Act (CEQA), requires the preparation of an objective, full-disclosure document in order to (1) inform agency decision-makers and the general public of the potentially direct and indirect significant environmental effects of a proposed action; (2) identify feasible or feasible mitigation measures to reduce or eliminate potentially significant adverse impacts; and (3) identify and evaluate reasonable alternatives to a project. In accordance with Section 15161 of the State CEQA Guidelines (Title 14 of the California Code of Regulations [CCR]), this is a Project EIR that addresses the potential environmental impacts associated with the proposed Project, known as "Olive Avenue Development."

1.2 PROJECT OVERVIEW

The project site is at 911 – 1093 Baseline Road, approximately 340 feet east of Fitzgerald Avenue in the City of Rialto, County of San Bernardino, California. The approximately 31.6-gross-acre vacant property is relatively flat with elevations ranging from approximately 1,390 feet above mean sea level (msl) at the northwestern corner to 1,360 feet above msl at the southeastern corner of the site. The project site is an irregularly-shaped property generally bordered by Jerry Eaves Park to the north, a San Bernardino County Flood Control District basin to the east and northeast, single-family residential uses to the south of Baseline Road, and industrial uses to the west.

As proposed, the Project would allow for the development of a campus oriented industrial project with two primary, divisible, buildings with associated surface parking and landscaping. The Project proposes 679,607 square feet (sf) of buildings, 505 automobile parking stalls, and 122 trailer parking stalls. A single parcel would be subdivided into two parcels to allow each industrial warehouse building to be on a separate parcel. The buildings have been architecturally designed to allow for multiple units in various increments based on tenant demand, each with a separate point of entry into the buildings. The proposed Project would also include parking stalls to serve both buildings along the perimeter of the site. The proposed trailer stalls would be located in the central portion of the project site, in between the two buildings.

The project site has a General Plan land use designation of General Industrial. The Project is consistent with the General Plan designation for the site. The project site is within the Rialto Airport Specific Plan area. The Specific Plan zoning designation for the project site is Airport Related Planned Industrial Development (I-AR). The Project proposes warehouse uses which are identified as permitted uses within the I-AR zone.

1.3 PROJECT OBJECTIVES

Section 15124(b) of the State CEQA Guidelines (14 CCR) requires "A statement of objectives sought by the proposed Project. The following objectives have been identified for the Project.

- Objective 1: Develop the property consistent with the guidelines and policies of the City of Rialto General Plan and more specifically, the City of Rialto Airport Specific Plan.
- Objective 2: Create revenue-generating uses that provide reliable employment for the long term.

- Objective 3: Develop an industrial zoned site with new state-of-the-art buildings that respond to current market opportunities.
- Objective 4: Provide new buildings that are compatible to the nearby residential uses.
- Objective 5: Facilitate access of land via easement with approval of entitlements that would allow for the City to provide necessary storm water drainage solutions to prevent residential and street flooding in the immediate area.

1.4 ALTERNATIVES ANALYZED

Alternatives that would avoid or substantially lessen any of the significant effects of the Project and that would feasibly attain most or all of the basic Project objectives are discussed below. A detailed alternatives analysis is provided in Section 6.0, *Alternatives to the Project*.

Alternative 1: No Development Alternative

State CEQA Guidelines Section 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. The No Development Alternative assumes that the proposed Project would not be developed, which means there would be no warehouse facilities, landscape improvements, or surface lot improvements developed on the project site. In its existing condition, the site would remain vacant and disturbed.

Alternative 2: Reduced Development Intensity Plan

The Reduced Development Intensity Plan Alternative would involve the development of one warehouse/parcel delivery service building with an ancillary office/retail space. The building would be one level with approximately 201,475 sf of development including 10,000 sf of office/retail uses. The office/retail component would include an office area for employees and a small area for visitors to pick up pre-ordered packages. The building would provide approximately 268 automobile parking spaces. Trailer parking would be provided and an additional 879 van parking stalls would be located on the site. This alternative does not assume that the project site would be divided into two parcels. The FAR would be 0.15 for Alternative 2, compared to a 0.54 FAR for the Building 1 parcel and a 0.45 FAR for the Building 2 parcel for the proposed Project. The building height for Alternative 2 would range between 43 and 48 feet, similar to the proposed Project.

Alternative 3: Business Park Alternative

Under the Business Park Alternative, the project site would be developed with as a 400,000-sf business park. The business park would include multi-tenant industrial, free-standing small buildings and office/commercial related uses. The project site is zoned Airport Related Planned Industrial Development (I-AR) in the Airport Specific Plan, which permits land uses including warehouses and offices. The FAR for Alternative 3 would be 0.29. The one-story and two-story buildings could be range in height from approximately 18 to 34 feet.

1.5 SUMMARY OF EFFECTS WITH NO IMPACT

Throughout preparation of the EIR, the City of Rialto Environmental Checklist was used to determine the impact categories that would require evaluation to determine the potentially significant environmental effects of the proposed Project. The following includes a discussion of the impact categories where the

Project would have “no impact” and a summary discussion of why this determination was reached. There is no further evaluation of these Environmental Checklist questions in the EIR.

Agriculture and Forestry Resources

The State CEQA Guidelines ask for an evaluation of the following:

- “Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?”
- “Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?”
- “Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?”
- “Would the project result in the loss of forest land or conversion of forest land to non-forest use?”
- “Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?”

The project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the project site is covered by a Williamson Act Contract. Additionally, the area does not include forest resources, including timberlands, and is not zoned for agriculture. For these reasons, no impacts would occur and these topics are not addressed in the EIR.

Aesthetics and Visual Resources

The State CEQA Guidelines ask for an evaluation of the following:

- “Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?”

The project site is not adjacent to, nor can it be viewed from a designated State scenic highway (Caltrans, 2020). The nearest officially designated scenic highway is State Route 38 (Rim of the World Scenic Byway), located 35 miles east of the project site.¹ For this reason, no impact would occur and this topic is not addressed in the EIR.

Geology and Soils

The State CEQA Guidelines ask for an evaluation of the following:

- “Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?”

¹ California Department of Transportation. *List of eligible and officially designated State Scenic Highways*. Retrieved from <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 26, 2021.

The proposed Project would connect to the City's sanitary sewer system. The Project does not require septic tanks or assume alternative wastewater disposal systems. Therefore, no impact to the City's sanitary sewer system would occur. For this reason, this topic is not addressed in the EIR.

Hazards and Hazardous Materials

The State CEQA Guidelines ask for an evaluation of the following:

- "For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?"

The project site is not located in the vicinity of a public or public use airport. The closest airport is the San Bernardino International Airport, which is approximately eight miles southeast of the project site. The Rialto Municipal Airport Final Comprehensive Plan (January 1991) is no longer applicable as the airport closed in 2014. For this reason, no impact would occur and this topic is not addressed in the EIR.

Mineral Resources

The State CEQA Guidelines ask for an evaluation of the following:

- "Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability of a locally-important mineral resources recovery site delineated on a local general plan, specific plan, or other land use plan?"

Sand and gravel mining was conducted on the eastern portion of the project site in the 1950s to the late 1960s. However, the California Geological Survey (California Geological Survey, 2012) does not identify any mineral resources on or adjacent to the project site. For this reason, no impact would occur and this topic is not addressed in the EIR.

Public Services

The State CEQA Guidelines ask for an evaluation of the following:

- "Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Schools, recreation, and libraries?"

The proposed Project does not include residential uses and would not directly induce the demand for school, recreation center, or library services. For this reason, no impact would occur and this topic is not addressed in the EIR.

Recreation

The State CEQA Guidelines ask for an evaluation of the following:

- "Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility occur or be accelerated?"

- “Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?”

The proposed Project does not include the development of any residences, which would directly increase population and result in increased demand for parks and recreational facilities. For this reason, no impact would occur and this topic is not addressed in the EIR.

Wildfire

The State CEQA Guidelines ask for an evaluation of the following:

- “If located in or near SRA or lands classified as Very High FHSZ, would the project:
 - a) Substantially impair an adopted emergency response plan or emergency evacuation plan.
 - b) Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.
 - c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.
 - d) Expose people or structures, either directly or indirectly, to significant loss, injury or death involving wildfires, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.”

Fire Hazard Severity Zones (FHSZs) are mapped by the California Department of Forestry and Fire Protection (CAL FIRE) as set forth in PRC 4201-4204 and Government Code 51175-89. FHSZs are categorized fire protection within a Federal Responsibility Area under the jurisdiction of a federal agency, a State Responsibility Area (SRA) under the jurisdiction of CAL FIRE, or within a Local Responsibility Area under the jurisdiction of a local agency. CAL FIRE is responsible for fire protection within SRAs. CAL FIRE defines a SRA as land that is not federally owned, not incorporated, does not exceed a housing density of three units per acre, contains wildland vegetation as opposed to agriculture or ornamentals, and has watershed value and/or has range/forage value (this effectively eliminates most desert lands). Where local fire protection agencies, such as the Rialto Fire Department, are responsible for wildfire protection, the land is classified as a Local Responsibility Area (LRA). The project site and its adjacent areas are classified as a Non-VHFHSZ (non-very high FHSZ). For this reason, no impact would occur and this topic is not addressed in the EIR.

1.6 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table 1-1, *Summary of Impacts and Mitigation Program*, provides a summary of the potential environmental effects of the proposed Project, the Mitigation Program recommended to ensure that Project impacts are mitigated to the extent feasible, and the expected status of effects following the implementation of the Mitigation Program. The Mitigation Program is comprised of Standard Conditions and Requirements (SCs) and Mitigation Measures (MMs). The Mitigation Program will serve to prevent, reduce, or fully mitigate potential environmental impacts. The more detailed evaluation of these issues, as well as the full text of the Mitigation Program, is presented in EIR Sections 4.1 through 4.16.

Given the length of some measures in the Mitigation Program, some measures are only summarized in the table. Each measure is identified by a number that can be used to reference the full text of the measure in the applicable EIR section. Where a measure applies to more than one topic, it is presented (either summarized or full text) in the primary section to which it applies, and is then cross-referenced.

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
Section 4.1: Aesthetics			
Impact 4.1-1: Would the project have a substantial adverse effect on a scenic vista?	LS	None required.	LS
Impact 4.1-2: In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	LS	None required.	LS
Impact 4.1-3: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	LS	None required.	LS
Section 4.2: Air Quality			
Impact 4.2-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?	S	<p>Standard Conditions No standard conditions are applicable.</p> <p>Mitigation Measures MM AQ-1: The contractor shall use Tier 4 Interim or Tier 4 Final compliant construction equipment during the grading phase of construction. MM AQ-2: Prior to issuance of occupancy permits, the Project Operator(s) shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. MM AQ-3: Electrical hookups shall be provided at all loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.</p>	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
		<p>MM AQ-4: All truck access gates and loading docks within the project site shall have a sign posted that states: Truck drivers shall turn off engines when not in use; Truck drivers shall shut down the engine after five minutes of continuous idling operation once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged; Telephone numbers of the building facilities manager and CARB to report Violations.</p> <p>MM AQ-5: The Project Operator(s) shall ensure, through sale or leasing agreements, that the haul fleet consist of trucks that at a minimum meet the emissions standards of a 2010 vehicle model, and as trucks are replaced they are replaced with the newest available model.</p>	
Impact 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable state or federal ambient air quality standard?	S	<p>Standard Conditions</p> <p>SC AQ-1: Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District’s (SCAQMD’s) Rules 402 and 403 to minimize construction emissions of dust and particulates.</p> <p>Mitigation Measures</p> <p>MM AQ-1 through MM AQ-5 are applicable.</p>	LS
Impact 4.2-3: Would the project expose sensitive receptors to substantial pollutant concentrations?	S	<p>Standard Conditions</p> <p>No standard conditions are applicable.</p> <p>Mitigation Measures</p> <p>MM AQ-1 through MM AQ-5 are applicable.</p>	LS
Impact 4.2-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No impact	None required.	No impact
Section 4.3: Biological Resources			
Impact 4.3-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species	S	MM BIO-1: A qualified biologist(s) shall conduct a pre-construction presence/absence survey for burrowing owls 14 days prior to ground-disturbing activities and 24 hours immediately before ground-disturbing activities. If	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?		<p>burrowing owls are documented on the project site, then a plan for avoidance or passive exclusion shall be made in coordination with CDFW. If the survey is negative, the Project may proceed without further restrictions related to burrowing owls.</p> <p>MM BIO-2: Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (February 1 to August 31). If construction activities occur during nesting season, a qualified biologist shall conduct a nesting bird survey within seven days prior to any disturbance of the project site, including tree and shrub removal, disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor species shall have an avoidance buffer of 500 feet and other bird species shall have an avoidance buffer of 300 feet. These buffers may be reduced in consultation with the CDFW. If active nests are not identified, vegetation clearing and ground-disturbing activities may commence. If ground-disturbing activities are scheduled outside of the nesting season, a nesting bird survey is not be required.</p>	
Impact 4.3-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?	LS	None required.	LS
Impact 4.3-3: Would the project have a substantial adverse effect on State or federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No impact	None required.	No impact
Impact 4.3-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or	No impact	None required.	No impact

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			
Impact 4.3-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No impact	None required.	No impact
Section 4.4: Cultural Resources			
Impact 4.4-1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	S	<p>MM CUL-1: The State CEQA Guidelines (14 CCR §15126.4[b][3]) direct public agencies, wherever feasible, to avoid damaging historical resources of an archaeological nature, preferably by preserving the resource(s) in place. Preservation in place options suggested by the State CEQA Guidelines include (1) planning construction to avoid an archaeological site; (2) incorporating the site into open space; (3) capping the site with a chemically stable soil; and/or (4) deeding the site into a permanent conservation easement. Prior to issuance of any grading or building permits and/or action that would permit project site disturbance (whichever occurs first), the Applicant shall provide a letter to the City of Rialto Community Development Department, or designee, from a qualified professional archeologist stating that the Applicant has retained this individual and that the archeologist shall provide on-call services in the event historical or archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archeological resource surveillance. If unknown cultural resources are discovered during ground disturbing activities, all activity within 100 feet of the area of discovery shall cease and the City shall be immediately notified. In the event of the discovery of tribal cultural resources, refer to Mitigation Measures (MMs) TCR-1, TCR-2, and TCR-3. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits meet the CEQA definition of historical (State CEQA Guidelines §15064.5(a)) and/or unique archaeological resource (Public Resources Code [PRC] §21083.2(g)).</p> <p>If the find is considered a “resource” the archeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of</p>	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
		PRC Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the Project.	
Impact 4.4-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	S	Mitigation Measures MM CUL-1 is applicable.	LS
Impact 4.4-3: Would the project disturb any human remains, including those interred outside of formal cemeteries?	S	Standard Conditions SC CUL-1: California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants (MLD) to be consulted regarding treatment and/or reburial of the remains. (Refer to Section 4.4, <i>Cultural Resources</i> , for the entire wording of the mitigation measure.)	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
		Mitigation Measures MM CUL-1 is applicable.	
Section 4.5: Energy			
Impact 4.5-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	LS	None required.	LS
Impact 4.5-2: Would the project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	LS	None required.	LS
Section 4.6: Geology and Soils			
Impact 4.6-1: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known faults or strong seismic ground shaking?	S	Mitigation Measures MM GEO-1: The Applicant shall submit to the City of Rialto Development Services Department and Public Works Department for review and approval, a site-specific, design-level geotechnical investigation prepared for the project site by a registered geotechnical engineer. The investigation shall comply with all applicable state and local code requirements. Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigation in the site-specific investigations. The City’s registered geotechnical engineer shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical requirements contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure and all other relevant construction permits. The City shall review all Project plans for grading, foundations, structural, infrastructure and all other relevant construction permits to ensure compliance with the applicable geotechnical investigation and other applicable Code requirements. (Refer to Section 4.6, <i>Geology and Soils</i> , for the entire wording of the mitigation measure.)	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
<p>Impact 4.6-2: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure including liquefaction?</p> <p>Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p>	LS	None required.	LS
<p>Impact 4.6-3: Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?</p>	No impact	None required.	No impact
<p>Impact 4.6-4: Would the project result in substantial soil erosion or the loss of topsoil?</p>	LS	None required.	LS
<p>Impact 4.6-5: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</p>	LS	None required.	LS
<p>Impact 4.6-6: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</p>	LS	None required.	LS
Section 4.7: Greenhouse Gas Emissions			
<p>Impact 4.7-1: Would the project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?</p>	LS	None required.	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
Impact 4.8-2: Would the project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?	LS	None required.	LS
Section 4.8: Hazards and Hazardous Materials			
Impact 4.8-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	S	Mitigation Measures MM HAZ-1: If a facility is proposed that has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code 25532 (g) in excess of threshold quantities. This plan shall be reviewed and approved by the San Bernardino County Department of Environmental Health through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.	LS
Impact 4.8-2: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	LS	None required.	LS
Impact 4.8-3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	LS	None required.	LS
Impact 4.8-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it	LS	None required.	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
create a significant hazard to the public or the environment?			
Impact 4.8-5: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	LS	None required.	LS
Section 4.9: Hydrology and Water Quality			
Impact 4.9-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	LS	<p>Standard Conditions</p> <p>SC HYD-1: The Applicant or his/her designees shall obtain a General Permit for Stormwater Discharge Associated with Construction Activity (Construction Activity General Permit). The Applicant or his/her designees shall provide a copy of this permit to the City Public Works Department prior to the issuance of the first grading permit.</p> <p>SC HYD-2: Prior to issuance of the first grading permit, the Applicant shall submit to the City Engineer for approval, a SWQMP specifically identifying BMPs that will be incorporated into the Project to control stormwater and non-stormwater pollutants during and after construction. To ensure compliance, a legal and fiduciary enforcement mechanism in the form of a Storm Water Quality Management Plan Agreement shall be executed with the City of Rialto. This agreement shall additionally be recorded in the office of the County Recorder for the County of San Bernardino. The SWQMP shall specify best management practices specific to the project site, which shall be integrated into the stormwater conveyance plan. The plan shall identify specific strategies. (see Section 4.9, <i>Hydrology and Water Quality</i>, for entire text of the mitigation measure).</p> <p>SC HYD-3: An Erosion Control Plan shall be prepared, and included with the Project's grading plan, and implemented for the Project that identifies specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. The Erosion Control Plan shall include the following measures at a minimum: (a) Specify the timing of grading and construction to minimize soil exposure to rainy periods experienced in Southern California; and (b) An inspection and maintenance program shall be included to ensure that any erosion which does occur either on-site or off-site as</p>	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
		a result of this Project will be corrected through a remediation or restoration program within a specified time frame.	
Impact 4.9-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No impact	None required.	No impact
Impact 4.9-3i: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?	LS	Standard Conditions SC HYD-3 is applicable.	LS
Impact 4.9-3ii: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	LS	Standard Conditions SC HYD-2 is applicable.	LS
Impact 4.9-3iii: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	LS	Standard Conditions SC HYD-2 is applicable.	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
Impact 4.9-3iv: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?	LS	Standard Conditions SC HYD-2 is applicable.	LS
Impact 4.9-4: Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	LS	None required.	LS
Section 4.10: Land Use and Planning			
Impact 4.10-1: Would the project physically divide an established community?	No impact	None required.	No impact
Impact 4.10-2: Would the project cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	S	Mitigation Measures MM LU-1: The Project shall comply with MM 5.1-4 from the Airport Specific Plan EIR, which requires that developments along the perimeter of the [Specific Plan] project area boundaries adhere to the design guidelines contained in the Specific Plan which relate to orientation and buffering of non-residential uses when adjacent to residential uses. Further, the City shall require implementation of the streetscape programs and landscape buffer treatments when adjacent to residential uses.	LS
Section 4.11: Noise and Vibration			
Impact 4.11-1: Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	LS	Standard Conditions SC NOI-1: Prior to the issuance of the first grading permit issuance, the Applicant shall demonstrate, to the satisfaction of the City of Rialto Director of Public Works or City Engineer that the Project complies conditions to minimize construction noise activities. (Refer to Section 4.11, <i>Noise and Vibration</i> , for the entire wording of the mitigation measure.)	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
Impact 4.11-2: Would the project expose persons to or generate excessive ground borne vibration or ground borne noise levels?	LS	None Required.	LS
Section 4.12: Population and Housing			
Impact 4.12-1: Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	LS	None Required.	LS
Impact 4.12-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No impact	None Required.	No impact
Section 4.13: Public Services			
Impact 4.13-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?	LS	None Required.	LS
Impact 4.13-2: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant	LS	Standard Conditions SC PS-1: Prior to issuance of building permits, the City of Rialto Police Department shall review development plans for the incorporation of defensible space concepts to reduce demands on police services. Public safety planning recommendations shall be incorporated into the Project plans. The Applicant shall prepare a list of Project features and design components that demonstrate responsiveness to	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?		defensible space design concepts. The Police Department shall review and approve all defensible space design features incorporated into the Project prior to initiating the building plan check process. SC PS-2: Prior to the issuance of the first grading permit and/or action that would permit site disturbance, the Applicant shall provide evidence to the City of Rialto Police Department that a construction security service or equivalent service shall be established at the construction site along with other measures, as identified by the Police Department and the Public Works Department, to be instituted during the grading and construction phase of the Project.	
Section 4.14: Transportation			
Impact 4.14-1: Would the project, conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	LS	None required.	LS
Impact 4.14-2: Would the proposed project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	SU	Standard Conditions The proposed Project is subject to the City's citywide traffic impact fee program, the Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange, and the Congestion Management Program (CMP) Appendix G. To the extent that an improvement is included in an existing fee program, the Project's payment of impact fees can be used to offset the costs of implementing the improvement. In addition, the Project may be required construct a needed improvement in advance of the City's receipt of full funding, in which case the improvement may be subject to a reimbursement agreement, to allow the Project to recoup costs from future development. SC TRA-1: Alder Avenue at SR-210 WB Ramps. The Applicant shall contribute on a fair-share basis to costs associated with the addition of a northbound left-turn lane, add a second westbound left-turn lane, and add a southbound right-turn lane. These improvements would be consistent with recommendations set forth in the Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange (May 2017).	SU

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
		<p>SC TRA-2: Alder Avenue at SR-210 EB Ramps. The Applicant shall contribute on a fair-share basis to the costs associated with a second eastbound right-turn lane and conversion of the existing left/through/right lane into a left/through only eastbound right-turn lane and northbound right-turn lane. These improvements would be consistent with recommendations set forth in the Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange (May 2017).</p> <p>SC TRA-3: Alder Avenue at Renaissance Parkway. The Applicant shall contribute on a fair-share basis to the costs associated with restriping the southbound approach to add a second southbound left-turn lane. This improvement would be consistent with recommendations set forth in the Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange (May 2017).</p> <p>SC TRA-4: Ayala Drive at Fitzgerald Avenue. The Applicant shall contribute on a fair-share basis to signalization of the intersection of Ayala Drive at Fitzgerald Avenue. This improvement is consistent with recommendations set forth in the Traffic Impact Study for the City of Rialto Renaissance Specific Plan Amendment (LSA, September 2016).</p> <p>SC TRA -5: Fitzgerald Avenue at Baseline Road. The Applicant shall contribute on a fair-share basis to signalization of the intersection of Fitzgerald Avenue at Baseline Road. This improvement is consistent with recommendations set forth in the Traffic Impact Study for the City of Rialto Renaissance Specific Plan Amendment (LSA, September 2016).</p> <p>Mitigation Measures</p> <p>MM AQ-2 in Section 4.2, <i>Air Quality</i>, is applicable. This mitigation measure requires the preparation of a TDM program for the Project, which would include but not be limited to the following:</p> <ul style="list-style-type: none"> ▪ Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options; ▪ Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site; 	

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
		<ul style="list-style-type: none"> ▪ Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day; ▪ Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and ▪ Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users. <p>On-site bicycle facilities would be provided as a part of Project.</p> <p>The Project would construct pedestrian sidewalks along the project site frontage on Baseline Road.</p> <p>The project site is accessible by transit via OmniTrans Bus Route 10, which has stops on Baseline Road within 250 feet of the project site.</p>	
Impact 4.14-3: Would the proposed project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	LS	None required.	LS
Impact 4.14-4: Would the proposed project result in inadequate emergency access?	LS	None required.	LS
Section 4.15: Tribal Cultural Resources			
Impact 4.15-1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	S	<p>Standard Conditions</p> <p>Section 4.4, <i>Cultural Resources</i>, SC CUL-1 is applicable.</p> <p>Mitigation Measures</p> <p>MM TCR-1. Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities. (Refer to Section 4.15, <i>Tribal Cultural Resources</i> for the entire wording of the mitigation measure.)</p>	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
<p>(a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k) or:</p> <p>(b) A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.</p>		<p>MM TCR-2. Discovery of Tribal Cultural Resources, Human Remains, or Grave Goods. (Refer to Section 4.15, <i>Tribal Cultural Resources</i> for the entire wording of the mitigation measure.)</p> <p>MM TCR-3: Procedures for Burials, Funerary Remains, and Grave Goods. (Refer to Section 4.15, <i>Tribal Cultural Resources</i> for the entire wording of the mitigation measure.)</p>	
Section 4.16: Utilities			
Impact 4.16-1: Require or result in the relocation or construction of new or expanded water, facilities, the construction or relocation of which could cause significant environmental effects?	LS	None required.	LS
Impact 4.16-2: Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	LS	None required.	LS
Impact 4.16-3: Require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects?	LS	None required.	LS
Impact 4.16-4: Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	LS	None required.	LS

Table 1-1: Summary of Impacts and Mitigation Program			
Environmental Impacts	Significance Before Mitigation	Mitigation Measure	Significance With Mitigation
Impact 4.16-5: Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.	LS	None required.	LS
Impact 4.16-6: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.	LS	None required.	LS
LS= Less Than Significant; SU = Significant and Unavoidable; S = Significant			

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2.0 INTRODUCTION

2.1 PURPOSE OF THIS ENVIRONMENTAL IMPACT

This Environmental Impact Report (EIR) has been prepared to evaluate the potential environmental impacts associated with the construction and operation of the proposed Olive Avenue Development Project (Project). The EIR has been prepared in conformance with the California Environmental Quality Act (CEQA) (California *Public Resources Code* [PRC] §§21000 et seq.) and the State CEQA Guidelines (Title 14, *California Code of Regulations* [CCR] Chapter 3, §§15000 et seq.).

The City of Rialto (City) is the “public agency which has the principal responsibility for carrying out or approving the project” and, as such, is the “Lead Agency” for this Project under CEQA (14 CCR §15367). CEQA requires the Lead Agency to consider the information contained in an EIR prior to taking any discretionary action. This EIR is intended to provide information to the Lead Agency and other public agencies, the general public, and decision-makers regarding the potential environmental impacts from the construction and operation of the proposed Project. As the Lead Agency, the City will review and consider this EIR in its decision to approve, revise, or deny the proposed Project.

Pursuant to CEQA, “[t]he purpose of the environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the proposed project, and to indicate the manner in which significant environmental effects can be mitigated or avoided” (PRC §21002.1[a]). An EIR is the most comprehensive form of environmental documentation identified in CEQA and the State CEQA Guidelines, and provides the information needed to assess the environmental consequences of a project to the extent feasible. EIRs are intended to provide an objective, factually supported, full-disclosure analysis of the environmental consequences associated with a project that may have the potential to result in significant adverse environmental impacts.

2.1.1 Type of Environmental Impact Report

The City has determined that a Project EIR is the appropriate CEQA document for the proposed Olive Avenue Development Project. In accordance with Section 15161 of the State CEQA Guidelines, a Project EIR “examines the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation”. This EIR evaluates the potentially significant, adverse and beneficial impacts on the environment resulting from implementation of the proposed Project. This document analyzes the environmental effects of the Project to the degree of specificity appropriate to the current proposed actions, as required by Section 15146 of the State CEQA Guidelines. The analysis considers the activities associated with the Project, to determine the short-term and long-term effects associated with their implementation. This EIR discusses both direct and indirect impacts of the Project, as well as cumulative impacts associated with other past, present, and reasonably foreseeable future projects. Section 3.0, *Project Description*, provides a detailed description of the construction and operational components of the proposed Project. Section 4.0, *Environmental Impact Analysis*, discusses the regulatory environment, existing conditions, environmental impacts, and mitigation program for the Project.

State CEQA Guidelines Section 15206 sets forth criteria for determining if a project is of statewide, regional, or area-wide environmental significance. This proposed Project meets the following criteria and therefore is considered regionally significant:

- The project has effects on the environment that extend beyond the jurisdiction is located in; and
- The project would encompass more than 250,000 square feet (sf) of commercial floor space or 650,000 sf of industrial floor space.

2.1.2 Standards of Adequacy Under CEQA

While Sections 15120 through 15132 of the State CEQA Guidelines generally describe the content of an EIR, CEQA does not contain specific, detailed, quantified standards for the content of environmental documents. Section 15151 of the State CEQA Guidelines states:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information that enables them to make a decision that intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have not looked for perfection but for adequacy, and a good faith effort at full disclosure.

2.1.3 Compliance with CEQA

The City of Rialto, which has the principal responsibility for processing and approving the Project, along with other public agencies with direct interest in the Project (e.g., responsible agencies), may use this EIR in their decision-making or permitting processes and will consider the information in this EIR in combination with other information that may be presented during the CEQA process. The Lead Agency can approve subsequent actions without additional environmental documentation unless otherwise required by Section 21166 of the CEQA Statutes and Section 15162 of the State CEQA Guidelines. In addition, this EIR provides the analysis in support of the Mitigation Program that will, if the Project is approved, be made conditions of approval for the Project and implemented through the CEQA-mandated Mitigation Monitoring and Reporting Program.

In accordance with CEQA, public agencies are required to make appropriate findings for each potentially significant environmental impact identified in the EIR if it decides to approve a project. If the EIR identifies significant environmental impacts that cannot be mitigated to a less than significant level through the adoption of mitigation measures or project alternatives, the Lead Agency (and responsible agencies using this CEQA document for their respective permits or approvals) must decide whether the benefits of the project outweigh any identified significant environmental effects that cannot be mitigated to below a threshold of significance. If the agency decides that the overriding considerations, including project benefits, outweigh the unavoidable impacts, then the agency (Lead Agency or responsible agency) is required to adopt a Statement of Overriding Considerations, which states the reasons that support its actions.

The Lead Agency's actions involved in the implementation of the Project are described in Section 3.0, *Project Description*. Other agencies that may have discretionary approval over the Project, or components thereof, including responsible agencies, are also described in the Project Description.

2.2 SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

This EIR provides a comprehensive evaluation of the reasonably anticipated scope of the proposed Project. It is intended to serve as an informational document for public agency decision-makers and the general public regarding (1) the objectives and components of the Project; (2) any potentially significant environmental impacts (individual and cumulative) that may be associated with the planning, construction, and operation of the Project; (3) an appropriate and feasible Mitigation Program; (4) and alternatives that may be adopted to reduce or avoid these significant impacts.

In compliance with the State CEQA Guidelines, the City has taken steps to maximize opportunities for the public and other public agencies to participate in the environmental review process. The scope of this EIR includes issues identified in consultation with the City during the Notice of Preparation (NOP) comment period, during the public Scoping Meeting, and environmental issues raised by agencies and the general public in response to the scoping process.

2.2.1 Notice of Preparation (NOP)

Pursuant to Section 15082 of the CEQA Guidelines, as amended, the City of Rialto prepared and circulated a Notice of Preparation (NOP) to affected agencies and interested parties for a public review period beginning on December 2, 2020. The City has elected to have an extended scoping period due to the holidays, and the deadline to submit comments on the NOP was January 21, 2021. Table 2-1, *Summary of Written Comments on Notice of Preparation*, summarizes the comments received from agencies/persons during the NOP process and provides a reference, as applicable, to the section(s) of this EIR where the issues are addressed. The NOP and comment letters are provided in Appendix A of this EIR. This table identifies areas of controversy/unresolved issues and issues to be addressed in the EIR.

2.2.2 Scoping Meeting

Pursuant to Section 21083.9 of the CEQA Statute, the Lead Agency is required to conduct at least one scoping meeting for all projects of statewide, regional, or area-wide significance. A scoping meeting is for jurisdictional agencies and interested persons or groups to provide comments regarding, but not limited to, the range of actions, alternatives, and environmental effects to be analyzed. The City hosted a Scoping Meeting on January 14, 2021, at 6:00 PM. Due to public health limits on public gatherings, the Scoping Meeting was held online and the public was able to join by computer, mobile app, or by phone. No issues related to the EIR were identified by participants at the Scoping Meeting.

Table 2-1: Summary of Written Comments on Notice of Preparation	
Commenter Name	Summary of Comment and Where Addressed
Regional and Local Agencies	
San Bernardino County Department of Public Works	<p>Recommendations and Comments:</p> <ul style="list-style-type: none"> ▪ The project site lies within FEMA Flood Zone Designation X. ▪ Any revision to the drainage should be reviewed and approved by the City. ▪ Any construction of new, or alterations to existing storm drains and any required mitigation should be discussed in the EIR. ▪ Potential impacts to the adjacent San Bernardino County Flood Control District (SBCFCD) facility, including limiting access, street improvements, grading, landscaping, utility crossing and fencing/wall installation will require a permit from the SBCFCD and any associated impacts should be addressed in the EIR. <p>See Section 4.9, <i>Hydrology and Water Quality</i> and Section 4.17, <i>Utilities</i>.</p>
South Coast Air Quality Management District	<p>Recommendations and Comments:</p> <ul style="list-style-type: none"> ▪ Recommends using the SCAQMD’s CEQA Air Quality Handbook and website for guidance in preparing air quality and greenhouse gas (GHG) emissions analyses. ▪ Identify air quality impacts by phase, as well as construction and operations. ▪ Recommends a mobile source health risk assessment if the Project generates diesel emissions from long-term construction or attract diesel-fueled trips, especially heavy-duty trucks. ▪ Provide mitigation measures, as needed. Identify impacts of the mitigation measures. <p>See Section 4.2, <i>Air Quality</i> and Section 4.7, <i>Greenhouse Gas Emissions</i>.</p>
Rialto Unified School District (RUSD)	<p>Recommendations and Comments:</p> <ul style="list-style-type: none"> ▪ RUSD would like to be assured that the increase in vicinity traffic would not interfere with day-to-day operations of Eisenhower High School, located approximately 0.5 miles east of the project site. ▪ Confirm that the Project coincides with any Safe Routes improvements in the area such as fully developed safe walking patterns and bike paths to and from existing schools for all pedestrians. ▪ Applicable mitigation fees are paid to the RUSD prior to issuance of any building permits. <p>See Section 4.13 <i>Public Services</i>, and Section 4.15, <i>Transportation</i>.</p>
Interested Parties	
Gabrieleño Band of Mission Indians – Kizh Nation	<p>Request:</p> <ul style="list-style-type: none"> ▪ The project site is within its Ancestral Tribal Territory and the Tribal Government requests consultation to discuss the project site and surrounding area in further detail. <p>See Section 4.16, <i>Tribal Cultural Resources</i>.</p>
Inland Empire Biking Alliance	<p>Recommendations and Comments:</p> <ul style="list-style-type: none"> ▪ Address proposed Cactus Trail, adjacent to the project site and identified as Priority Project 11 in the Rialto Active Transportation Plan. <p>See Section 4.15, <i>Transportation</i>.</p>

2.3 EIR SCOPE AND CONTENT

This Draft EIR addresses the potential environmental effects of the proposed Project and was prepared following input for the public and the responsible and affected agencies, through the EIR scoping process, as discussed below. The contents of this Draft EIR were established based on the findings in the NOP and public and agency input (Table 2-1). Based on the findings of the NOP, a determination was required to address potentially significant environmental effects on the following resources:

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

Through the completion of the City's Environmental Checklist for this Project, the City has determined that the EIR for the proposed Project would not require the assessment of Agriculture and Forestry Resources; Mineral Resources; Public Services: Schools and Libraries; Recreation; and Wildfire. No portion of the project site is covered by a Williamson Act Contract or located on land designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to the San Bernardino County Important Farmland. The project site is not zoned for agriculture. Additionally, the site does not include forest resources, including timberlands. With respect to Mineral Resources, sand and gravel mining activities were conducted on the eastern portion of the project site in the 1950s to the late 1960s. However, the California Geological Survey (California Geological Survey, 2012) does not identify any mineral resources on or adjacent to the project site. As an industrial warehouse use, the Project would not adversely impact recreational facilities, schools, or libraries. Lastly, this project site is not a State Responsibility Area or land classified as a Very High Fire Hazard Severity Zone. Therefore, no impacts with respect to the topic of Wildfire would occur.

2.4 DOCUMENTS INCORPORATED BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with CEQA Guidelines Section 15148, or have been incorporated by reference in accordance with CEQA Guidelines Section 15150, which encourages incorporation by reference as means of reducing redundancy and the length of environmental reports. The following documents are hereby incorporated by reference into this EIR and are available for review online. Information contained within these documents has been used for various sections in the EIR.

- City of Rialto General Plan. December 2010, as amended
- City of Rialto General Plan Update Final EIR. December 2010, as amended
- Rialto Airport Specific Plan. 1997, as amended

- Rialto Airport Specific Plan Program EIR. 1997
- City of Rialto Zoning Ordinance
- City of Rialto Municipal Code

2.5 LEAD AGENCY AND CONTACT PERSONS

The City of Rialto is the Lead Agency for the preparation of the EIR. Inquiries regarding the EIR should be directed to the City.

Lead Agency: City of Rialto
Community Development Department, Planning Division
150 S. Palm Avenue
Rialto, CA 92376
Contact: Daniel Casey, Senior Planner
(909) 820-2535
Email: dcasey@rialto.ca.gov

2.6 ENVIRONMENTAL REVIEW PROCESS

Notice of the availability of the Draft EIR has been provided to agencies, organizations, and interested groups and persons for comment during a 45-day review period in accordance with State CEQA Guidelines Section 15087. The Notice of Completion for the Draft EIR has also been distributed as required by CEQA. This Draft EIR and the full administrative record for the Project, including all studies, is available for review during normal business hours Monday through Thursday at the City of Rialto Community Development Department. Additionally, copies of the Draft EIR and technical appendices are available at the reference desk of the following library and on the City's website.

- **City of Rialto**, Community Development Department, Planning Division 150 S. Palm Avenue, Rialto, California 92376
- **Rialto Library**, 251 W. First Street, Rialto, California 92376
- **City website:** <https://yourrialto.com/314/Current-Projects>

Following the close of the Draft EIR public review and comment period, a Final EIR will be prepared to respond to all substantive comments related to environmental issues associated with the Project. Pursuant to Section 15088.5(f)(2) of the State CEQA Guidelines, the City will request that reviewers limit their comments to the content of the Draft EIR and will respond to all comments related to the disposition of environmental effects made during the Draft EIR public review period. Final EIR will be able prior to the Planning Commission and City Council public hearing to consider this Draft EIR along with the actions within the City's review and discretion of approval.

2.7 LIST OF ACRONYMS USED IN THE EIR

AAQS	Ambient air quality standards
AB	Assembly Bill
ADT	Average Daily Traffic
APN	Assessor Parcel Number
AQMD	Air Quality Management District
AQMP	Air Quality Management Plan
BACT	Best available control technology
BMP	Best Management Practice
BTU	British Thermal Unit
BUOW	burrowing owl
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBEEES	California's Building Energy Efficiency Standards
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDP	Conditional Development Permit
CEC	California Energy Commission
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act (Superfund)
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFCs	chlorofluorocarbons
CFR	Code of Federal Regulations
CGC	California Geologic Survey
CH ₄	methane
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level

CNPS	California Native Plant Society
CO	carbon monoxide
CO ₂	carbon dioxide
COG	Council of Governments
CPP	Clean Power Plan
CRHR	California Register of Historic Resources
CUPA	Certified Unified Program Agency (hazardous materials)
cy	cubic yards
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel scale
DEH	Department of Environmental Health, San Bernardino County
DIF	Development Impact Fee
DOF	Department of Finance
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control, State of California
EIR	Environmental Impact Report
EO	Executive Order
EMMA	Emergency Mutual Aid Agreements
ESA	Endangered Species Act
FCCA	Federal Clean Air Act
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FR	Federal Register
FHWA	Federal Highway Administration
GHG	greenhouse gas
GHGRP	GHG Reduction Plan
gpm	gallons per minute
GWh	gigawatt-hours
HCM	Highway Capacity Manual
HFCs	hydrofluorocarbons
Hz	hertz

I-GM	General Manufacturing (Rialto Airport Specific Plan)
I-PID	Planned Industrial Zone (Rialto Airport Specific Plan)
ITE	Institute of Transportation Engineers
kWh	kilowatt-hour
LCFS	Low Carbon Fuel Standard
Ldn	Day-Night average noise level
Leq	Equivalent noise levels
Lmax	Maximum sound level
Lmin	Minimum sound level
LOS	Level of Service
LST	Localized significance thresholds
LUST	leaking underground storage tank
MBTA	Migratory Bird Treaty Act
MCE	Maximum Credible Earthquake
MLD	most likely descendants
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
mph	miles per hour
mpg	miles per gallon
MPO	Metropolitan Planning Organization
msl	mean sea level
MWh	megawatt-hour
NAAQS	National ambient air quality standards
NAHC	California Native American Heritage Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NHTSA	National Highway Traffic Safety Administration
NO ₂	Nitrogen dioxide
NOA	Notice of Availability
NOC	Notice of Completion
NOP	Notice of Preparation
NO _x	Nitrogen oxides

NPDES	National Pollutant Discharge Elimination System
NPL	National Priorities List
NRHP	National Register of Historic Places
NSR	New Source Review Program (air pollution health effects)
O3	Ozone
OES	Office of Emergency Services, State of California
OSHA	Occupational Safety and Health Administration
Pb	Lead
PCE	Passenger Car Equivalent
PFCs	perfluorocarbons
PM _{2.5}	Fine particulate matter (2.5 microns or less)
PM ₁₀	Fine particulate matter (10 microns or less)
PPD	Precise Plan of Design
ppv	peak particle velocity
ppm	Parts per million
PRC	Public Resources Code
PUC	Public Utilities Commission
UST	underground storage tank
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Assessment
ROG	reactive organic gases
RTIP	Regional Transportation Improvement Program
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy (SCAG)
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SBCOG	San Bernardino Council of Governments
SBCTA	San Bernardino County Transportation Authority
SC	Standard Condition
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison

sf	square feet
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SoCalGas	Southern California Gas Company
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Program
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TDM	Transportation Demand Management
TIA	Traffic Impact Analysis
TMDL	total maximum daily load
TPM	Tentative Parcel Map
USACE	United States Army Corps of Engineers
U.S. EPA	United State Environmental Protection Act
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
VMT	Vehicle Miles Travelled
VOC	Volatile organic compound
Wh	watt-hours
WQMP	Water Quality Management Plan

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3.0 PROJECT DESCRIPTION

3.1 INTRODUCTION

The purpose of the Project Description is to describe the Olive Avenue Development Project (Project) to allow for meaningful review by reviewing agencies, decision-makers, and interested parties. Section 15124 of the CEQA Guidelines (14 CCR §15124) requires that a project description for an EIR contain (1) the precise location and boundaries of a project site; (2) a statement of objectives sought by a project including the underlying purpose of the project; (3) a general description of a project's characteristics; and (4) a statement briefly describing the intended uses of the EIR, including a list of the agencies that are expected to use the EIR in their decision making, a list of the permits and other approvals required to implement the project, and a list of related environmental review and consultation requirements required by federal, State, or local laws, regulations, or policies. An adequate project description need not be exhaustive, but should supply the detail necessary for project evaluation.

3.2 PROJECT LOCATION

The project site is located at 911 – 1093 Baseline Road, approximately 340 feet east of Fitzgerald Avenue in the City of Rialto, San Bernardino County, California. The City is largely urbanized and bordered by other developed cities. **Figure 3-1, Regional Location Map** and **Figure 3-2, Project Vicinity Map** depict the project site in a regional and local context. The approximately 31.6-gross-acre vacant property is relatively flat with elevations ranging from approximately 1,390 feet above mean sea level (msl) at the northwestern corner to 1,360 feet above msl at the southeastern corner of the project site.

The project site is an irregularly-shaped property generally bordered by Jerry Eaves Park to the north, a San Bernardino County Flood Control District basin to the north and northeast, single-family residential uses to the south of Baseline Road, and industrial uses to the west. Regional access to the project site is from Interstate 10 (I-10) to the south and I-210 to the north. Local access to the project site is provided from Baseline Road.

3.3 ON-SITE AND SURROUNDING LAND USES

From at least the 1930s to the late 1960s, the project site was used for agricultural purposes, with the possibility of vineyard operations with associated structures. In the 1950s to the late 1960s, sand and gravel mining was conducted on the eastern portion of the project site. From at least 1967 to the present, the project site has been vacant and has returned to natural conditions but has been subject to disking for weed control. There are dirt trails throughout the project site.

Adjacent and surrounding land uses include the following:

- | | |
|-------|--|
| North | Jerry Eaves Park (City park facility) |
| South | Baseline Road |
| | Single-family residences south of Baseline Road |
| | West Valley Water District facility and reservoirs south of Baseline Road |
| | Storm water channel south of Baseline Road, located between the single-family residences and the West Valley Water District headquarters |

East/Northeast	San Bernardino County Flood Control District flood control basins: Cactus Basin 3 and Basin 3A
West	Multi-tenant buildings for industrial/manufacturing uses east and west of Fitzgerald Avenue Ayala Drive, which is west of Fitzgerald Avenue

3.4 LAND USE DESIGNATIONS

3.4.1 General Plan Designations

The City of Rialto General Plan (2010) is the comprehensive planning document governing development in the City, and contains goals, policies, and actions describing the community's vision for economic viability, livable neighborhoods, and environmental protection. The General Plan establishes land use designations for land in the City and policies for the orderly growth and development of the City of Rialto. Among other purposes, the General Plan identifies policies necessary to protect and enhance those features and services which contribute to the quality of life of the community in which it serves. Section 4.10, *Land Use and Planning*, of this EIR includes a discussion of the General Plan goals and policies relevant to the proposed Project.

The project site has a General Plan land use designation of General Industrial. The General Industrial designation allows for a broad range of heavy industrial activities requiring large areas of land with convenient access for trucks and rail.¹ The General Industrial designation permits manufacturing and distribution, as well as similar uses. The designation allows for a maximum Floor to Area Ratio (FAR)² of 1.0. The Project's proposed uses are allowed under the General Plan designation for the project site.

3.4.2 Zoning Designations

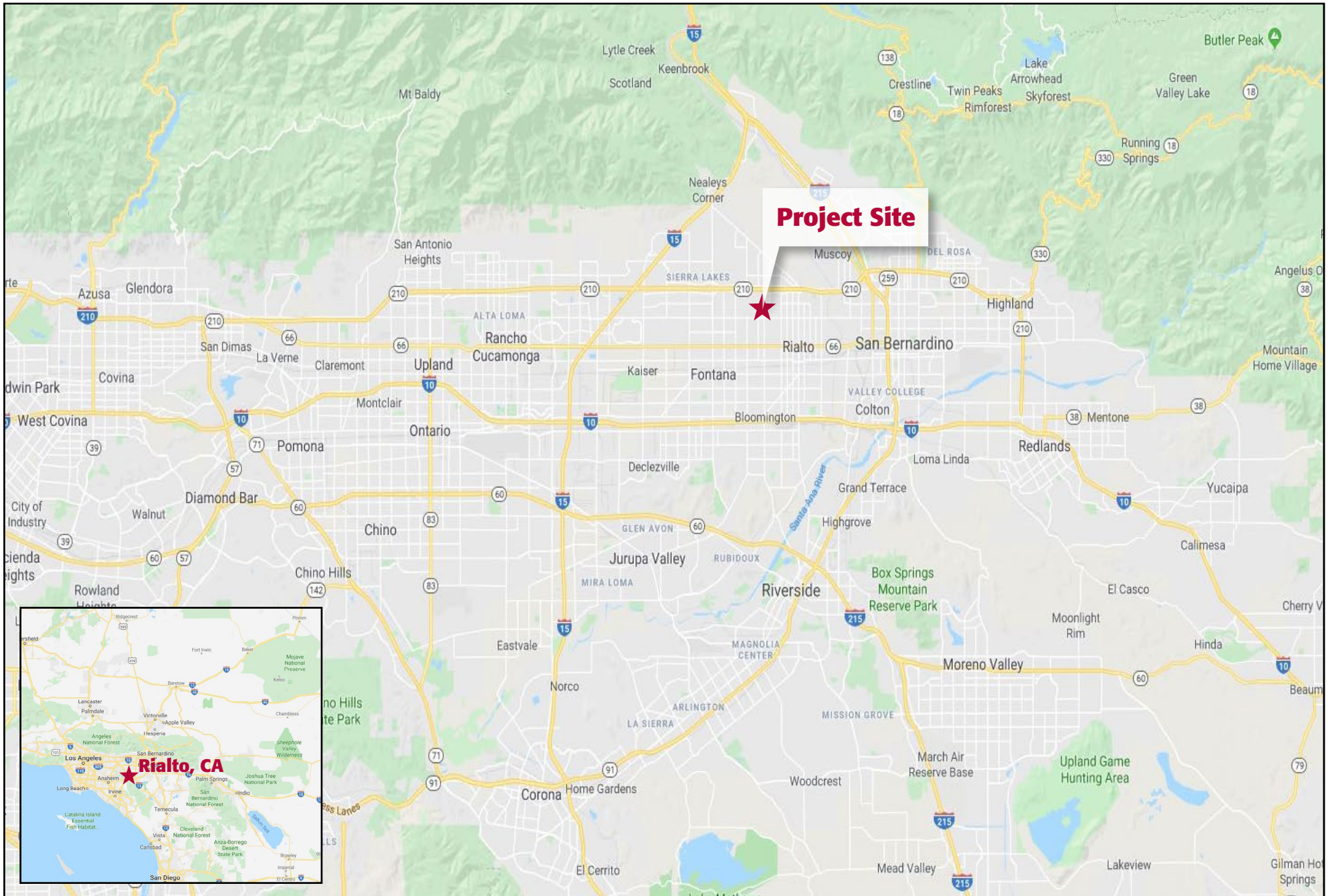
The Rialto Airport Specific Plan provides a framework to guide future land use and development decisions in the Specific Plan area. The Rialto Municipal Airport ceased operations in 2014 and the former airport property and much of the properties adjacent to the Rialto Municipal Airport were removed from the Rialto Airport Specific Plan and incorporated into the Renaissance Specific Plan, which was adopted by the City in 2010. The Rialto Airport Specific Plan serves as zoning for the remaining properties within the Specific Plan area, which are primarily located northwest, west, and east of the former Rialto Municipal Airport.

The project site is zoned Airport Related Planned Industrial Development (I-AR). The I-AR zone is identified as an Industrial land use designation, which describes the I-AR zone as devoted to Airport-Related Industrial uses. Other industrial uses identified in the Specific Plan include the Planned Industrial Development (I-PID) zone, which is intended for light industrial and industrial/business park uses, as well as General Manufacturing (I-GM) zone, which was designated for existing handlers of hazardous materials. The Project proposes warehouse uses which are identified as permitted uses within the I-AR zone³.

¹ City of Rialto (2010). *General Plan*. Page 2-10.

² Floor Area Ratio is the measurement of a building's floor area in relation to the size of the parcel.

³ City of Rialto (1997). *Rialto Airport Specific Plan*. Table 8.



Source: Google Maps, 2019

FIGURE 3-1: Regional Location Map
 Olive Avenue Development Project
 Draft EIR



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Source: Google Earth, 2019

FIGURE 3-2: Project Vicinity Map
Olive Avenue Development Project
Draft EIR



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3.5 PROJECT OBJECTIVES

Section 15124(b) of the State CEQA Guidelines (14 CCR) requires "A statement of objectives sought by the proposed Project. A clearly written statement of objectives would help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and would aid the decision-makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project". The following objectives have been identified for the Project.

- Objective 1: Develop the property consistent with the guidelines and policies of the City of Rialto General Plan and more specifically, the City of Rialto Airport Specific Plan.
- Objective 2: Create revenue-generating uses that provide reliable employment for the long term.
- Objective 3: Develop an industrial zoned site with new state-of-the-art buildings that respond to current market opportunities.
- Objective 4: Provide new buildings that are compatible to the nearby residential uses.
- Objective 5: Facilitate access of land via easement with approval of entitlements that would allow for the City to provide necessary storm water drainage solutions to prevent residential and street flooding in the immediate area.

3.6 PROJECT CHARACTERISTICS

The site plan for the proposed Project is depicted on **Figure 3-3, Conceptual Site Plan**. As proposed, the Project would allow for the development of a campus-oriented warehouse project with two primary, divisible buildings on 31.08 net acres with associated surface parking and landscaping. As shown in Table 3-1, *Building Site Summary*, the Project proposes 679,607 square feet (sf) of warehouse development in two buildings with an overall FAR of 0.50; 505 automobile surface parking stalls, and 122 trailer parking stalls. Assessor Parcel Number (APN) 0264-213-18 is a single parcel which would be subdivided into two parcels to allow each warehouse building to be on a separate parcel. As shown in **Figure 3-4, Potential Multi-Tenant Site Plan**, Building 1 (west building) and Building 2 (east building) are proposed to allow for multiple units in various increments based on tenant demand. Figure 3-4 conceptually shows that Building 1 can be divided into four or more units and Building 2 can be divided into three or more units, each with a separate point of entry into the buildings.

Building	Warehouse (sf)	Office Mezzanine (sf)	Fire Pump (sf)	Total Building (sf)	Automobile Parking Stalls		Loading Docks	
					Required	Provided	Required	Provided
1	425,148	5,000	433	430,581	256	308	7	48
2	243,593	5,000	433	249,026	158	197	5	31

sf = square feet

The proposed Project is currently planned as a “speculative project.” Therefore, the future tenants of the building are not currently known. Without knowing who the future tenants will be, an exact number of future employees or hours of operation cannot be determined. Therefore, this EIR and associated technical reports use approximate potential on-site employees, hours of operation, and vehicular traffic generation based on the Project’s proposed square footage and use as a campus-oriented warehouse project. In an abundance of caution, this EIR and the associated technical reports have assumed uses and intensities that may be greater than what might actually be expected at buildout and operation, resulting in a possible conservative estimation of impacts.

Building 1

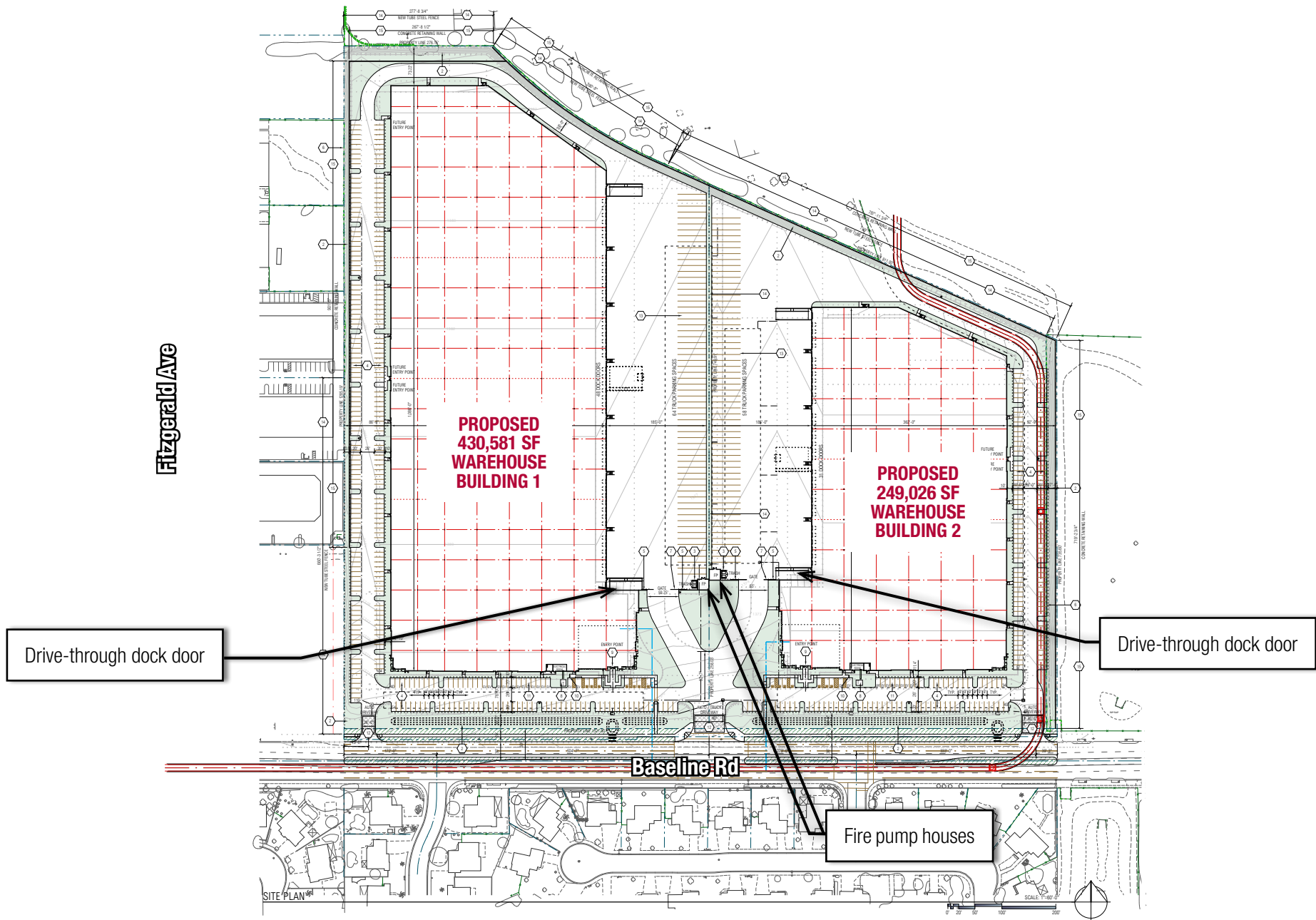
Building 1 would be located on the western portion of the project site with the building orientated north-to-south. The building would be mostly rectangular with dimensions of approximately 400 feet wide (east-to-west) by 1,086 feet long (north-to-south). With the division of the property into two parcels, the FAR for the Building 1 parcel would be 0.54. As shown in **Figure 3-5a, Conceptual Elevations – Building 1**, the building would be one story with office mezzanine space; building elevations would range from 40 to 46.5 feet. The office entry would be located on the south side of the building and accessible from Baseline Road from two driveways. Bike racks would be located adjacent to the office entry. The building can be divided to accommodate four or more tenants with the ability to provide separate points of entry into the building along the western frontage of the building (see Figure 3-4). The east side of the building would have 46 dock doors. A drive-through door would be located south of the first dock door for Building 1. A fire pump house would be east of the drive-through dock door for accessibility and maintenance. If future tenants choose to divide the building into multiple units, the footprint of the building and location of dock doors would not change.

Building 2

Building 2 would be on the eastern portion of the project site with the building orientated north-to-south. The building would be generally rectangular in configuration with dimensions of approximately 362 feet wide (east-to-west) by 673 feet long (north-to-south). With the division of the property into two parcels, the FAR for the Building 2 parcel would be 0.45. As depicted on **Figure 3-5b, Conceptual Elevations – Building 2**, the building would be one story with office mezzanine space; building elevations would range from 40 to 46.5 feet. The office entry would be on the south side of the building and accessible from Baseline Road from two driveway locations. Bike racks would be located adjacent to the office entry. The building can be divided to accommodate three or more tenants with the ability to provide separate points of entry into the building along the eastern frontage of the building (see Figure 3-4). The west side of the building would have 31 dock doors. A drive-through door would be located south of the first dock door for Building 2. The fire pump house would be west of the drive-through dock door. If future tenants choose to divide the building into multiple units, the footprint of the building and the location of dock doors would not change.

3.6.1 Site Access and Parking

As proposed, three points of vehicular access would be provided from Baseline Road: the center driveway at Baseline Road would be signalized and would provide truck and passenger vehicle ingress/egress to the project site. The eastern and western driveways would be restricted to right-in/right-out turning movements and would be limited to passenger and emergency vehicles.



Source: RGA, Office of Architectural Design, Inc.

FIGURE 3-3: Conceptual Site Plan
 Olive Avenue Development Project
 Draft EIR



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FIGURE 3-4: Potential Multi-Tenant Site Plan
 Olive Avenue Development Project
 Draft EIR



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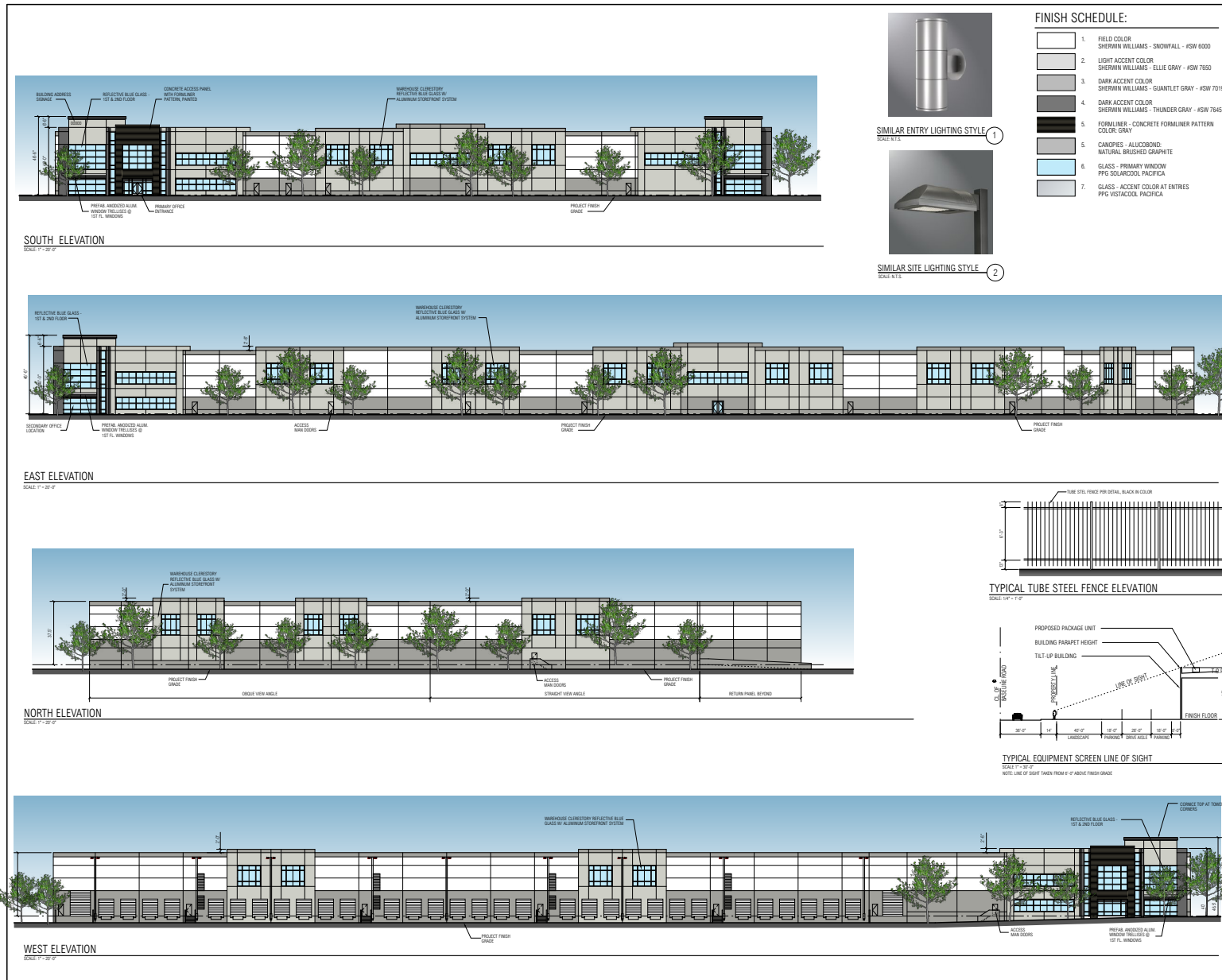


Source: RGA, Office of Architectural Design, Inc.

FIGURE 3-5a: Conceptual Elevations - Building 1
Olive Avenue Development Project
Draft EIR



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Source: RGA, Office of Architectural Design, Inc.

FIGURE 3-5b: Conceptual Elevations - Building 2
Olive Avenue Development Project
Draft EIR



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As shown on **Figure 3-6, Truck Queuing**, upon entering the project site from the center driveway, a 55-foot-wide drive aisle would be provided for access to the dock doors for each building. Each drive aisle would provide two incoming lanes and one outgoing lane. Approximately 250 feet of truck queuing between the right-of-way and the gate would be provided. At 73 feet per truck, the truck entry would be able to accommodate a standing queue of approximately 8 trucks on the project site. From this gate-restricted access, trucks would be able to move within the project site to access the loading docks for each building. These entry gates would be equipped with Knox boxes for access by the City of Rialto Fire Department and Police Department for emergencies.

All automobile and truck trailer parking would be provided on the project site. Table 3-2, *Automobile Parking*, identifies the vehicular parking requirements in the City of Rialto Municipal Code Chapter 18.58 that are applicable to the Project.

Table 3-2: Automobile Parking			
Use Description	Requirement	Required	Provided
Building 1			
Office (10,000 sf)	1 space per 250sf	40 stalls	40 stalls
Warehouse (10,000 sf)	1 space per 1,000sf	10 stalls	10 stalls
Warehouse (410,581 sf)	1 space per 2,000sf	206 stalls	258 stalls
Building 1: Subtotal		256 stalls	308 stalls
Building 2			
Office (8,000 sf)	1 space per 250sf	32 stalls	32 stalls
Warehouse (10,000 sf)	1 space per 1,000sf	10 stalls	10 stalls
Warehouse (231,026 sf)	1 space per 2,000sf	116 stalls	155 stalls
Building 2: Subtotal		158 stalls	197 stalls
Total		414 stalls	505 stalls
sf = square feet Source: Rialto Municipal Code Section 18.58.050.			

As identified in Table 3-2, the Municipal Code requires 256 parking spaces for Building 1 and 158 parking spaces for Building 2. The Project would provide 308 parking spaces for Building 1 and 197 parking spaces for Building 2. As shown in Figure 3-3, vehicular parking for Building 1 would be located on the south side of the building near Baseline Road and the western boundary of the project site. Vehicular parking for Building 2 would also be provided along the south sides of the building and along the eastern boundary of the project site.

Project truck trailer parking and loading dock requirements are identified in Table 3-3, *Truck Trailer Loading*. Compliance with Municipal Code Section 18.58.030 (O) would require seven loading docks for Building 1 and five loading docks for Building 2. The Project proposes 46 loading docks for Building 1 and 31 loading docks for Building 2. Truck trailer parking would be provided in the central portion of the project site. Dock doors would be located on the east side of Building 1 and the west side of Building 2 (Figure 3-3).

Table 3-3: Truck Trailer Loading			
Type	Requirement	Required	Provided
Building 1			
Loading Docks	6 spaces for uses of 320,000 sf – 400,000 sf, plus one additional space per additional 100,000 sf	7	46
Building 2			
Loading Docks	5 spaces for uses of 240,000 sf – 320,000 sf	5	31
sf = square feet Source: City of Rialto Municipal Code Section 18.58.030.			

3.6.2 Building Design, Landscaping, and Lighting

The conceptual architectural design for the Project assumes concrete tilt-up panels with architectural treatments, such as panel reveals to provide visual relief of the building facades. As shown in Figure 3-5a and Figure 3-5b, Conceptual Elevations, the exterior elevations would be white and grey with blue accents and blue window glazing. Rooftop mechanical equipment would be screened as a part of the Project. To screen the truck docks from Baseline Road, a 10- to 12-foot tall concrete wall would be constructed at the entrance to the truck loading area. Further, the Project proposes an 8-foot high tubular black steel fence and landscaped hedge at the northern property line that is shared with Jerry Eaves Park. This screening fence and hedge would run the length of the shared property line but would stop at the existing San Bernardino County Flood Control District (SBCFCD) security fence, which would remain in place.

The two buildings would be set back approximately 105 feet from the existing property line along Baseline Road. The buildings would be set back approximately 93 feet on the east, 84 feet on the west, and 50 feet on the north from the respective property lines. Of the 31.08 net-acre project site, approximately 4.06 acres (or approximately 13 percent) of the site would be landscaped. For Building 1, approximately 2.3 acres (or approximately 12 percent) would be landscaped; for Building 2, approximately 1.8 acres (or approximately 14 percent) would be landscaped. The City’s landscaping guidelines require ten percent site coverage.

As shown on **Figure 3-7a** and **Figure 3-7b, Conceptual Landscape Plans**, landscaping would be provided along Baseline Road, adjacent to the northern, eastern and western property lines, and internal to the project site. Along the Baseline Road frontage, the Project would provide a ten-foot-wide landscaped parkway north of the proposed curb at Baseline Road and a 24-foot wide parkway, including a nine-foot-wide landscaped parkway, five-foot-wide sidewalk, and ten-foot-wide landscaped parkway with street trees. The landscaped area would include a landscaped swale for storm water infiltration, trees, and a landscape hedge to screen automobiles located within the parking lot.

The project site is at a lower elevation than Jerry Eaves Park, which is adjacent to and north of the project site. The slope between the project site and the park would be landscaped with groundcover and trees. A 12-foot- to 13-foot-high concrete retaining wall, 8-foot-high tubular black steel fence, and landscaped hedge for screening would be constructed at the northern property line adjacent to the park. Tubular steel fences would also be provided along the eastern and western property lines.

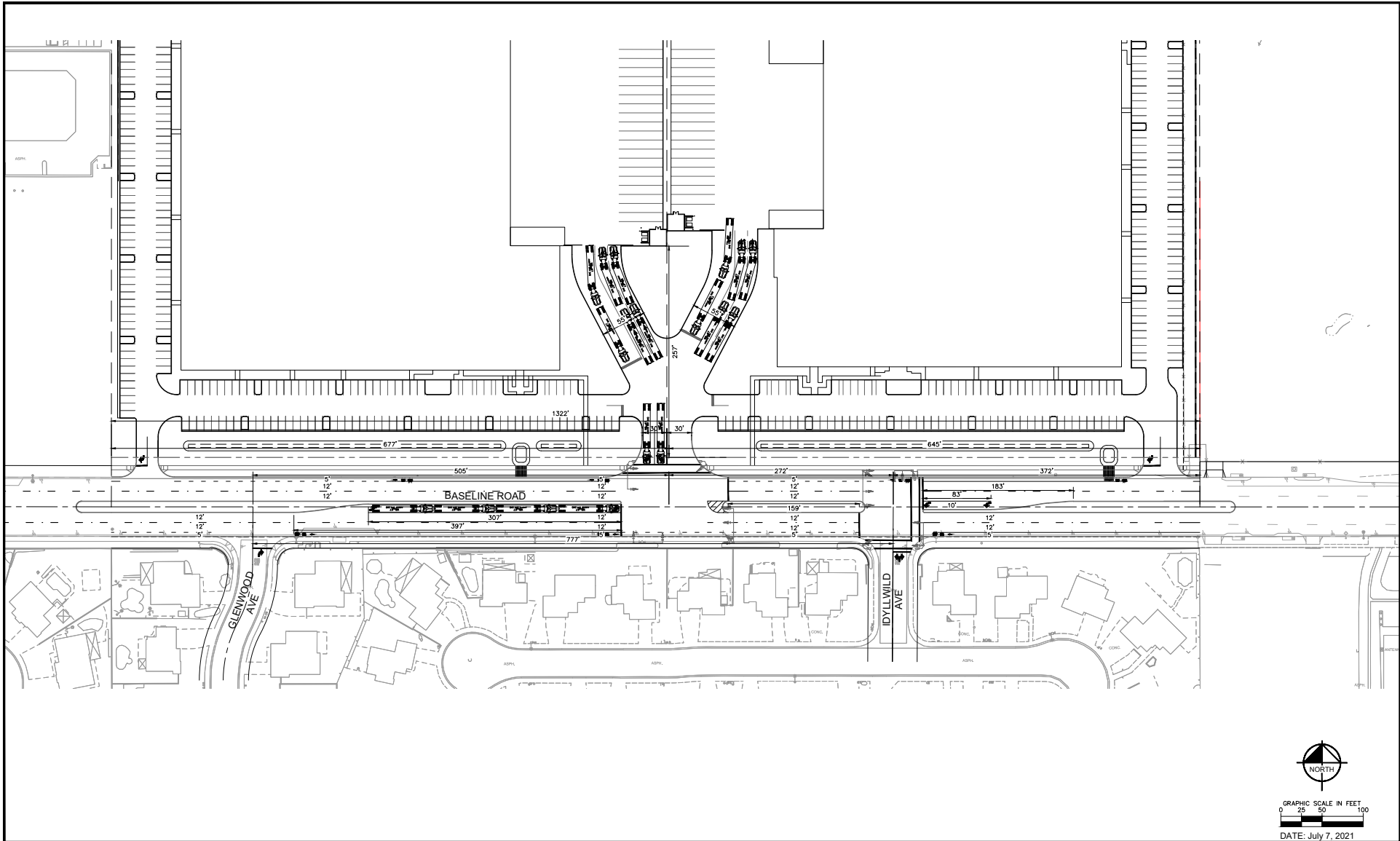


FIGURE 3-6: Truck Queuing
 Olive Avenue Development Project
 Draft EIR



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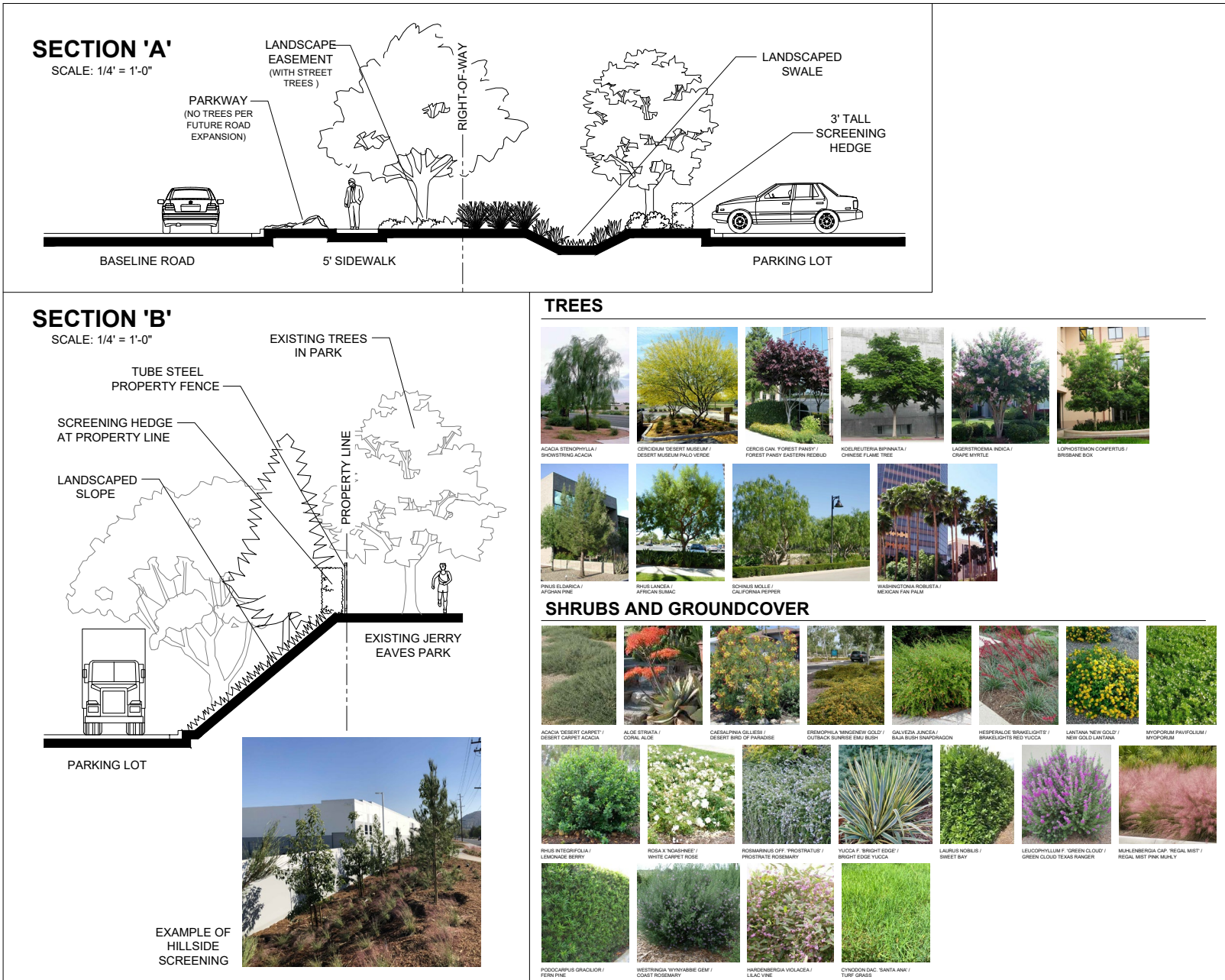


Source: RGA, Office of Architectural Design, Inc.

FIGURE 3-7a: Conceptual Landscape Plans
 Olive Avenue Development Project
 Draft EIR



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Source: RGA, Office of Architectural Design, Inc.

FIGURE 3-7b: Conceptual Landscape Plans
Olive Avenue Development Project
Draft EIR



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Site lighting would be used to provide adequate lighting for circulation, safety, and security. Night lighting would be provided seven days per week. Outdoor lighting for the parking areas would be provided consistent with the requirements set forth in the Municipal Code. Light standards would be a maximum of 35 feet above finished grade and the bases bordered with landscape planters. Lighting levels would not exceed 1.0 candle/foot measured at ground level throughout the parking areas. Additionally, a point-by-point lighting plan is required by the City and would be submitted with construction plans.

3.6.3 Infrastructure and Off-Site Improvements

Water Service

The City would provide the domestic water to the project site from an existing municipal water main located within Baseline Road. The Project proposes water connections for domestic water, fire protection, and landscape irrigation.

Drainage and Water Quality Treatment

The developer would be responsible for drainage and water quality treatment before discharging into the City's existing storm drainage infrastructure located within Baseline Road. The Project proposes conveyance of storm drain to underground detention basins located at the center of the project site, and drainage outfalls to the Baseline Road municipal storm drain system. Due to the high infiltration rates located on the project site, the Project proposes the treatment of water quality treatment through underground infiltration basins consisting of rock-lined basins with additional self-mitigating areas in the large landscape areas.

Wastewater Collection and Disposal

The City has an existing sanitary sewer mainline located within Baseline Road. The Project proposes sewer service connections to the existing sanitary sewer mainline.

Dry Utilities and Services

Along the project site frontage on Baseline Road, there are existing utility poles that contain electrical power, communications, and cable television lines. This Project proposes to convert the above-ground utility poles and dry utility services to below-ground services that would be in dry utility conduits along the project site frontage.

Signalized Intersection at Idyllwild Avenue and Baseline Road

As previously discussed in Section 3.6.1, the center driveway at Baseline Road would be signalized and would provide access for both truck and passenger vehicles. The Project would also construct an additional, new signalized intersection where Baseline Road and Idyllwild Avenue intersect to allow residents south of the project site to have improved ingress and egress into and out of their residential community. The traffic signal would create an offset intersection with the Project's center driveway and the two signals would be interconnected with one controller (see Figure 3-6). The Project would also construct a raised median along the entire project site frontage.

3.7 CONSTRUCTION PHASING

Project construction is anticipated to begin in 2022 with a construction duration of approximately nine to ten months. Construction would occur in a single phase. Total excavation is anticipated to require 250,803 cubic yards (cy) of cut and 21,055 cy of fill, with approximately 229,748 cy of exported soil.

3.8 INTENDED USE OF THE EIR

Pursuant to Section 15121 of the State CEQA Guidelines, an EIR is primarily an informational document intended to inform the public agency decision-makers and the general public of the potentially significant environmental effects of a project. Prior to taking action on the proposed Project, the City must consider the information in this EIR and certify the Final EIR.

The City of Rialto, as lead agency for the Project, has discretionary authority over the primary approvals. The Applicant has requested the consideration of the following discretionary actions.

3.8.1 City of Rialto

- **Certification of the Olive Avenue Development Project Final Environmental Impact Report (Environmental Assessment Review No. 2020-003)**
- **Precise Plan of Design (PPD) (PPD 2020-0003):** The proposed Project includes the review of a PPD for two warehouse buildings totaling 679,607 sf on two parcels. The total site area is 31.6 gross acres/31.08 net acres.
- **Tentative Parcel Map (TPM) (TPM 2020-0001):** The project site currently contains a single parcel (APN 0264-213-18). The Project proposes to subdivide this parcel into two independent parcels along with the required City right-of-way designation for Baseline Road, vacations, and easements. The proposed parcel reconfiguration is shown on **Figure 3-8, Proposed Parcel Division**.
- **Conditional Development Permit (CDP) (CDP 2020-0002):** The Project includes a CDP for the development of a warehouse, which is considered a conditionally permitted use in industrial zones within the City.

In addition to the approvals identified above, the Project would be subject to other discretionary and ministerial actions by the City as part of Project implementation. Additional City approvals include but are not limited to site development permits, grading permits, use permits, sign permits, and building permits.

3.8.2 Responsible Agencies

- **Santa Ana Regional Water Quality Control Board (RWQCB):** Issuance of a National Pollution Discharge Elimination System (NPDES) Permit and Construction General Permit.
- **San Bernardino County Flood Control District (SBCFCD):** A portion of the project site is located on a SBCFCD easement. The Project would require a flood control permit from SBCFCD for potential improvements located on the SBCFCD easement.

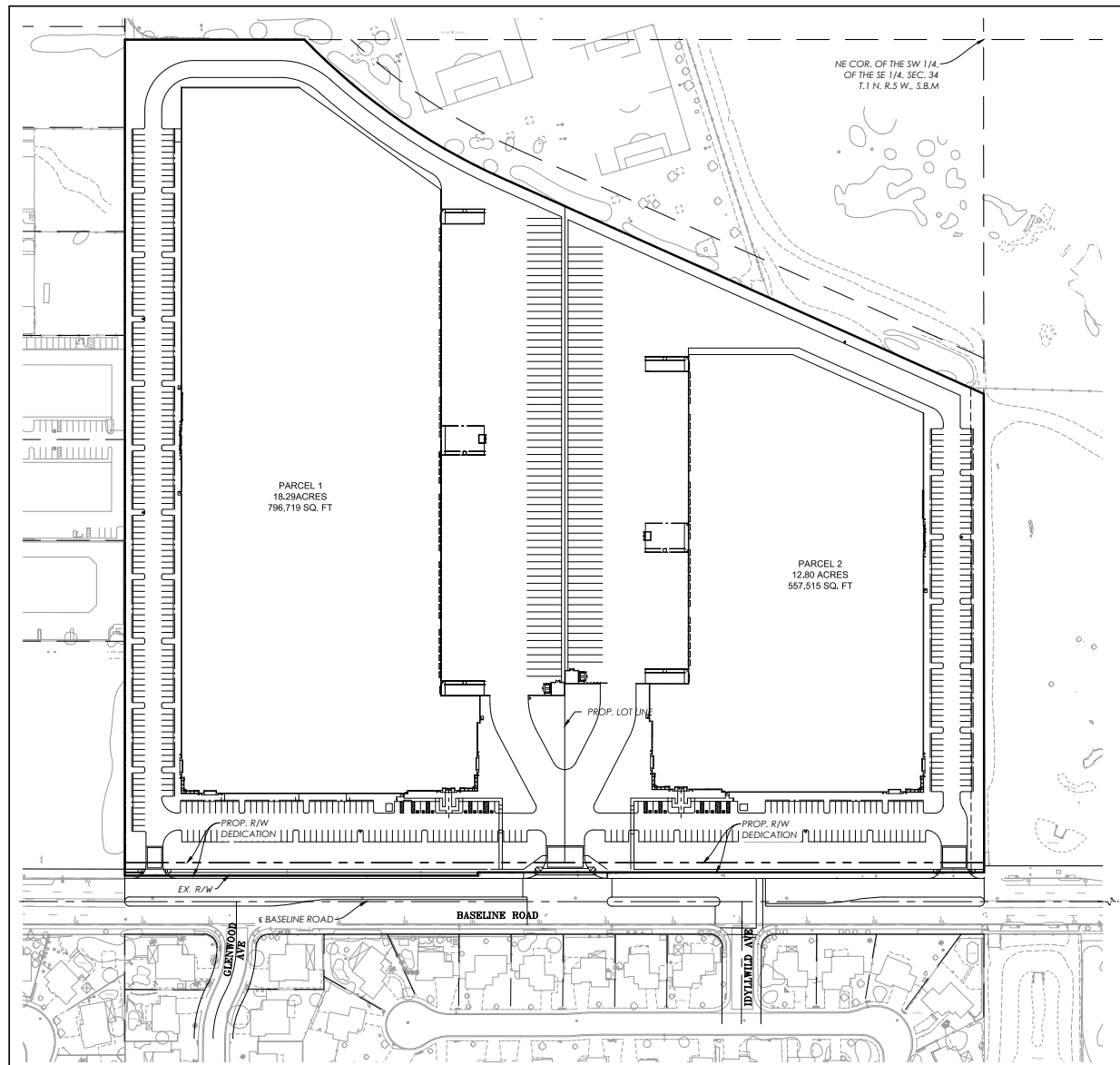


FIGURE 3-8: Proposed Parcel Division
 Olive Avenue Development Project
 Draft EIR



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4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.0.1 Environmental Assessment Methodology

This section discusses the potential environmental impacts that would result with implementation of the proposed Project. The following environmental topics are evaluated in Sections 4.1 through 4.16 of this EIR:

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

Pursuant to State CEQA Guidelines Section 15128, “An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR.” The City determined that the proposed Project would have no impact on the following CEQA environmental topics: Agriculture and Forestry Resources, Mineral Resources, Recreation, and Wildfires. As such, these topics are not addressed in the EIR.

4.0.2 Environmental Setting

This environmental setting provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the Project and describes the existing physical environmental conditions on the project site and in the surrounding area, as relevant. The existing conditions are the on-site physical environmental conditions at the time of publication of the Notice of Preparation (NOP), pursuant to CEQA Guidelines Section 15125(a)(1). For purposes of this analysis, the environmental setting constitutes the baseline physical conditions by which the City of Rialto, as Lead Agency, determines whether an impact is significant.

4.0.3 Environmental Analysis

As described in detail in Section 2, *Introduction*, this Draft EIR has been prepared as a Project EIR in accordance with Section 15161 of the State CEQA Guidelines. This Project EIR is intended to serve as the primary environmental document for all future discretionary actions associated with implementation of the proposed Project. The analysis contained within this Project EIR provides environmental information to responsible agencies, trustee agencies, and other public agencies which may be required to grant approvals and permits or coordinate with the City of Rialto as part of the Project’s implementation.

Thresholds of Significance

As set forth in the State CEQA Guidelines Section 15064(b)(2), thresholds of significance assist a lead agency in determining whether a project may cause a significant impact. When using a threshold, the lead agency should briefly explain how compliance with the threshold means that the project's impacts are less than significant. The significance determinations are based on a number of factors as explained in each impact section. These thresholds are derived from Appendix G of the State CEQA Guidelines, 2010 Rialto General Plan policies, ordinances, generally accepted professional standards, and quantified thresholds established by the City of Rialto or other agencies (such as pollutant emission thresholds adopted by the Air Quality Management District).

Environmental Impacts and Mitigation Measures

This subsection describes changes that would potentially result to the existing physical environment should the proposed Project be implemented. In evaluating the significance of the environmental effect of a project, the lead agency will consider direct physical changes in the environment which may be caused by the project and reasonably foreseeable indirect physical changes in the environment which may be caused by the project (CEQA Guidelines §15064(d)). A significant impact on the environment means a substantial, or potentially substantial, adverse change in any of the physical conditions in the area affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. An economic or social change by itself is not considered a significant impact on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

The following is an explanation of the significance determinations used in this EIR:

- **No Impact:** Due to the nature of the Project or location of the project site, the proposed Project would not have any measurable impact on the environment. For example, underground facilities do not have the potential for long-term visual impacts.
- **Less Than Significant:** An impact that is adverse but that does not exceed the defined thresholds of significance. Although an impact may occur, it will not be at a significant level based on applicable standards and thresholds. For example, construction-related air emissions that fall below the standards are less than significant and do not require mitigation.
- **Less Than Significant With Mitigation:** An impact that exceeds the defined thresholds of significance and would or could cause a substantial adverse change in the environment. Standard Conditions and Requirements, and Mitigation Measures are recommended to prevent the impact, eliminate the impact, or reduce it to a level that is considered less than significant.
- **Significant and Unavoidable:** This determination is made for a potentially significant impact where there is either no mitigation available, or the recommended mitigation measures are not sufficient to reduce the impact to a less than significant level. To approve a project with unavoidable significant impacts, the lead agency must adopt a Statement of Overriding Considerations. In adopting such a statement, the lead agency is required to balance the benefits of a project against its unavoidable environmental impacts in determining whether to approve the project. If a project's benefits are found to outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable" (State CEQA Guidelines §15093(a)).

Mitigation

Pursuant to State CEQA Guidelines Sections 15002, 15021, and 15126.4, mitigation measures are required (as feasible) when significant impacts are identified. If a mitigation measure itself would cause a significant impact, in addition to the impact caused by the proposed Project, that impact is also discussed, although at a lesser level of detail than the project impact (pursuant to State CEQA Guidelines §15126.4 (a)(1)(D)). “Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally-binding instruments” (pursuant to State CEQA Guidelines §15126.4(a)(2)), and “mitigation measures must be consistent with all applicable constitutional requirements” (pursuant to State CEQA Guidelines §15126.4(a)(4)).

4.0.4 Cumulative Impacts

CEQA Requirements

Under the State CEQA Guidelines, “a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts” (14 CCR §15130(a)(1)). Therefore, an EIR must discuss cumulative impacts if the incremental effect of a project, combined with the effects of other projects is “cumulatively considerable” (14 CCR §15130(a)). Such incremental effects are to be “viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects” (14 CCR §15064(h)(1)). Together, these projects compose the cumulative scenario which forms the basis of the cumulative impact analysis.

Cumulative impacts analysis should highlight actions that are closely related either in time or location to the project being considered. Both the severity of impacts and the likelihood of their occurrence are to be reflected in the discussion, “...but the discussion need not provide as great a level of detail as is provided for the effects attributable to the project alone. The discussion of cumulative impacts shall be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact” (14 CCR §15130(b)).

The cumulative analysis must be in sufficient detail to be useful in deciding whether, or how, to alter the Project to lessen cumulative impacts.

There are two commonly used approaches for establishing the cumulative impact setting or scenario. One approach is to use a “list of past, present, and probable future projects producing related or cumulative impacts” (14 CCR §15130(b)(1)(A)). The other is to use a “summary of projections contained in an adopted local, regional, or statewide plan or related planning document, that describes or evaluates conditions contributing to the cumulative effect” (14 CCR §15130(b)(1)(B)). This Draft EIR uses the summary approach of projections based on the buildout assumptions contained in the 2010 General Plan EIR (SCH No. 2008071100).

Cumulative Impact Analysis Methodology

The area within which a cumulative effect can occur varies by resource. For example, air quality impacts generally affect a large area (such as the regional Air Basin), while traffic impacts are typically more localized. The analysis of cumulative effects considers a number of variables, including geographic (spatial)

limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the project site and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the proposed Project. For this reason, the geographic scope for the analysis of cumulative impacts is identified for each resource area in the respective environmental topical sections of this EIR.

4.1 AESTHETICS

4.1.1 Introduction

This section of the EIR identifies and analyzes the scenic vistas, visual resources, and aesthetic qualities present on and nearby the Olive Avenue Development project site while assessing the potential impact the proposed Project could have on those resources. The pre-development conditions of the project site and surrounding area was used as the baseline which to compare potential impacts associated with the Project. Applicable regulations provide further context regarding the area's visual character.

4.1.2 Visual Resource Terminology and Concepts

When viewing the same landscape, people may have different responses to that landscape and any proposed visual changes, based upon their values, familiarity, concern, or expectations for that landscape and its scenic quality. Because each person's attachment to and value for a landscape is unique, visual changes to that landscape inherently affect viewers differently. However, generalizations can be made about viewer sensitivity to scenic quality and visual changes. Recreational users (e.g., hikers, equestrians, tourists, and people driving for pleasure) are expected to have a high concern for scenery and landscape character. People commuting daily through the same landscape generally have a moderate concern for scenery, while people working at industrial sites generally have a lower concern for scenic quality or changes to existing landscape character. The visual sensitivity of a landscape is affected by the viewing distances at which it is seen, such as close-up or far away. The visual sensitivity of a landscape is also affected by the travel speed at which a person is viewing the landscape (high speeds on a highway, low speeds on a hiking trail, or stationary at a residence). Visual resources, as they relate to tribal cultural resources, include tribal cultural landscapes which may be defined temporally (with regard to time) or geographically (such as by natural features such as a stream, boulder or outcrop) and through oral traditions and cultural practices. For more information on tribal cultural resources, see Section 4.16, *Tribal Cultural Resources*, of this EIR.

The same project feature can be perceived differently by people depending on the distance between the observer and the viewed object. When a viewer is closer to a viewed object in the landscape, greater detail is visible, and there is greater potential influence of the object on visual quality because of its form or scale (relative size of the object in relation to the viewer). When the same object is viewed at background distances, details may be imperceptible but overall forms of terrain and vegetation are evident, and the horizon and skyline are dominant. In the middle ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetation patterns (e.g., the background).

The following terms and concepts are used in the discussion below to describe and assess the aesthetic setting and Project impacts.

Scenic Vista. As described in the General Plan, scenic vistas can generally be defined as natural landscapes that form views of unique flora, geologic, or other natural features that are generally free from urban intrusions. Typical scenic vistas include views of mountains and hills, large, uninterrupted open spaces, and waterbodies.¹ Scenic vistas are often designated, signed, and accessible to the public for the express

¹ City of Rialto, *General Plan*, Page 39, 2010.

purposes of viewing and sightseeing. This includes any such areas designated by a federal, State, or local agency.

Scenic Resources. Typical examples of natural scenic resources include rock outcroppings, trees, and prominent ridgelines, but scenic resources can occur naturally or be man-made, such as historic or architecturally distinctive buildings.²

Scenic Highway. Refers to any highway designated as a scenic highway by an agency of the city, county, or State.

Sensitive Receptors. Viewer responses to visual settings are inferred from a variety of factors, including distance and viewing angle, types of viewers, number of viewers, duration of view, and viewer activities. The viewer type and associated viewer sensitivity are distinguished among project viewers in recreational, residential, commercial, military, and industrial areas. Viewer activities can range from a circumstance that encourages a viewer to observe the surroundings more closely (such as recreational activities) to one that discourages close observation (such as commuting in heavy traffic). Viewers in recreational areas are considered to have high sensitivity to visual resources. Residential viewers generally have moderate sensitivity but extended viewing periods. Viewers in commercial, military, and industrial areas are considered to have low sensitivity.

Viewshed. A viewshed can be defined as the area within view from a defined observation point or a visually sensitive area that is visible from a defined observation point.³ A project's viewshed is the surrounding geographic area from which the project is likely to be seen, based on topography, atmospheric conditions, land use patterns, and roadway orientations. "Project viewshed" is used to describe the area surrounding a project site where a person standing on the ground or driving a vehicle can view a project site.

Visual Character. Visual character typically consists of the landforms, vegetation, water features, and cultural modifications that impart an overall visual impression of an area's landscape. Scenic areas typically include open space, landscaped corridors, and viewsheds. Visual character is influenced by many different landscape attributes including color contrasts, landform prominence, repetition of geometric forms, and uniqueness of textures among other characteristics.

4.1.3 Regulatory Setting

State Regulations

California Scenic Highway Program

The California Department of Transportation (Caltrans) Scenic Highway Program protects and enhances the natural scenic beauty of California's highways and corridors through special conservation treatment. Caltrans defines a scenic highway as any freeway, highway, road, or other public rights-of-way that transverses an area of exceptional scenic quality. Caltrans designates a scenic highway by evaluating how much of the natural landscape a traveler sees and the extent to which visual intrusions degrade the scenic corridor. No officially designated scenic highways are located in the project site or within the City of Rialto.

² Ibid, Page 40.

³ American Planning Association, *A Planner's Dictionary*, Page 444.

The nearest designated scenic highway is State Route 38 (Rim of the World Scenic Byway), located approximately 35 miles east of the project site.⁴

California Building Standards Code

The 2019 California Building Code (CBC), Title 24 of the California Code of Regulations (CCR), is administered by the California Building Standards Commission. The CBC, as amended and adopted by each local jurisdiction, regulates the design of all new buildings within the State of California. Part 6 of Title 24 contains standards for outdoor lighting that are intended to improve energy efficiency and reduce light pollution and glare by regulating light power and brightness, shielding, and sensor controls. The 2019 CBC went into effect on January 1, 2020.

Regional and Local Regulations

Rialto General Plan 2010

Chapter 2, *Managing Our Land Supply*, of the City's General Plan provides guidance to promote the City's goals for current and future development related to Land Use, Community Design, Open Space and Conservation. Relevant General Plan policies for aesthetics are identified below. Where inconsistencies exist, if any, they are addressed in the respective impact analysis below.

Goal 2-14 Protect scenic vistas and scenic resources.

Policy 2-14.1 Protect views of the San Gabriel and San Bernardino Mountains by ensuring that building heights are consistent with the scale of surrounding, existing development.

Policy 2-14.2 Protect views of the La Loma Hills, Jurupa Hills, Box Spring Mountains, Moreno Valley, and Riverside by ensuring that building heights are consistent with the scale of surrounding, existing development.

Policy 2-14.3 Ensure use of building materials that do not produce glare, such as polished metals or reflective windows.

Goal 2-18 Protect Rialto's small-town character.

Policy 2-18.1 Require all new development and renovations within residential neighborhoods to be consistent with the existing scale, massing, and landscaping of that neighborhood.

Rialto Airport Specific Plan

The project site is zoned Airport-Related Planned Industrial Development (I-AR) in the Rialto Airport Specific Plan. The Rialto Municipal Airport ceased operations in 2014 and the former airport property and much of the properties adjacent to the Rialto Municipal Airport that were suited to accommodate development were removed from the Rialto Airport Specific Plan and incorporated into the Renaissance Specific Plan, which was adopted by the City in 2010. Although the Rialto Municipal Airport is no longer operational, the Rialto Airport Specific Plan serves as the zoning ordinance for parcels that were not removed; these parcels are primarily northwest, west, and east of the former Rialto Municipal Airport.

⁴ California Department of Transportation. *List of eligible and officially designated State Scenic Highways*. Retrieved from <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 26, 2021.

The Airport Specific Plan provides a framework to guide future land use and development decisions for the parcels that were not removed from the Airport Specific Plan in 2010. Although the Airport Specific Plan does not contain specific policies related to aesthetics, the Development and Design Guidelines identify standards for site design elements that aim to enhance the visual quality of the Specific Plan area's streetscapes and consistency in signage, lighting, and design. For projects within the Airport Specific Plan area, the policies and standards in the Airport Specific Plan take precedence over Title 18 of the Rialto Municipal Code.

City of Rialto Municipal Code

Rialto Municipal Code Title 18

Title 18 of the Rialto Municipal Code functions as the City's Zoning Ordinance, which identifies the permitted land uses on all parcels in the City through assigned land use designations and associated land use regulations and development standards. The purpose of Title 18 is also to promote the consistent aesthetic character of the City and balance that character with continued development. Title 18 also contains provisions to manage light and glare levels in the City. In coordination with the Rialto General Plan and the Airport Specific Plan, Title 18 presents guidelines to promote appropriate land use and City design and designed to:

- lessen congestion in the streets;
- secure safety from fire, panic and other dangers;
- promote health and the general welfare;
- provide adequate light and air; to prevent the overcrowding of land;
- avoid undue concentration of population; and
- facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

4.1.4 Environmental Setting

The project site is currently undeveloped and contains scattered, small bushes, weeds, and grass. On-site elevations range from approximately 1,390 feet above msl at the northwest corner to approximately 1,360 feet above msl in the southeastern area of the project site. Adjacent properties include Jerry Eaves Park to the north, a San Bernardino County Flood Control District (SBCFCD) basin to the north and east, single-family residential uses to the south of Baseline Road, and industrial uses to the west.

Scenic Vistas

The City of Rialto General Plan identifies the San Gabriel and San Bernardino Mountains as scenic vistas, views of which are visible from certain parts of the City. The San Gabriel Mountains are approximately 5 miles northwest of the project site and the San Bernardino Mountains are approximately 14 miles east of the project site. Both the San Gabriel Mountains and San Bernardino Mountains are visible from the project site in the distance.

Scenic Resources

The General Plan identifies examples of scenic resources as including rock outcroppings, trees, and prominent ridgelines as well as architecturally distinctive or historic buildings. The City's General Plan identifies Box Spring Mountains, La Loma and Jurupa Hills, Lytle Creek, and the Santa Ana River as scenic resources. Lytle Creek is approximately 2 miles northeast of the project site and the Santa Ana River is approximately 5.5 miles south of the project site. Neither resource is visible from the project site. Box Spring Mountains are approximately 9.5 miles southeast of the project site, but views of these mountains are obscured by intervening urban development. The La Loma Hills are approximately six miles southeast of the project site and the Jurupa Hills are approximately six miles southwest of the project site. Neither resource is visible from the project site due to intervening urban development. Although the Box Spring Mountains, La Loma Hills, and Jurupa Hills are not visible from the project site, these resources are visible from Jerry Eaves Park, which is north of the project site.

Light and Glare

Light and glare in the project site area are typical of that found in urban environments. Sources of light and potential glare in the area include adjacent industrial and park uses as well as lighting along Baseline Road and lighting associated with single-family residences south of Baseline Road. Stationary source lighting in the area is generated from building interiors and exterior sources (e.g., building illumination, security lighting, parking lot lighting, and landscape lighting) associated with uses adjacent to the project site. The area is also influenced by light and glare from vehicle headlights, streetlights, intermittent nighttime field lighting at Jerry Eaves Park, and other sources that are present throughout the City. The project site is currently vacant and undeveloped and does not contain any lighting or sources of potential glare.

4.1.5 Methodology

The analysis of visual quality of the proposed Project is based on the land use plan and conceptual landscape plan, as described in Section 3.0, *Project Description*. The assessment of aesthetic/visual changes is based on field reconnaissance; the evaluation of the Rialto Airport Specific Plan Design Guidelines, and other regulatory requirements; and the evaluation of the proposed site development in comparison to existing conditions. Aesthetics may be defined as visual qualities within a given field of view, and may include such considerations as size, shape, color, contextual and general composition and the relationships between these elements; the potential aesthetic impacts of a project can be evaluated by considering such factors as scale and mass, landscaping, and setbacks.

The Project is evaluated against the significance criteria/thresholds below, as the basis for determining the impact's level of significance concerning aesthetics. In addition to the design characteristics of future development, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

This analysis of impacts on aesthetic resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects-based significance criteria/threshold's application. For each criterion, the analyses address both temporary (construction) and operational impacts, as applicable. Each

criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

4.1.6 Thresholds of Significance

The following significance criteria for aesthetic impacts were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact of a project could be considered significant and may require mitigation if it meets one of the following criteria:

- Have a substantial adverse effect on a scenic vista;
- In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, the project has a significant environmental impact if it would conflict with applicable zoning and other regulations governing scenic quality; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As addressed in Section 1.4, Summary of Effects With No Impact, the City has determined that the Project would not have a significant impact on the following threshold for the reasons stated below, and that no further analysis was required:

- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway.

The project site is not adjacent to, nor can it be viewed from a designated State scenic highway (Caltrans, 2021). The nearest officially designated scenic highway is State Route 38 (Rim of the World Scenic Byway), located approximately 35 miles east of the project site.⁵

4.1.7 Project Impacts and Mitigation

Impact 4.1-1: Would the project have a substantial adverse effect on a scenic vista?

Level of Significance: Less than Significant Impact

The project site is located on a parcel with a General Plan Business Park land use designation in the Rialto General Plan and is zoned Airport-Related Planned Industrial Development (I-AR) in the Rialto Airport Specific Plan. Adjacent properties include Jerry Eaves Park to the north, a SBCFCD basin to the north and east, single-family residential uses to the south across Baseline Road, and industrial uses to the west. The project site and surrounding parcels are not located within an area classified as a scenic vista by the City. As described in General Plan Policy 2-14.1 and 2-14.2, the City of Rialto General Plan encourages the protection of scenic resources and views of the San Gabriel and San Bernardino Mountains, and the La Loma Hills, Jurupa Hills, Box Spring Mountains, Moreno Valley, and Riverside by limiting building heights. Views of these resources from the area surrounding the project site are already limited and interrupted.

⁵ California Department of Transportation. *List of eligible and officially designated State Scenic Highways*. Retrieved from <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 26, 2021.

Views of a scenic vista can be affected by the development of buildings and structures which may block visibility at different angles. After development of the Project, the distant views of the San Gabriel and San Bernardino Mountains from uses south of the project site may be partially obstructed, and views of the La Loma Hills, Jurupa Hills, and Box Spring Mountains may be partially obstructed when viewed from north of the project site; however, those views are currently partially obstructed by intervening urban development including structures, walls, landscaping, and overhead utility lines. The project site is south of Jerry Eaves Park and would not obstruct distant views of the San Gabriel and San Bernardino Mountains to the north from sensitive viewers engaged in recreational activities at the park. Views to the south from sensitive viewers at Jerry Eaves Park would continue to be partially obstructed by the existing urban development. Likewise, development of the Project would partially obstruct views of moderately sensitive viewers in the residential area south of the project site, less sensitive viewers in the adjacent industrial/manufacturing uses, and those of motorists along Baseline Road.

Both proposed buildings would have a maximum height of 46.5 feet from the ground floor. This height is below the 75-foot maximum height allowed by the Specific Plan (as amended by Ordinance No. 1604, which was approved and adopted by the City Council on July 26, 2018). As described in Section 2.5 of Ordinance No. 1604, the modification of the height limit would respect the environmental and aesthetic assets of the community by allowing for conformance with the surrounding areas of the General Plan and Airport Specific Plan, which already permit 75-foot height limits for industrial buildings.

Buildings on the project site would provide a setback of approximately 105 feet from the existing property line along Baseline Road, which is substantially more than the required minimum 30-foot setback from the front property line as identified in Table 9 of the Specific Plan. Because the building footprints have purposely been placed more than 100 feet from the front property line when compared to the City's 30-foot setback requirement, the distance from the closest residence (south of Baseline Road) to the front of the proposed warehouse buildings would be approximately 225 feet. The proposed Project has minimized any potential adverse impact to views through site design that has a larger than required front setback and a maximum building height of 46.5 feet, which is well below the maximum allowable 75-foot height. Further, as described above, development of the Project would partially obstruct distant views of mountains and foothills from properties adjacent to the site; however, those views are currently partially obstructed by existing urban development. Accordingly, inclusion of these features on the site design minimize potential impacts to a less than significant level.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.1-2: Would the project conflict with applicable zoning and other regulations governing scenic quality?

Level of Significance: Less than Significant Impact

The Project would be constructed in a predominately developed, urbanized area of the City which is planned for development as set forth in the Rialto Airport Specific Plan, the Renaissance Specific Plan, and

the City of Rialto General Plan. The project site is zoned as Airport-Related Planned Industrial Development (I-AR) within the Rialto Airport Specific Plan. Table 4.1-1: *Development Standards Consistency Summary*, identifies the development standards applicable to the Project and the Project’s consistency with the standards.

As identified in the table, the Project complies with the development and design standards identified in Section 6.2.5 of the Specific Plan for development on sites within the I-AR zone. The design standards have been incorporated in the Project design to ensure full compliance with the City’s development standards and minimize impacts related to aesthetics, light, or glare. Other policies including vehicular parking and lot coverage requirements have been incorporated into the Project’s site design (see Figure 3-3, *Conceptual Site Plan*). Additional information regarding site design, necessary permits, and land use regulations are provided in Section 3.0, *Project Site Description* and Section 4.10, *Land Use and Planning*, of this EIR. Therefore, the Project would comply with applicable zoning regulations governing scenic quality. Impacts would be less than significant and no mitigation is required.

Development Standard	I-AR Zone¹	Proposed Project
Maximum Height	75 feet ²	46.5 feet
Floor Area Ratio	1.0 ³	Building 1: 0.54:1
		Building 2: 0.45:1
Front Setbacks	30 feet	105 feet
Side Setbacks	0 to 20 feet	93 feet on the east 84 feet on the west
Rear Setbacks	0 to 20 feet	50 feet
Landscape Minimum	10%	Building 1: 21.27%
		Building 2: 14.17%

1. Standards are derived from the Rialto Airport Specific Plan unless otherwise noted below.
 2. Per Ordinance No. 1604, approved and adopted by the Rialto City Council on July 26, 2018.
 3. Per Rialto General Plan, page 2-9.

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.1-3: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Level of Significance: Less than Significant Impact

The project site is in an urbanized area of the City, which includes nighttime lighting associated with industrial and commercial businesses including parking lot lighting, residential uses, and Jerry Eaves Park (parking lot and lighted sports fields), as well as street lighting and vehicle lights traveling at night. The nearest light-sensitive receptors to the project site is the neighborhood of single-family residences located south of Baseline Road. The project site would be developed on a vacant property in an urbanized area.

Developed and urbanized areas often have higher levels of light and glare than rural or undeveloped areas. New sources of lighting on the project site would include parking lot illumination and various security lights around the property. Other lighting would be indoors and not visible to the surrounding area. The Airport Specific Plan Design Guidelines require that all outdoor lighting be concentrated at the main entries and along major plazas, architectural features or landscape features. Further, the Design Guidelines require parking lots to be illuminated with light poles at the ends of each row and wherever else necessary to fully bathe the area, without impacting adjacent residential uses. In an effort to avoid impacts on surrounding properties, the Design Guidelines identify lighting standards that would reduce light overwash beyond property lines, including a maximum height of 25-feet for freestanding lights, guidelines for parking and service area lighting, as well as an illumination level of 0.5 to 1.5 footcandle. Further, any outdoor lights would also directionally angled down or at a structure, further minimizing excess light effects on surrounding properties. General Plan Policy 2-14.3 requires the use of building materials that do not produce glare, such as polished metals or reflective windows. The Project would comply with General Plan Policy 2-14.3 as well as the development lighting guidelines identified in Section 6.2 of the Specific Plan Design Guidelines, and therefore would preclude significant impacts from the project site related to light and glare.

As discussed above, the project vicinity includes existing nighttime lighting from surrounding sources including vehicle headlights, streetlights, and intermittent nighttime field lighting at Jerry Eaves Park. The project site would introduce additional nighttime lighting on the project site, which would be visible from the surrounding area. The lighting used for the project site would be consistent with the existing sources of nighttime lighting in the area from the surrounding uses and street lighting along Baseline Road, Cactus Avenue, and Ayala Drive. Accordingly, compliance with the Specific Plan and the City's zoning ordinance would result in a less than significant increase in light and glare in the area.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.1.8 Cumulative Impacts

As concluded above, Project implementation would have a less than significant impact on a scenic vista. When evaluating cumulative aesthetic impacts, a number of factors must be considered. The cumulative study area for aesthetic impacts is the viewshed that includes the project site and surrounding areas. The context in which a project is being viewed will also influence the significance of the aesthetic impact. The contrast a project has with its surrounding environment may actually be reduced by the presence of other cumulative projects. If most of an area is or is becoming more urbanized, the contrast of a project with the natural surrounding may be relatively less since it would not stand out in contrast as much. In order for a cumulative aesthetic impact to occur, the proposed elements of the cumulative projects would need to be seen together or in proximity to each other. If the projects were not near each other, the viewer would not perceive them in the same scene.

The project site is bordered by existing and planned development and infrastructure. Vacant properties to the west of the project site on the east and west sides of Fitzgerald Avenue at Baseline Road are within the Renaissance Specific Plan area. Totalling 4.8 acres, the vacant land is designated Employment in the Renaissance Specific Plan with a 0.4 FAR, which would allow for up to 83,635 sf of light industrial, office, research and development, business park, light manufacturing, assembly, and related storage and support service uses, and a maximum building height of 75 feet.

As with the proposed Project, development to the west of the project site would alter the visual character of the area. However, views from these areas are currently partially obstructed by intervening urban development. Further, current development and future development in the area would be required to conform with the applicable Specific Plans and Municipal Code Title 18, which would require setbacks and maximum building heights that would further minimize impacts to views and the visual character of the area.

With respect to nighttime illumination, nighttime lighting effects may be considered in a regional context because of the potential for night glow that can extend beyond the boundaries of a site. Therefore, with respect to night lighting, the proposed Project is considered in context to the forecasted growth for the area and with cumulative projects in the area that may contribute to the increased nighttime lighting. Because the proposed Project is an infill use bordered by existing and planned development with nighttime lighting and the Project would be required to comply with lighting requirements to preclude glare and light spillage, the Project's contribution to nighttime lighting would not be cumulatively considerable. Therefore, the Project's incremental effects involving scenic vistas, consistency with zoning/other regulations governing scenic quality, and light and glare are not cumulatively considerable.

4.1.9 Level of Significance After Mitigation

No significant aesthetics resource impacts have been identified.

4.2 AIR QUALITY

4.2.1 Introduction

This section identifies and evaluates potential impacts that will be generated by construction and operation of the Olive Avenue Development Project. The ambient air quality of the local and regional area is described, along with relevant federal, State, and local air pollutant regulations. The Air Quality Technical Report and Health Risk Assessment are summarized in this EIR section and provided as Appendix B of this EIR.

4.2.2 Regulatory Setting

Federal Regulations

Federal Clean Air Act

Air quality is federally protected by the Federal Clean Air Act (FCAA) and its amendments. Under the FCAA, the United States Environmental Protection Agency (U.S. EPA) developed the primary and secondary National Ambient Air Quality Standards (NAAQS) for the criteria air pollutants including ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), fine particulate matters 10 microns or less and 2.5 microns or less (PM₁₀, PM_{2.5}), and lead (pb). Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting requirements. The FCAA requires each state to prepare a State Implementation Plan to demonstrate how it will attain the NAAQS within the federally imposed deadlines.

The U.S. EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the U.S. EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The U.S. EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in Table 4.2-1, *State and Federal Ambient Air Quality Standards*.

State Regulations

California Air Resources Board

The California Air Resources Board (CARB) administers air quality policies for the State of California. The California Ambient Air Quality Standards (CAAQS) were established in 1969 pursuant to the Mulford-Carrell Act. Table 4.2-1 identifies the CCAQS and NAAQS standards. The state standards are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

Table 4.2-1: State and Federal Ambient Air Quality Standards			
Pollutant	Averaging Time	State Standards¹	Federal Standards²
Ozone (O ₃) ^{2, 5, 7}	8 Hour	0.070 ppm (137 µg/m ³)	0.070 ppm
	1 Hour	0.09 ppm (180 µg/m ³)	NA
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m ³)	9 ppm (10 mg/m ³)
	1 Hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)
Nitrogen Dioxide (NO ₂)	1 Hour	0.18 ppm (339 µg/m ³)	0.10 ppm ¹¹
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)	0.053 ppm (100 µg/m ³)
Sulfur Dioxide (SO ₂) ⁸	24 Hour	0.04 ppm (105 µg/m ³)	0.14 ppm (365 µg/m ³)
	1 Hour	0.25 ppm (655 µg/m ³)	0.075 ppm (196 µg/m ³)
	Annual Arithmetic Mean	NA	0.03 ppm (80 µg/m ³)
Particulate Matter (PM ₁₀) ^{1, 3, 6}	24-Hour	50 µg/m ³	150 µg/m ³
	Annual Arithmetic Mean	20 µg/m ³	NA
Fine Particulate Matter (PM _{2.5}) ^{3, 4, 6, 9}	24-Hour	NA	35 µg/m ³
	Annual Arithmetic Mean	12 µg/m ³	12 µg/m ³
Sulfates (SO ₄₋₂)	24 Hour	25 µg/m ³	NA
Lead (Pb) ^{10, 11}	30-Day Average	1.5 µg/m ³	NA
	Calendar Quarter	NA	1.5 µg/m ³
	Rolling 3-Month Average	NA	0.15 µg/m ³
Hydrogen Sulfide (H ₂ S)	1 Hour	0.03 ppm (0.15 µg/m ³)	NA
Vinyl Chloride (C ₂ H ₃ Cl) ¹⁰	24 Hour	0.01 ppm (26 µg/m ³)	NA

ppm = parts per million; µg/m³ = micrograms per cubic meter; mg/m³ = milligrams per cubic meter; – = no information available.

¹ California standards for O₃, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM₁₀, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM₁₀ annual standard), then some measurements may be excluded. Measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe carbon monoxide standard is 6.0 ppm, a level one-half the national standard and two-thirds the State standard.

² National standards shown are the "primary standards" designed to protect public health. National standards other than for O₃, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O₃ standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O₃ standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm or less. The 24-hour PM₁₀ standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m³. The 24-hour PM_{2.5} standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m³.

³ Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM₁₀ is met if the 3-year average falls below the standard at every site. The annual PM_{2.5} standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard.

NAAQS are set by the U.S. EPA at levels determined to be protective of public health with an adequate margin of safety.

⁴ On October 1, 2015, the national 8-hour O₃ primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour O₃ concentration per year, averaged over three years, is equal to or less than 0.070 ppm. U.S. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the O₃ level in the area.

⁵ The national 1-hour O₃ standard was revoked by the U.S. EPA on June 15, 2005.

⁶ In June 2002, CARB established new annual standards for PM_{2.5} and PM₁₀.

⁷ The 8-hour California O₃ standard was approved by the CARB on April 28, 2005 and became effective on May 17, 2006.

Table 4.2-1: State and Federal Ambient Air Quality Standards	
⁸	On June 2, 2010, the U.S. EPA established a new 1-hour SO ₂ standard, effective August 23, 2010, which is based on the 3-year average of the annual 99 th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO ₂ NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO ₂ NAAQS.
⁹	In December 2012, U.S. EPA strengthened the annual PM _{2.5} NAAQS from 15.0 to 12.0 µg/m ³ . In December 2014, the U.S. EPA issued final area designations for the 2012 primary annual PM _{2.5} NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.
¹⁰	CARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure below which there are no adverse health effects determined.
¹¹	National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.
Source: South Coast Air Quality Management District, <i>Air Quality Management Plan</i> , 2016; California Air Resources Board, <i>Ambient Air Quality Standards</i> , May 6, 2016.	

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting federal clean air standards for the State of California. Like the U.S. EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc., are not considered violations of a state standard, and are not used as a basis for designating areas as nonattainment.

Regional and Local Regulations

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD) is the air pollution control agency for Orange County and the urban portions of San Bernardino, Los Angeles, and Riverside Bernardino counties. The agency’s primary responsibility is ensuring that State and federal ambient air quality standards are attained and maintained in the South Coast Air Basin (SCAB). The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the AQMP, with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a comprehensive plan that includes control strategies for stationary and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SCAB into compliance

with the federal 24-hour Fine Particulate Matter (PM_{2.5}) air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour Ozone (O₃) standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the *Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS) and updated emission inventory methodologies for various source categories. As part of its air quality planning, SCAG has prepared the Regional Comprehensive Plan and Guide and the Connect SoCal: 2020-2045 RTP/SCS. The 2020-2045 RTP/SCS was determined to conform to the federally mandated state implementation plan (SIP) for the attainment and maintenance of the NAAQS. The 2020-2045 RTP/SCS will be incorporated into the forthcoming 2022 AQMP. Both the Regional Comprehensive Plan and AQMP are based, in part, on projections originating with county and city general plans.

The SCAQMD has published the CEQA Air Quality Handbook (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by CEQA and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation. With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

The SCAG is the regional planning agency for San Bernardino, Los Angeles, Orange, Ventura, Riverside, and Imperial counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under State law as a Regional Transportation Planning Agency and a Council of Governments.

The State and federal attainment status designations for the SCAB are summarized in Table 4.2-2, *South Coast Air Basin Attainment Status*. The SCAB is currently designated as a nonattainment area with respect to the State O₃, PM₁₀, and PM_{2.5} standards, as well as the national 8-hour O₃ and PM_{2.5} standards. The SCAB is designated as in attainment or unclassified for the remaining State and federal standards.

The following is a list of SCAQMD rules that are required of construction activities associated with the Project:

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

Table 4.2-2: South Coast Air Basin Attainment Status		
Pollutant	State	Federal
Ozone (O ₃) (1 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Ozone (O ₃) (8 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Particulate Matter (PM _{2.5}) (24 Hour Standard)	–	Non-Attainment (Serious)
Particulate Matter (PM _{2.5}) (Annual Standard)	Non-Attainment	Non-Attainment (Moderate)
Particulate Matter (PM ₁₀) (24 Hour Standard)	Non-Attainment	Attainment (Maintenance)
Particulate Matter (PM ₁₀) (Annual Standard)	Non-Attainment	–
Carbon Monoxide (CO) (1 Hour Standard)	Attainment	Attainment (Maintenance)
Carbon Monoxide (CO) (8 Hour Standard)	Attainment	Attainment (Maintenance)
Nitrogen Dioxide (NO ₂) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Nitrogen Dioxide (NO ₂) (Annual Standard)	Attainment	Attainment (Maintenance)
Sulfur Dioxide (SO ₂) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide (SO ₂) (24 Hour Standard)	Attainment	–
Lead (Pb) (30 Day Standard)	–	Unclassifiable/Attainment
Lead (Pb) (3 Month Standard)	Attainment	–
Sulfates (SO ₄₋₂) (24 Hour Standard)	Attainment	–
Hydrogen Sulfide (H ₂ S) (1 Hour Standard)	Unclassified	–

Source: South Coast Air Quality Management District, *Air Quality Management Plan*, 2016; United States Environmental Protection Agency, *Nonattainment Areas for Criteria Pollutants (Green Book)*, 2018.

Rule 403 (Fugitive Dust) – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM₁₀ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM₁₀ suppression techniques are summarized below.

- a) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- b) All on-site roads are paved as soon as feasible, watered regularly, or chemically stabilized.

- c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- e) Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down following the workday to remove soil from pavement.

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

Rule 2305 (Warehouse Indirect Source Rule) - Rule 2305 was adopted by the SCAQMD Governing Board on May 7, 2021 to reduce NO_x and particulate matter emissions associated with warehouses and mobile sources attracted to warehouses. This rule applies to all existing and proposed warehouses over 100,000 sf located in the SCAB. Rule 2305 requires warehouse operators to track annual vehicle miles traveled associated with truck trips to and from the warehouse. These trip miles are used to calculate the warehouses WAIRE (Warehouse Actions and Investments to Reduce Emissions) Points Compliance Obligation. WAIRE points are earned based on emission reduction measures, and warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. Reduction strategies listed in the WAIRE menu include acquire zero emission (ZE) or near zero emission (NZE) trucks; require ZE/NZE truck visits; require ZE yard trucks; install on-site ZE charging/fueling infrastructure; install on-site energy systems; and install filtration systems in residences, schools, and other buildings in the adjacent community. Warehouse operators that do not earn a sufficient number of WAIRE points to satisfy the WAIRE Points Compliance Obligation would be required to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in nearby communities.

City of Rialto General Plan

The City of Rialto developed and adopted the General Plan to include goals, policies and actions that, when implemented, provide the vision and framework for the physical development of the City. The goals and policies identified below include requirements that would reduce the potential for project-specific impacts related to air quality. Chapter 2 of the General Plan describes the Conservation goals and policies that the City of Rialto has identified for implementation to provide a high quality of life for residents and the overall community.

- Goal 2-9** Protect residential, schools, parks, and other sensitive land uses from the impacts associated with industrial and trucking-related land uses, as well as commercial and retail areas.
- Policy 2-9.1** Require mitigation and utilize other techniques to protect residential development and other sensitive land uses near industrial land uses or within identified health risk areas from excessive noise, hazardous materials and waste releases, toxic air pollutant concentrations, and other impacts.
- Policy 2-9.2** Require all industrial development to front on an improved street with appropriate front yard setbacks, landscaping, and facade and entrance treatments.

- Goal 2-30** Incorporate green building and other sustainable building practices into development projects.
- Policy 2-30.1** Explore and adopt the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar in both private and public projects.
- Policy 2-30.2** Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate.
- Policy 2-30.3** Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment.
- Goal 2-31** Conserve energy resources.
- Policy 2-31.1** Require the incorporation of energy conservation features into the design of all new construction and site development activities.
- Goal 2-35** Reduce air pollution emissions from both mobile and stationary sources in the City.
- Policy 2-35.2** Require that new development projects incorporate design features that encourage ridesharing, transit use, park and ride facilities, and bicycle and pedestrian circulation.
- Policy 2-35.3** Establish a balanced land use pattern, and facilitate developments that provide jobs for City residents in order to reduce vehicle trips citywide.
- Policy 2-35.4** Require new development and significant redevelopment proposals to incorporate sufficient design and operational controls to prevent release of noxious odors beyond the limits of the development site.
- Goal 2-36** Reduce the amount of fugitive dust released into the atmosphere.
- Policy 2-36.1** Put conditions on discretionary permits to require fugitive dust controls.
- Policy 2-36.2** Support programs and policies of the SCAQMD regarding restrictions on grading operations at construction projects.
- Policy 2-36.3** Enforce regulations that do not allow vehicles to transport aggregate or similar material upon a roadway unless the material is stabilized or covered.
- Goal 2-37** Expand public awareness regarding air pollution sources and pollutant reduction initiatives.
- Policy 2-37.1** Encourage and publicly recognize innovative approaches that improve air quality.
- Policy 2-37.2** Encourage the participation of environmental groups, the business community, civic groups, special interest groups, and the public in the formulation and implementation of programs that effectively reduce air pollution.
- Policy 2-37.3** Provide public education to encourage local consumers to choose the cleanest paints and other non-pollutant consumer products.
- Goal 2-38** Mitigate against climate change.

- Policy 2-38.1** Consult with State agencies, SCAG, and the San Bernardino Council of Governments (SBCOG) to implement Assembly Bill (AB) 32 and Senate Bill (SB) 375 by utilizing incentives to facilitate infill and transit-oriented development.
- Policy 2-38.2** Encourage development of transit-oriented and infill development, and encourage a mix of uses that foster walking and alternative transportation in Downtown and along Foothill Boulevard.
- Policy 2-38.3** Provide enhanced bicycling and walking infrastructure, and support public transit, including public bus service, the Metrolink, and the potential for Bus Rapid Transit.
- Policy 2-38.4** The City shall participate in the San Bernardino Regional Greenhouse Inventory and Reduction Plan.

4.2.3 Environmental Setting

Climate and Meteorology

The CARB divides the State into 15 air basins that share similar meteorological and topographical features. The project site is within the SCAB, which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, as well as all of Orange County. The SCAB is on a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean on the southwest and high mountains forming the remainder of the perimeter¹. Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. These factors, along with applicable regulations, are discussed below.

The SCAB is part of a semi-permanent high-pressure zone in the eastern Pacific. As a result, the climate is mild and tempered by cool sea breezes. This usually mild weather pattern is occasionally interrupted by periods of extreme heat, winter storms, and Santa Ana winds. The annual average temperature throughout the 6,645-square-mile SCAB ranges from low 60 to high 80 degrees Fahrenheit with little variance. With more oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas.

Contrasting the steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all annual rainfall occurs between the months of November and April. Summer rainfall is reduced to widely scattered thundershowers near the coast, with slightly heavier activity in the east and over the mountains.

Although the SCAB has a semiarid climate, the air closer to the Earth's surface is typically moist because of the presence of a shallow marine layer. Except for occasional periods when dry, continental air is brought into the SCAB by offshore winds, the "ocean effect" is dominant. Periods of heavy fog are frequent and low clouds known as high fog are characteristic climatic features, especially along the coast. Annual average humidity is 70 percent at the coast and 57 percent in the eastern portions of the SCAB.

Wind patterns across the SCAB are characterized by westerly or southwesterly on-shore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other

¹ South Coast Air Quality Management District, *CEQA Air Quality Handbook*, 1993.

meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

The mountain ranges to the east affect the diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SCAB generally ranges from fair to poor and is similar to air quality in most of coastal Southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

In addition to the characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which air pollutants are mixed. These inversions are the marine inversion and the radiation inversion. The height of the base of the inversion at any given time is called the "mixing height." The combination of winds and inversions is a critical determinant leading to highly degraded air quality for the SCAB in the summer and generally good air quality in the winter.

Air Pollutants of Concern

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by State and federal laws. These regulated air pollutants are known as "criteria air pollutants" and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_x), sulfur dioxide (SO₂), coarse particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), and lead are primary air pollutants. Of these, CO, NO_x, SO₂, PM₁₀, and PM_{2.5} are criteria pollutants. ROG and NO_x are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O₃) is formed by a chemical reaction between ROG and NO_x in the presence of sunlight. O₃ and nitrogen dioxide (NO₂) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in Table 4.2-3, *Air Contaminants and Associated Public Health Concerns*.

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (i.e., chronic, carcinogenic or cancer-causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

Pollutant	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM ₁₀ and PM _{2.5})	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O ₃)	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC) ¹ and nitrogen oxides (NO _x) in the presence of sunlight. Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.
Sulfur Dioxide (SO ₂)	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO ₂)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O ₃ . Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.
<p>¹ Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).</p> <p>Source: California Air Pollution Control Officers Association (CAPCOA), Health Effects, http://www.capcoa.org/health-effects/, Accessed January 29, 2021.</p>		

CARB identified diesel particulate matter (DPM) as a toxic air contaminant. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

Ambient Air Quality

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the project site are documented by measurements made by the SCAQMD.

Pollutants of concern in the SCAB include O₃, PM₁₀, and PM_{2.5}. The closest air monitoring station to the project site that monitors ambient concentrations of these pollutants is the Upland Monitoring Station (located approximately 1.1 miles to the northwest). Local air quality data from 2017 to 2019 (most current data) is provided in Table 4.2-4, *Ambient Air Quality Data*, which lists the monitored maximum concentrations and number of exceedances of State or federal air quality standards for each year.

Table 4.2-4: Ambient Air Quality Data			
Criteria Pollutant	2017	2018	2019
Ozone (O₃)¹			
1-hour Maximum Concentration (ppm)	0.150	0.133	0.131
8-hour Maximum Concentration (ppm)	0.127	0.111	0.107
<i>Number of Days Standard Exceeded</i>			
CAAQS 1-hour (>0.09 ppm)	66	25	31
NAAQS 8-hour (>0.070 ppm)	87	52	52
Carbon Monoxide (CO)¹			
1-hour Maximum Concentration (ppm)	1.87	1.73	1.45
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO₂)¹			
1-hour Maximum Concentration (ppm)	0.0641	0.0587	0.0579
<i>Number of Days Standard Exceeded</i>			
NAAQS 1-hour (>100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
Particulate Matter Less Than 10 Microns (PM₁₀)¹			
National 24-hour Maximum Concentration	106.5	156.6	125.9
State 24-hour Maximum Concentration	—	—	—
State Annual Average Concentration (CAAQS=20 µg/m ³)	—	—	—

Criteria Pollutant	2017	2018	2019
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>150 µg/m ³)	0	1	0
CAAQS 24-hour (>50 µg/m ³)	–	–	–
Particulate Matter Less Than 2.5 Microns (PM_{2.5})¹			
National 24-hour Maximum Concentration	–	–	–
State 24-hour Maximum Concentration	53.2	47.9	91.1
<i>Number of Days Standard Exceeded</i>			
NAAQS 24-hour (>35 µg/m ³)	–	–	–
NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m ³ = micrograms per cubic meter; – = insufficient data available to determine value 1. Measurements taken at the Upland Monitoring Station at 24302 4th street, San Bernardino, California (CARB# 36175) Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database (https://www.arb.ca.gov/adam) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System (https://www.arb.ca.gov/aqmis2/aqdselect.php , https://www.arb.ca.gov/qaweb/siteinfo.php).			

Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive land uses surrounding the project site consist mostly of single-family residential communities. Sensitive land uses nearest to the project site are shown in Table 4.2-5, *Sensitive Receptors*.

Receptor Description	Distance and Direction from the Project Site
Single-Family Residential Community	90 feet to the south of Baseline Road
Single-Family Residential Community	800 feet to the east
Jerry Eaves Park	870 feet to the north
Single-Family Residential Community	1,600 feet to the north
Winchester Senior Home II	1,500 feet to the northeast
La Petite Academy of Rialto	1,900 feet to the east
Helen L. Dollahan Elementary School	2,100 feet to the south of Baseline Road
Flores Park	2,400 feet to the south of Baseline Road
Camino Nuevo Church	2,500 feet to the southeast
Eisenhower Senior High School	3,000 feet to the east
Dunn Elementary School	4,000 feet to the southeast
Source: Google Earth.	

4.2.4 Methodology

This analysis considers construction and operational impacts associated with the Project. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod). CalEEMod is a statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a

variety of land use projects. Air quality impacts were assessed according to methodologies recommended by CARB and the SCAQMD.

Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with Project construction would generate emissions of criteria air pollutants and precursors. Daily regional construction emissions are estimated by assuming construction occurs at the earliest feasible date (i.e., a conservative estimate of construction activities) and applying off-road, fugitive dust, and on-road emissions factors in CalEEMod. Construction is conservatively assumed to occur in 2021, delaying the start of construction would only likely reduce emissions as emission control technology will improve in the future.²

Project operations were conservatively modeled assuming an opening year of 2021 and would result in emissions of area sources (consumer products), energy sources (natural gas usage and off-site electricity generation), and mobile sources (motor vehicles from Project generated vehicle trips). Project-generated increases in operational emissions would be predominantly associated with motor vehicle use. The Project vehicle trip generation was obtained from the Project's Transportation Impact Study prepared by Kimley-Horn (January 2021), which includes 971 total daily vehicle trips and 476 daily truck trips. One-way delivery trip lengths were changed from the CalEEMod default of 6.9 miles to 25 miles³. Emissions rates in CalEEMod have been updated with CARB SAFE Rule adjustment factors and EMFAC2017 emission rates consistent with the methodology described in Section 5.2 *Methodology for Converting EMFAC2014 Emission Rates into CalEEMod Vehicle Emission Factors* of Appendix A: *Calculation Details for CalEEMod* in the *CalEEMod User Guide*. Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

As discussed above, the SCAQMD provides significance thresholds for emissions associated with proposed Project construction and operations. The proposed Project's construction and operational emissions are compared to the daily criteria pollutant emissions significance thresholds in order to determine the significance of a Project's impact on regional air quality.

The localized effects from the Project's on-site emissions were evaluated in accordance with the SCAQMD's Localized Significance Threshold (LST) Methodology, which uses on-site mass emissions rate look-up tables and project-specific modeling. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

² Emissions in future years (i.e., due to a later construction start date or operational opening year) would be lower due to phased-in emissions standards, inspection and maintenance requirements, and fleet turnover). Specifically, Project construction was modeled to start in 2021 but would commence at a later date. As such, construction impacts would be less than those analyzed due to the use of more energy-efficient and cleaner burning construction vehicle fleet mix, pursuant to state regulations that require vehicle fleet operators to phase-in less polluting heavy-duty equipment. As a result, project-related construction air quality impacts would be lower than the impacts disclosed herein. For emissions modeling purposes, conservatively analyzing the emissions using an earlier construction start date (i.e., 2021), provides for a worst-case analysis and full disclosure of potential air quality impacts, as required by CEQA.

³ J. Richard Kuzmyak, *Forecasting Metropolitan Commercial and Freight Travel* (2008) Average trip lengths for heavy trucks in the SCAG region are cited as 24.1 miles. To be conservative, warehouse delivery trip lengths were rounded up to 25 miles.

4.2.5 Thresholds of Significance

The following significance criteria are from the City of Rialto Environmental Checklist. The proposed Project would result in a significant impact related to air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable State or federal ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

SCAQMD Thresholds

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use development projects, as shown in Table 4.2-6, *South Coast Air Quality Management District Emissions Thresholds*.

Criteria Air Pollutants and Precursors	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO _x)	100	55
Sulfur Oxides (SO _x)	150	150
Coarse Particulates (PM ₁₀)	150	150
Fine Particulates (PM _{2.5})	55	55

Source: South Coast Air Quality Management District, *South Coast AQMD Air Quality Significance Thresholds*, April 2019.

Localized Carbon Monoxide

In addition to the daily thresholds listed above, development associated with the Project would also be subject to the ambient air quality standards. These are addressed through an analysis of localized CO impacts. The significance of localized impacts depends on whether ambient CO levels near the project site are above the State and federal CO standards (the more stringent California standards are 20 ppm for 1-hour and 9 ppm for 8-hour). The SCAB has been designated as in attainment under the 1-hour and 8-hour standards.

Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed LSTs for emissions of NO₂, CO, PM₁₀, and PM_{2.5} generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project without expecting to cause or substantially contribute to an exceedance of the most stringent State or federal ambient air

quality standards. LSTs are based on the ambient concentrations of that pollutant within a project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb five acres or less on a single day. The City of Rialto is located within SCAQMD SRA 32: Central San Bernardino Valley Table 4.2-7, *Local Significance Thresholds for Construction/Operations*, shows the LSTs for one-acre, two-acre, and five-acre projects in SRA 32 with sensitive receptors located within 25 meters of the project site. LSTs associated with all acreage categories are provided in the table for informational purposes. The table also shows that the LSTs increase as acreages increase. It should be noted that LSTs are screening thresholds and are therefore conservative. The construction LST acreage is determined based daily acreage disturbed. The operational LST acreage is based on the total area of the project site. Although the project site is greater than five acres, the five-acre operational LSTs are conservatively used to evaluate the Project.

Project Size	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulates (PM₁₀)	Fine Particulates (PM_{2.5})
1 Acre	118/118	863/863	5/2	4/1
2 Acres	170/170	1,232/1,232	6/2	5/2
4 Acres ¹	237/237	1,466/1,466	12/3	7/2
5 Acres	270/270	2,193/2,193	16/4	9/2

1. 4-acre thresholds interpolated from 2-acre and 5-acre thresholds
 Source: South Coast Air Quality Management District, *Localized Significance Threshold Methodology*, July 2008.

4.2.6 Project Impacts and Mitigation

Impact 4.2-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

As part of its enforcement responsibilities, the U.S. EPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan that demonstrates the means to attain the federal standards. The State Implementation Plan must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the CCAA requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the state and federal ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The project site is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 AQMP. The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State (California) and national air quality standards. The 2016AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the U.S. EPA. The plan’s pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG’s RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG’s latest growth forecasts. SCAG’s latest growth forecasts were defined in consultation with local governments and with reference to local general plans. SCAG has the responsibility of preparing and approving portions of the AQMP relating to the

regional demographic projections and integrated regional land use, housing, employment, and transportation programs, measures, and strategies and is required by law to ensure that transportation activities conform to, and are supportive of, the goals of regional and state air quality plans to attain the NAAQS. The RTP/SCS includes transportation programs, measures, and strategies generally designed to reduce VMT, which are contained in the AQMP. As part of its air quality planning, SCAG has prepared the Regional Comprehensive Plan and Guide and the Connect SoCal– 2020-2045 RTP/SCS. As previously addressed, the 2020-2045 RTP/SCS was determined to conform to the federally mandated state implementation plan (SIP) for the attainment and maintenance of the NAAQS. The 2020-2045 RTP/SCS will be incorporated into the forthcoming 2022 AQMP. Both the Regional Comprehensive Plan and AQMP are based, in part, on projections originating with county and city general plans.

Criteria for determining consistency with the AQMP are defined by the following indicators:

Consistency Criterion No. 1 – The project will not result in an increase in the frequency or severity of existing air quality violations, or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Consistency Criterion No. 2 – The project will not exceed the assumptions noted in the AQMP or increments based on the years of the project build-out phase.

According to the SCAQMD’s *CEQA Air Quality Handbook*, the purpose of the consistency finding is to determine if a project is inconsistent with the assumptions and objectives of the regional air quality plans, and thus if it would interfere with the region’s ability to comply with CAAQS and NAAQS.

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As shown in Table 4.2-8, *Construction-Related Emissions*, the proposed Project would exceed the construction emission standard for NO_x. Compliance with Mitigation Measure (MM) AQ-1 (discussed under Impact Threshold 4.2-2) is required to reduce NO_x emissions below the SCAQMD threshold. Project operational emissions would also exceed the operational standard for NO_x as shown in Table 4.2-9, *Long-Term Operational Emissions*. MMs AQ-2 through AQ-5 (discussed under Impact Threshold 4.2-2) are required to reduce operational NO_x emissions below the SCAQMD thresholds. With the implementation of MMs AQ-1 through AQ-5, the Project’s construction and operational emissions would remain below SCAQMD thresholds. Therefore, the Project would not contribute to an existing air quality violation. Therefore, the Project would be consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG’s latest growth forecasts, and SCAG’s growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is consistent with the General Industrial land use designation and development density presented in the City’s General Plan and therefore would not exceed the population or job growth projections used by the SCAQMD to develop the AQMP. Therefore, the Project is consistent with the second criterion.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

Please refer to MMs AQ-1 through AQ-5 listed under Impact Threshold 4.2-2.

Impact 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable state or federal ambient air quality standard?

Level of Significance: Construction Emissions: Less than Significant Impact with Mitigation Incorporated

Operational Emissions: Less than Significant Impact with Mitigation Incorporated

Construction Emissions

Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern in the Project area are O₃-precursor pollutants (i.e., ROG and NO_x) and PM₁₀ and PM_{2.5}. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

The duration of construction activities associated with the Project is estimated to be approximately ten months. Construction-generated emissions associated the Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development projects, based on typical construction requirements (see Appendix B of this EIR for more information regarding the construction assumptions used in this analysis). Predicted maximum daily construction-generated emissions for the Project are summarized in Table 4.2-8, *Construction-Related Emissions*.

Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. SCAQMD Rules 402 and 403 (prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions. Standard Condition (SC) AQ-1 requires the compliance with SCAQMD Rule 402 and Rule 403 dust control techniques to minimize PM₁₀ and PM_{2.5} concentrations. The Project would be subject to SCAQMD Rules for reducing fugitive dust, described in the Regulatory Framework subsection and identified in SC AQ-1.

The Project's unmitigated construction emissions would exceed the SCAQMD threshold for NO_x resulting in a significant impact. MM AQ- requires the contractor to use Tier 4 Interim equipment or better during the grading phase of construction. Implementation of MM AQ-1, the maximum daily NO_x emissions would not exceed SCAQMD thresholds and impacts would be mitigated to a less than significant level.

Table 4.2-8: Construction-Related Emissions (Maximum Pounds Per Day)						
Construction	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO₂)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
Unmitigated Construction Emissions						
Maximum Daily Emissions	57.57	119.52	66.60	0.31	11.64	6.40
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	Yes	No	No	No	No
Mitigated Construction Emissions						
Maximum Daily Emissions	57.22	92.39	66.81	0.31	10.22	4.58
SCAQMD Threshold	75	100	550	150	150	55
Exceed SCAQMD Threshold?	No	No	No	No	No	No
Notes: SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stock piles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. Tier 4 mitigation was applied to grading phase construction equipment. Refer to Appendix B for Model Data Outputs. Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.						

Operational Emissions

Project-generated emissions would be primarily associated with motor vehicle use and off-road equipment, such as forklifts. Long-term operational emissions attributable to the Project are summarized in Table 4.2-9, *Long-Term Operational Emissions*. As shown in the table, Project emissions would exceed SCAQMD thresholds for NO_x. Prior to the implementation of mitigation, this exceedance is a significant impact.

Project operational emissions would be associated with area sources, energy sources, mobile sources (i.e., motor vehicle use), and off-road equipment. Each of these sources are described below.

Area Source Emissions. Area source emissions are generated by on-site equipment, architectural coatings, and landscaping that were previously not present on the project site.

Energy Source Emissions. Energy source emissions would be generated due to electricity and natural gas usage associated with the Project. Primary uses of electricity and natural gas by the Project would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics.

Table 4.2-9: Long-Term Operational Emissions (Maximum Pounds Per Day)						
Source	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO₂)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
Unmitigated Operational Emissions						
Area Source Emissions	15.42	< 0.01	0.12	< 0.01	< 0.01	< 0.01
Energy Emissions	0.04	0.37	0.31	< 0.01	0.03	0.03
Mobile Emissions	6.30	83.32	66.82	0.38	20.62	6.47
Off-Road Emissions	0.91	8.25	8.17	0.01	0.59	0.54
Total Emissions	22.67	91.95	75.43	0.39	21.24	7.04
<i>SCAQMD Threshold</i>	55	55	550	150	55	150
Exceeds Threshold?	No	Yes	No	No	No	No
Mitigated Operational Emissions						
Area Source Emissions	14.53	< 0.01	0.12	< 0.01	< 0.01	< 0.01
Energy Emissions	0.03	0.26	0.22	< 0.01	0.02	0.02
Mobile Emissions	3.90	38.63	54.91	0.31	17.66	5.02
Off-Road Emissions	0.91	8.25	8.17	0.01	0.59	0.54
Total Emissions	19.37	47.15	63.43	0.32	18.27	5.58
<i>SCAQMD Threshold</i>	55	55	550	150	55	150
Exceeds Threshold?	No	No	No	No	No	No
Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.						
Note: Total values are from CalEEMod and may not add up 100% due to rounding.						

Mobile Sources. Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_x, PM₁₀, and PM_{2.5} are pollutants of regional concern. NO_x and ROG react with sunlight to form O₃, known as photochemical smog. Additionally, wind currents readily transport PM₁₀ and PM_{2.5}. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions are based on the trip generation assumptions provided in the Traffic Impact Study and incorporated into CalEEMod as recommended by the SCAQMD. The Project would generate 1,183 daily trips (40 percent trucks) or 1,980 passenger car equivalent (PCE) trips. The anticipated mobile source emissions exceed SCAQMD thresholds for NO_x (Table 4.2-9). MMs AQ-2 through AQ-5 would be required to reduce emissions to the maximum extent feasible. MM AQ-2 requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage transit. MM AQ-3 requires electrical hookups at all loading bays and MM AQ-4 prohibits idling when engines are not in use. Additionally, MM AQ-5 requires that the haul fleet consist of 2014 model trucks or newer.

Off-Road Equipment Emissions. Because the Project is a speculative warehouse development and the final end user is not known, to be conservative, it was assumed that each building unit would operate one electric powered forklift or seven in total.

MMs AQ-2 through AQ-5 would reduce the Project's NO_x emissions below the SCAQMD's daily emissions thresholds. Therefore, with the implementation of MMs AQ-2 through AQ-5, operational impacts would be less than significant.

In addition, Rule 2305 requires the Project operator to directly reduce NO_x and particulate matter emissions or to otherwise facilitate emission and exposure reductions of these pollutants in nearby communities. Alternatively, warehouse operators can choose to pay a mitigation fee. Funds from the mitigation fee will be used to incentivize the purchase of cleaner trucks and charging/fueling infrastructure in communities nearby.

Warehouse owners and operators are required to earn Warehouse Actions and Investments to Reduce Emissions (WAIRE) Points each year. WAIRE points are a menu-based system earned by emission reduction measures. Warehouse operators are required to submit an annual WAIRE Report which includes truck trip data and emission reduction measures. WAIRE points can be earned by completing actions from a menu that can include acquiring and using natural gas, Near-Zero Emissions and/or Zero-Emissions on-road trucks, zero-emission cargo handling equipment, solar panels or zero-emission charging and fueling infrastructure, or other options. Therefore, the Project operator would be required to implement additional emission reduction strategies. Conservatively, this analysis does not take credit for these potential reductions. Compliance with Rule 2305 would reduce emissions below what is currently analyzed.

Mitigation Program

Standard Conditions

- SCAQ-1** Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:
- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
 - All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
 - All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
 - The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
 - Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.

Mitigation Measures

- MM AQ-1** The contractor shall use Tier 4 Interim or Tier 4 Final compliant construction equipment during the grading phase of construction.

MM AQ-2 Prior to issuance of occupancy permits, the Project Operator(s) shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options;
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site;
- Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day;
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.

MM AQ-3 Electrical hookups shall be provided at all loading bays for truckers to plug in any onboard auxiliary equipment and power refrigeration units while their truck is stopped.

MM AQ-4 All truck access gates and loading docks within the project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use
- Truck drivers shall shut down the engine after five minutes of continuous idling operation. Once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged.
- Telephone numbers of the building facilities manager and CARB to report Violations

MM AQ-5 The Project Operator(s) shall ensure, through sale or leasing agreements, that the haul fleet consist of trucks that at a minimum meet the emissions standards of a 2010 vehicle model, and as trucks are replaced they are replaced with the newest available model.

Impact 4.2-3: Would the project expose sensitive receptors to substantial pollutant concentrations?
Less than Significant Impact with Mitigation Incorporated

Localized Construction Significance Analysis

The nearest sensitive receptors to the project site are single-family residences located approximately 90 feet south of Baseline Road.⁴ To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards'

⁴ Buildings on the project site would provide a setback of approximately 105 feet from the existing property line along Baseline Road (the Airport Specific Plan has a required minimum 30-foot setback from the front property line). Therefore, the distance from the closest residence south of Baseline Road to the front of the proposed warehouse buildings would be approximately 225 feet.

Environmental Justice Enhancement Initiative. The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003, revised 2008) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific emissions.

Because CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, construction assumptions provided in Table 4.2-10, *Equipment-Specific Grading Rates*, have been used to determine the maximum daily disturbed acreage for comparison to LSTs. As previously discussed under Thresholds of Significance, the project site is in SRA 32. Project construction is anticipated to disturb a maximum of four acres in a single day. As the LST guidance provides thresholds for projects disturbing one, two, and five-acres and the thresholds increase with size of the site, the LSTs for a four-acre threshold were interpolated and used for this EIR analysis.

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Grading	Tractors	2	0.5	8	1.0
	Graders	1	0.5	8	0.5
	Dozers	1	0.5	8	0.5
	Scrapers	2	1.0	8	2.0
Total Acres Graded per Day					4.0

Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.

The SCAQMD’s methodology states that “off-site mobile emissions from the Project should not be included in the emissions compared to LSTs.” Therefore, only emissions included in the CalEEMod “on-site” emissions outputs were considered. The nearest sensitive receptors are the single-family residences south of Baseline Road. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for receptors located at 25 meters were used. Table 4.2-11, *Localized Significance of Mitigated Construction Emissions*, presents the results of localized emissions during construction. The table shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors.

Construction Activity	Nitrogen Oxide (NO _x)		Carbon Monoxide (CO)		Coarse Particulate Matter (PM ₁₀)		Fine Particulate Matter (PM _{2.5})	
Site Preparation	12.16		22.96		8.19		4.53	
Grading	19.27		36.72		4.13		1.74	
Construction	16.01	30.45 ¹	16.79	33.26 ¹	0.68	1.45 ¹	0.64	1.35 ¹
Paving	12.91		14.65		0.68		0.62	
Architectural Coating	1.53		1.82		0.09		0.09	
Daily SCAQMD Localized Construction Screening Threshold (adjusted for 4.0 acres at 25 meters)	237		1,466		12		7	
Exceed SCAQMD Threshold?	No		No		No		No	

Construction Activity	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
1. Construction, paving, and architectural coating sub-phase emissions are combined because they would potentially all generate emissions on the same day. However, addition of overlapping phases during construction for the LST analysis is not required and considered conservative. Even though the activities may all occur on the same day, it is unlikely that they would occur as the exact same time at the exact same distance to the closest sensitive receptor. Overlapping emissions is taken into consideration for the regional analysis (Table 4.2-8). Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.				

Construction Health Risk Analysis

The duration of construction activities for the Project is estimated to take approximately 9-10 months. Construction-related activities would result in project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. For construction activities, DPM is the primary toxic air contaminant of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment are less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors. Sensitive receptors near the project site include residential uses approximately 90 feet to the south and 800 feet east, and Jerry Eaves Park approximately 870 feet to the north.

PM₁₀ construction emissions rates in grams per second were calculated from the total annual mitigated on-site exhaust emissions reported in CalEEMod (a maximum of 0.07 tons per year mitigated)⁵ total during construction. The modeling conservatively uses the year with the highest emission for each phase and an exposure duration of ten months. Annual emissions were converted to grams per second and these emissions rates were put into AERMOD. Construction emissions represented in the model via line volume sources occurring throughout the site. The locations of the AERMOD modeled sources and receptors are graphically shown in Appendix B.

As noted above, maximum (worst case) PM₁₀ exhaust construction emissions over the entire construction period were used in AERMOD to approximate construction DPM emissions. Risk levels were calculated based on the California Office of Environmental Health Hazard Assessment (OEHHA) guidance document, Air Toxics Hot Spots Program Risk Assessment Guidelines (February 2015). Results of this assessment are summarized in Table 4.2-12, *Construction Risk Assessment Results*.

⁵ The modeled on-site and off-site emissions include implementation of Mitigation Measure AQ-1 from the *Olive Avenue Air Quality Assessment* (Kimley-Horn, 2021) requiring Tier 4 Interim or Tier 4 Final compliant construction equipment during the grading phase of construction.

Exposure Scenario	Pollutant Concentration ($\mu\text{g}/\text{m}^3$)	Maximum Cancer Risk (Risk per Million)	Chronic Noncancer Hazard	Acute Noncancer Hazard
Construction	0.013	2.05	0.003	0.018
<i>Threshold</i>	<i>N/A</i>	<i>10</i>	<i>1.0</i>	<i>1.0</i>
Threshold Exceeded	No	No	No	No

1. The modeled concentrations include implementation of Mitigation Measure AQ-1 from the *Olive Avenue Air Quality Assessment* (Kimley-Horn, January 2021) requiring Tier 4 Interim or Tier 4 Final compliant construction equipment during the grading phase of construction.
Source: Refer to [Appendix A: Modeling Data](#).

Results of this assessment indicate that the maximum concentration of PM₁₀ during construction would be 0.013 $\mu\text{g}/\text{m}^3$ and resultant cancer risk of 2.05 in one million, which would not exceed the SCAQMD threshold of 10 in one million. Non-cancer hazards for DPM would be below SCAQMD threshold of 1.0, with a chronic hazard index computed at 0.003 and an acute hazard index of 0.018. Therefore, construction risk levels would be less than significant.

Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). Because the proposed development is a warehouse, the operational phase LST protocol is conservatively applied to both the area source and all the mobile source emissions. LSTs for receptors located at 25 meters for SRA 34 were used. Although the project site is approximately 31.08 acres, the five-acre LST threshold was used because the thresholds increase with the size of the site. Therefore, the five-acre LSTs represent a conservative evaluation.

The LST analysis only includes on-site sources. However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. Emissions shown in Table 4.2-13, *Localized Significance of Mitigated Operational Emissions*, conservatively include all on-site project-related stationary sources, off-road equipment (forklifts), and ten percent of the total project-related mobile sources, since a portion of mobile sources could include trucks idling on-site, after the implementation of MMs AQ-2 through AQ-5. The maximum daily emissions of these pollutants during operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during operational activities.

Activity	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM₁₀)	Fine Particulate Matter (PM_{2.5})
On-Site and Mobile Source Emissions	12.11	13.21	2.36	1.04
<i>SCAQMD Localized Screening Threshold (adjusted for 5 acres at 25 meters)</i>	<i>270</i>	<i>1,720</i>	<i>4</i>	<i>2</i>
Exceed SCAQMD Threshold?	No	No	No	No

Note: SRA Zone 34, 5-acre site, 25 meters to receptors; conservatively assumes that 10 percent of all mobile emissions occur on the site.
Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.

In addition, SCAQMD's Rule 2305 will require the Project to directly reduce NO_x and particulate matter emissions, or to otherwise facilitate emissions and exposure reductions of these pollutants in nearby communities. The Project operator may be required to implement additional emission reduction strategies. Conservatively, this analysis is not taking credit for these potential reductions. Compliance with Rule 2305 would reduce emissions below what is currently analyzed.

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* [Friant Ranch, L.P.] [2018] Cal.5th, Case No. S219783). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme O₃ nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program⁶ was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the SCAQMD's LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

NO_x and ROG are precursor emissions that form O₃ in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so O₃ may be formed at a distance downwind from the sources. Breathing ground-level O₃ can result health effects that include: reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily O₃ concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that O₃ can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According to the SCAQMD's 2016 AQMP, O₃, NO_x, and ROG have been decreasing in the SCAB since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled (VMT) in the SCAB continue to increase, NO_x and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_x emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2016 AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour O₃ standard in 2023 would lead to sufficient NO_x emission reductions to attain the 1-hour O₃ standard by 2022. In addition, since NO_x emissions also lead to the formation of PM_{2.5}, the NO_x reductions needed to meet the O₃ standards will likewise lead to improvement of PM_{2.5} levels and attainment of PM_{2.5} standards.

The SCAQMD's air quality modeling demonstrates that NO_x reductions prove to be much more effective in reducing O₃ levels and will also lead to significant improvement in PM_{2.5} concentrations. NO_x-emitting

⁶ Code of Federal Regulation (CFR) [i.e., PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)]

stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane. The 2016 AQMP identifies robust NO_x reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO_x emissions levels achievable but there are opportunities to require and accelerate replacement with cleaner zero-emission alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The AQMD plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

The 2016 AQMD also emphasizes that beginning in 2012, continued implementation of previously adopted regulations will lead to NO_x emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NO_x from stationary sources is expected in the 15-year period between 2008 and 2023. This is in addition to significant NO_x reductions from stationary sources achieved in the decades prior to 2008.

As previously discussed, Project emissions would be potentially significant and would require mitigation measures AQ-1 through AQ-5 to reduce NO_x (Table 4.2-9). Localized effects of on-site emissions with mitigation were found to be less than significant on nearby receptors (Table 4.2-12 and Table 4.2-13). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable State or federal ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations.

Carbon Monoxide Hotspots

An analysis of CO “hot spots” is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

The SCAB was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD’s AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD *CO Hotspot Analysis*, the Wilshire Boulevard at Veteran Avenue intersection, one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm federal standard. The Project considered herein would

not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's *CO Hotspot Analysis*. As the CO hotspots were not experienced at the Wilshire Boulevard at Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections resulting from 1,183 additional vehicle trips (40 percent trucks), with 116 trips in the morning peak hour and 129 trips in the evening peak hour attributable to the Project. Therefore, impacts would be less than significant.

Construction-Related Diesel Particulate Matter

Construction would generate DPM emissions from the use of off-road diesel equipment required for demolition, grading and excavation, paving, and other construction activities. For construction activity, DPM is the primary toxic air contaminant of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment were included in the analysis, although they are typically less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site potentially poses a health risk to nearby sensitive receptors. The closest sensitive receptors to the project site are residences approximately 90 feet south and 800 feet east, and Jerry Eaves Park approximately 870 feet to the north.

Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The use of diesel-powered construction equipment would be episodic and would occur throughout the project site. Construction activities would limit idling to no more than five minutes, which would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Furthermore, even during the most intense period of construction, emissions of DPM would be generated from different locations on the project site rather than in a single location because different types of construction activities (e.g., site preparation and building construction) would not occur at the same place at the same time. Construction emissions rates for PM₁₀ (DPM) were calculated from the CalEEMod construction emissions modeling conducted for the Project's Air Quality Assessment. Construction emissions represented in the model via line volume sources occurring throughout the project site. The locations of the AERMOD modeled sources and receptors are graphically shown in Appendix B.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The California Office of Environmental Health Hazard Assessment has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the project site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time which would limit the exposure of any proximate individual sensitive receptor to TACs.

Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Sections 2485 and 2449), which reduce diesel PM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. These regulations would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Given the temporary and intermittent nature of construction activities likely to occur within specific locations in the project site (i.e., construction is not likely to occur

in any one location for an extended time), the dose of DPM of any one receptor is exposed to would be limited. Therefore, considering the relatively short duration of DPM-emitting construction activity at any one location and the highly dispersive properties of DPM, sensitive receptors would not be exposed to substantial concentrations of construction-related TAC emissions, however construction-related health impacts are analyzed in greater detail in the Health Risk Assessment. With implementation of MM AQ-1, construction health risk impacts would be less than significant.

Operational Diesel Particulate Matter

An operational phase mobile source HRA was conducted based on the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from the California Office of Environmental Health Hazard Assessment (OEHHA). The analysis includes on-site and off-site impacts from the diesel trucks accessing the site on nearby sensitive receptors.

The On-Road Motor Vehicle Emission Inventory Model (EMFAC) 2017 version 1.0.2 was used to obtain the emission factors for in grams per mile for vehicle travel and grams per hour for vehicle idling. Truck emissions were based on the first possible year of operations for a fleet mix of various aged vehicles, as opposed to average emissions over a 30-year window. Trucks were assumed to travel at a speed of 25 to 50 miles per hour (mph) (depending on roadway) for off-site truck travel and 10 mph for on-site truck travel.

Idling emissions were represented in the model via line volume sources along each loading dock and 15 minutes of idling for each truck was assumed. Truck travel emissions were represented in the model via line volume sources along local roads and inside the facility where the trucks are expected to travel. The trucking routes were determined per the transportation analysis conducted for the proposed Project.

Air dispersion modeling for health risk was performed using the U.S. EPA AERMOD dispersion model. AERMOD is a steady-State, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources (not a factor in this case). AERMOD requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class, and mixing height. Uniform Cartesian receptors were used to evaluate the locations of the maximally exposed sensitive receptors. Surface and upper air meteorological data from the Fontana Monitoring Station provided by the SCAQMD was selected as being the most representative meteorology. In addition, National Elevation Dataset terrain data was imported into AERMOD for the Project. The modeling and analysis was prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.⁷

It should be noted that the concentration estimate developed using this methodology is conservative and is not a specific prediction of the actual concentrations that would occur at the project site at any one point in time. Actual one-hour and annual average concentrations are dependent on many variables, particularly the number and type of vehicles and equipment operating at specific distances during time periods of adverse meteorology. A health risk computation was performed to determine the risk of developing an excess cancer risk calculated on these worst-case exposure duration scenarios. The chronic

⁷ South Coast Air Quality Management District, *SCAQMD Modeling Guidance for AERMOD*, <http://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance>, accessed January 25, 2021.

and carcinogenic health risk calculations are based on the standardized equations contained in the OEHHA Guidance Manual. Only the risk associated with the worst-case location was assessed.

Based on the AERMOD outputs, the highest unmitigated hourly average diesel PM₁₀ emission concentrations from diesel truck traffic near sensitive receptors would be 0.103 µg/m³. The highest unmitigated annual average diesel PM₁₀ emission concentrations near sensitive receptors would be 0.032 µg/m³. The calculations conservatively assume no cleaner technology with lower emissions in future years. As identified in Table 4.2-14, *Risk Assessment*, the unmitigated calculated carcinogenic risk resulting from the Project is 27.3 per million residents, which would exceed the SCAQMD threshold of 10 in one million residents. Therefore, mitigation is required.

Exposure Scenario	Maximum Cancer Risk (Risk per Million)^{1, 2}	Significance Threshold (Risk per Million)	Exceeds Significance Threshold?
Unmitigated - Residents	27.3	10	Yes
Mitigated - Residents	2.03	10	No

¹ Refer to Appendix B.
² The maximum cancer risk would be experienced at the residences to the south of the project site south of Baseline Road based on worst-case exposure durations for the Project, 95th percentile breathing rates, and 30-year averaging time.
 Source: Kimley-Horn and Associates, 2021.

To reduce the cancer risk at the nearest sensitive receptors, MM AQ-5 requires through sale or leasing agreements, that the haul fleet of trucks accessing the project site to meet emissions standards of a 2014 vehicle model (or later), and as trucks are replaced, they are replaced with the newest available model. The maximum cancer risk at the nearest sensitive receptors would be 2.03 per million residents with implementation of MM AQ-6, which is below SCAQMD’s threshold of 10 in one million residents. Therefore, the Project would result in a less than significant health risk impact following compliance with MM AQ-5.

Acute and chronic impacts were also evaluated in the HRA. An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the reference exposure level. The highest maximum chronic and acute hazard index associated with both DPM and acrolein emissions from the Project would 0.006 and 0.040 (unmitigated), respectively. Non-carcinogenic hazards are calculated to be within acceptable limits; impacts would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

Please refer to MM AQ-1 through MM AQ-5 (refer to Impact Threshold 5.2, above).

Impact 4.2-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Level of Significance: No Impact

The SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources.

During construction-related activities, some odors (not substantial pollutant concentrations) that may be detected are those typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are a temporary short-term impact that is typical of construction projects and would disperse rapidly. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the Project would not create objectionable odors.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.2.7 Cumulative Impacts

Cumulative Construction Emissions

The SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for State standards and nonattainment for O₃ and PM_{2.5} for federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The mass-based regional significance thresholds published by the SCAQMD are designed to ensure compliance with both NAAQS and CAAQS and are based on an inventory of projected emissions in the SCAB. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the Project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. Project construction-related emissions would not exceed the SCAQMD significance thresholds for criteria pollutants (Table 4.2-6). Therefore, the proposed Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the FCAA mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB. Compliance with SCAQMD rules and regulations would further reduce the Project construction-related impacts. Therefore, project-related construction emissions, combined with those from other projects in the area, would not substantially deteriorate local air quality.

Construction emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Operational Impacts

Operational emissions would not exceed SCAQMD thresholds with implementation of MMs AQ-2 through AQ-5. As a result, operational emissions associated with the Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts. Additionally, adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis. Project operations would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.

Compliance with SCAQMD Rule 2305 (Warehouse Indirect Source Rule) is required for all existing and proposed warehouses greater than 100,000 sf. Warehouse operators are required to implement additional emission reduction strategies or pay mitigation fee to reduce emissions. Compliance with Rule 2305 would reduce project emissions below what is currently analyzed and also reduce cumulative emissions.

4.2.8 Level of Significance After Mitigation

With implementation of the Mitigation Program set forth in this section, potential impacts related to air quality would be reduced to a level considered less than significant.

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4.3 BIOLOGICAL RESOURCES

4.3.1 Introduction

This section of the EIR identifies and evaluates potential impacts related to biological resources in the project area. The analysis in this section is based in part on the Olive Avenue Development Project, Biological Resources Report prepared by Rocks Biological Consulting (RBC, 2021) which is included as Appendix C of this EIR.

4.3.2 Regulatory Setting

Federal Regulations

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) provides for the listing of endangered and threatened species of plants and animals and the designation of critical habitat for these listed species. The FESA regulates the “taking” of any endangered fish or wildlife species, per Section 9 of the FESA. As development is proposed, the responsible agency or individual landowner is required to consult with the U.S. Fish and Wildlife Service (USFWS) to assess potential impacts on listed species (including plants) or the critical habitat of a listed species, pursuant to Section 7 and Section 10 of the FESA. The USFWS is required to determine the extent a project would impact a particular species. If USFWS determines that a project is likely to potentially impact a species, measures to avoid or reduce such impacts must be identified.

Following consultation and the issuance of a Biological Opinion, USFWS may issue an incidental take statement which allows for the take of a species if it is incidental to another authorized activity and will not adversely affect the existence of the species. Section 10 of the FESA provides for issuance of incidental take permits to non-federal parties in conjunction with the development of a habitat conservation plan. Section 7 of the FESA provides for permitting of projects where interagency cooperation is necessary to ensure that a federal action/decision does not jeopardize the existence of a listed species.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 USC §703 et seq.) is a federal statute that implements treaties with several countries on the conservation and protection of migratory birds. The number of bird species covered by the MBTA is extensive and is listed at 50 Code of Federal Regulations (CFR) 10.13. USFWS enforces the MBTA, which prohibits “by any means or in any manner, to pursue, hunt, take, capture, [or] kill” any migratory bird, or attempt such actions, except as permitted by regulation.

Clean Water Act

Pursuant to Section 404 of the Clean Water Act (CWA), the U.S. Army Corps of Engineers (USACE) is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which includes those waters listed in 33 CFR 328.3 (as amended at 80 Federal Register [FR] 37104, June 29, 2015). The USACE, with oversight from the U.S. Environmental Protection Agency (U.S. EPA), has the principal authority to issue CWA Section 404 permits. The USACE would require a Standard Individual Permit for more than minimal impacts to waters of the U.S. as determined by the USACE. Projects with minimal individual and cumulative adverse effects on the environment may meet the conditions of an existing Nationwide Permit or Regional General Permit.

A water quality certification or waiver pursuant to Section 401 of the CWA is required for all Section 404 permitted actions. The Regional Water Quality Control Board (RWQCB), divisions of the State Water Resources Control Board (SWRCB), provides oversight of the Section 401 certification process in California. The RWQCB is required to provide “certification that there is reasonable assurance that an activity that may result in the discharge to waters of the United States will not violate water quality standards.” Water Quality Certification must be based on the finding that a proposed discharge will comply with applicable water quality standards.

The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into surface waters of the U.S. under Section 402 of the CWA.

State Regulations

State of California Endangered Species Act

The California Endangered Species Act (CESA), in combination with the California Native Plant Protection Act of 1977 (NPPA; CFGC §1900 et seq.), regulates the listing and take of plant and animal species designated as endangered, threatened, or rare within the State. California also lists species of special concern (SSC) based on limited distribution, declining populations, diminishing habitat, or unusual scientific, recreational, or educational value. CESA defines an endangered species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease.” CESA defines a threatened species as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the California Fish and Game Commission (CFGC) as rare on or before January 1, 1985 is a threatened species.” Candidate species are defined as “a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the CFGC has published a notice of proposed regulation to add the species to either list.” Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the CFGC. Unlike FESA, CESA does not list invertebrate species.

Sections 2080 through 2085 of CESA address the take of threatened, endangered, or candidate species by stating “no person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided.” Under CESA, “take” is defined as to “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” Exceptions authorized by the State to allow “take” require permits or memoranda of understanding and can be authorized for endangered species, threatened species, or candidate species for scientific, educational, or management purposes and for take incidental to otherwise lawful activities. CFGC Sections 1901 and 1913 provide that notification is required prior to disturbance. The California Department of Fish and Wildlife (CDFW) is responsible for assessing development projects for their potential to impact listed species and their habitats. State-listed species are addressed through the issuance of a 2081 Permit (Memorandum of Understanding).

California Environmental Quality Act

The California Environmental Quality Act (CEQA) was established in 1970 as California's counterpart to the National Environmental Policy Act (NEPA; 42 USC §4321 et seq.). This statute requires State and local agencies to identify significant environmental impacts related to their actions and to avoid or mitigate those impacts, where feasible.

A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project." A project is an activity undertaken by a public agency or a private activity that must receive some discretionary approval (meaning that the agency has the authority to deny the requested permit or approval) from a government agency that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

California Fish and Game Code Sections 1600-1602

Pursuant to Division 2, Chapter 6, Section 1602 of the CFGC, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream, or lake that supports fish or wildlife. A Notification of Lake or Streambed Alteration must be submitted to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." CDFW has jurisdiction over riparian habitats associated with watercourses and wetland habitats supported by a river, lake, or stream. Jurisdictional waters are delineated by the outer edge of riparian vegetation (i.e., drip line) or at the top of the bank of streams or lakes, whichever is wider. CDFW jurisdiction does not extend to tidal areas or isolated resources. CDFW reviews the proposed actions and, if necessary, submits (to an applicant) a proposal that includes measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and an applicant is the Lake or Streambed Alteration Agreement.

California Fish and Game Code Sections 3503, 3511, 3513, 3800, 4700, 5050, and 5515

Within California, fish, wildlife, and native plant resources are protected and managed by CDFW. The California Fish and Game Commission and/or CDFW are responsible for issuing permits for the take or possession of protected species. The following sections of the CFGC address protected species: Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish). In addition, the protection of birds of prey is provided for in Sections 3503, 3513, and 3800 of the CFGC.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act provides for statewide coordination of water quality regulations. The SWRCB was established as the statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis. The SWRCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Act.

Pursuant to the Porter-Cologne Act, the State is given authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if Section 404 of the CWA is not required for the activity. "Waste" is partially defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

Regional and Local Regulations

County of San Bernardino Land Use Services, Planning Division

According to the County's Biotic Resources Overlay Map, the project site is located within the County of San Bernardino's Burrowing Owl Overlay Zone. The burrowing owl (*Athene cunicularia*) is listed as an SSC by CDFW.

City of Rialto General Plan Managing Our Land Supply: Land Use, Community Design, Open Space and Conservation Element

The primary role of the Managing Our Land Supply Element of the General Plan is to direct the use of the City's land resources in the most equitable and productive manner possible, with the aim of providing a high quality of life for residents and the overall community. The General Plan notes that Rialto is predominately developed but some areas remain substantially undisturbed. Most undisturbed areas are in the northern portion of the City. The General Plan Managing Our Land Supply Element indicates that the City will continue to protect local biological resources through careful land designation of resource areas, and by requiring development projects proximate to wildlife corridors to incorporate mitigation measures to minimize impacts to such biological resources.

Relevant General Plan policies for biological resources are noted below. Where inconsistencies exist, if any, they are addressed in the respective impact analysis below.

Goal 2-39 Conserve and enhance Rialto's biological resources.

Policy 2-39.2 Pursue open space, wildlife corridors, or conservation easements to protect sensitive species and their habitats.

Rialto Airport Specific Plan

The Rialto Airport Specific Plan serves as the zoning ordinance for properties within the Specific Plan area. The project site is zoned as Airport Related Planned Industrial Development (I-AR) within the Rialto Airport Specific Plan. The Rialto Municipal Airport ceased operations in 2014 and the former airport property and much of the properties adjacent to the Rialto Municipal Airport were removed from the Rialto Airport Specific Plan and incorporated into the Renaissance Specific Plan, which was adopted by the City in 2010. The Rialto Airport Specific Plan provides a framework to guide future land use and development decisions in the Specific Plan area. For projects within the Specific Plan area, policies and standards in the Specific Plan take precedence over more general policies and standards applied throughout the rest of the City.

The Specific Plan states that there were no sensitive plant species observed during the field surveys conducted for the Specific Plan area in June 1995 and May 1996. Also, the only sensitive wildlife species observed during a field survey conducted for the Specific Plan area in June 1995 was a San Diego horned lizard.

City of Rialto Municipal Code

Title 18 of the Rialto Municipal Code functions as the City's Zoning Ordinance, which identifies the permitted land uses on all parcels in the City through assigned land use designations and associated land use regulations and development standards. The project site is designated Airport-Related Planned

Industrial Development (I-AR) within the Specific Plan. As discussed above, the development guidelines for the I-AR zone are identified in the Rialto Airport Specific Plan.

4.3.3 Environmental Setting

Biological resources include common plant and animal species, and special-status plants and animals, as designated by the USFWS, CDFW, and, with respect to plant species, the California Native Plant Society (CNPS). Biological resources also include waters of the United States and the State of California, as regulated by the USACE and RWQCB, and streambed resources regulated by CDFW.

Vegetation

The project site consists of developed land (3.02 acres), disturbed land (7.83 acres), disturbed Riversidean sage scrub (17.09 acres), eucalyptus woodland (0.27 acre), non-native grassland (3.79 acres), and ruderal habitat (2.57 acres). The vegetation communities/land uses that occur within the project site are described below and depicted on **Figure 4.3-1, Existing On-Site Biological Resources**.

Developed. Developed areas within the study area are composed of sidewalk and portions of Base Line Road.

Disturbed. Disturbed habitat is present throughout the project site. Disturbed areas have been physically altered and are no longer recognizable as a native or naturalized vegetation association. Disturbed on-site habitat includes the disked roadways between patches of vegetation.

Disturbed Riversidean Sage Scrub. On-site Riversidean sage scrub is fairly open, dominated by low-growing shrubs. The dominant species observed included California sagebrush (*Artemisia californica*), with sparse inclusions of California buckwheat (*Eriogonum fasciculatum*) and brittlebrush (*Encelia farniosa*). All Riversidean sage scrub within the project site shows evidence of past disturbance, including related fire break maintenance.

Eucalyptus Woodland. Eucalyptus woodland is typically characterized by dense stands of gum trees (*Eucalyptus* spp.) that are native to Australia. The eucalyptus woodland within the survey area consists primarily of canopy cover and occurs along the northern boundary of the project site bordering Jerry Eaves Park, located within the buffer to the project site.

Non-native Grassland. Non-native grassland generally occurs on fine-textured loam or clay soils that are moist during winter rainy season and very dry during the summer and fall. Non-native grassland habitat within the project site is dominated non-native, invasive grasses including red brome (*Bromus rubens*), rigput brome (*Bromus diandrus*), and slender wild oat (*Avena barbata*), as well as noxious, invasive weeds such as long-beak filaree (*Erodium botrys*) and short-pod mustard (*Hirschfeldia incana*).

Ruderal Habitat. Ruderal vegetation is typically found in areas with previous disturbance from vegetation clearing, development, or agricultural activities, and which contain vegetative cover that is comprised of more than 50 percent broad-leaved, non-native species. Ruderal areas are dominated by short-pod mustard, tocalote (*Centaurea melitensis*), and tumbleweed (*Salsola australis*).

4.3.4 Methodology

The CDFW's California Natural Diversity Database (CNDDDB) (CDFW, 2019) and the database of threatened/endangered USFWS species (USFWS, 2019) was queried for a one-mile radius around the project site. The CNPS Electronic Inventory (CNPS, 2019) was also reviewed for the nine USGS 7.5-minute quadrangles surrounding the project site for the elevation range of 1,100 to 1,500 feet above msl (mean sea level). The Natural Resources Conservation Service (NRCS) (USDA, 2019) was reviewed for the soils present on the project site, and the County of San Bernardino's Biotic Resources Overlay Map was reviewed for biotic resources overlay zones on the project site and biological resources with potential to occur on the project site. Lastly, biologists reviewed the Manual of California Vegetation Online (CDFW, <https://wildlife.ca.gov/Data/VegCAMP/Related>, accessed February 2021) to determine ranking of the natural communities present on the project site.

Jurisdictional Waters and Streambed

No areas with depressions, drainage patterns, defined channels, and/or wetland vegetation were observed during the reconnaissance level aquatic resource assessment and no U.S. Geological Survey (USGS) blue line streams (USGS, 2019) or National Wetland Inventory (NWI) features (USFWS, 2019) are mapped on the project site. A small quarry does occur to the east of the project site, with a constructed channel from the quarry to the southeast of the project site; however, these features are entirely outside the proposed Project boundaries. As such, no potential federal- or State-jurisdictional aquatic resources are expected to occur on the project site.

Special-Status Species

The CDFW's California Natural Diversity Database (CNDDDB) (CDFW, 2019) and the database of threatened/endangered USFWS species (USFWS, 2019) was queried for a one-mile radius around the project site. The CNDDDB results included historical occurrences of three special-status plant species, eight special-status wildlife species, and one record of a historically mapped sensitive vegetation community within one mile of the project site, as depicted on **Figure 4.3-2, Special-Status Species**.

The USFWS results included a historical occurrence of one additional special-status plant species and two additional special-status wildlife species within one mile of the project site. The CNPS electronic inventory search results included an additional 46 plant species with a California Rare Plant Ranking (CRPR).

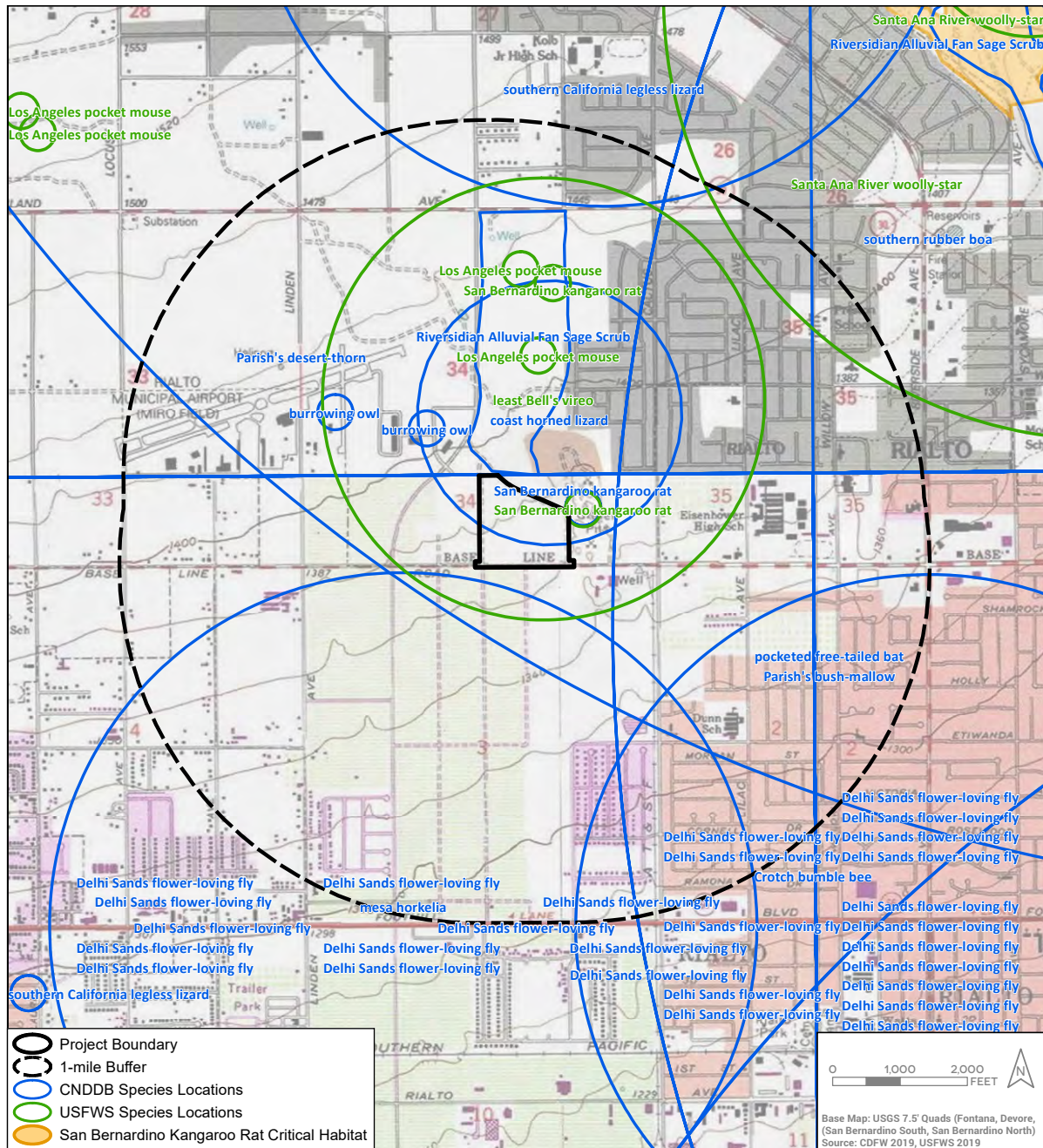


Source: Rocks Biological Consulting

FIGURE 4.3-1: Existing On-Site Biological Resources
 Olive Avenue Development Project
 Draft EIR



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Source: Rocks Biological Consulting

FIGURE 4.3-2: Special Status Species
 Olive Avenue Development Project
 Draft EIR



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Based on database review results, habitat assessments and select focused species surveys, five CRPR listed plant species have a moderate potential to occur on the project site. One CDFW species of special concern, the burrowing owl, and one CDFW watch list species, the horned lark (*Eremophila alpestris*), were observed on the site. Table 4.3-1, *Special-Status Plant and Wildlife Species – Potential for Occurrence*, identifies the potential for these special-status species to occur on the site. No federal- or state-listed endangered species were detected or have a moderate or high potential for occurrence on site.

Species	Status*	Habitat Description	Potential for Occurrence on Project Site
Brand’s star phacelia (<i>Phacelia stellaris</i>)	CRPR 1B.1	Annual herb. Blooms March-June. Coastal strand, coastal sage scrub. Elev. 0-230 ft.	None. Suitable habitat not present on the site.
California muhly (<i>Muhlenbergia californica</i>)	CRPR 4.3	Perennial rhizomatous grass. Blooms June-Sept. Chaparral, yellow-pine forest, coastal sage scrub, wetland/riparian.	Low. Suitable habitat minimal on the site.
California satintail (<i>Imperata brevifolia</i>)	CRPR 2B.1	Perennial grass. Blooms Sept-May. Chaparral, coastal sage scrub, creosote bush scrub, wetland/riparian.	Low. Suitable habitat minimal on the site.
Catalina mariposa-lily (<i>Calochortus catalinae</i>)	CRPR 4.2	Perennial bulbiferous herb. Blooms March-June. Chaparral, cismontane woodlands, coastal scrub, valley/foothill grasslands. Elev. 49-2,296 ft.	Moderate. Suitable scrub habitat occurs on the site.
Chaparral ragwort (<i>Senecio aphanactis</i>)	CRPR 2B.2	Annual herb. Blooms Jan.- April. Foothill woodland, northern coastal scrub, coastal sage scrub. Elev. 425-2,165 ft.	Low. Suitable habitat minimal on the site.
Chaparral sand-verbena (<i>Abronia villosa var. aurita</i>)	CRPR 1B.1	Annual herb. Blooms Jan.-Sept. Creosote bush scrub. Elev. 50-4,985 ft.	None. Suitable habitat not present on the site.
Coulter’s matilija poppy (<i>Romneya coulteri</i>)	CRPR 4.2	Perennial rhizomatous herb. Blooms March-July. Chaparral, coastal sage scrub. Elev. 50-3,020 ft.	None. Would have been observed if present given survey was conducted during blooming period.
Little mouseltail (<i>Myosaurus minimus ssp. apus</i>)	CRPR 3.1	Annual herb. Blooms March-June. Valley grassland, coastal sage scrub, freshwater wetland, wetland/riparian. Elev. 100-5,250.	None. Mesic habitats necessary for this species do not exist on the site.
Many-stemmed dudleya (<i>Dudleya multicaulis</i>)	CRPR 1B.2	Perennial herb. Blooms April-July. Chaparral, valley grassland, coastal sage scrub. Elev. 50-855 ft.	Low. Project site outside elevation range.
Mesa horkelia (<i>Horkelia cuneata var. puberula</i>)	CRPR 1B.1	Found in sandy or gravelly soils in maritime chaparral cismontane woodland, and l, coastal scrub.	None. Suitable habitat not present on the site.
Nevin’s barberry (<i>Berberis nevinii</i>)	FE, SE, CRPR 1B.1	Perennial evergreen shrub. Blooms Feb.-June. Chaparral, cismontane woodland, coastal scrub, and riparian scrub. Elev. 230-2,705 ft.	None. Would have been observed if present given survey was conducted during blooming period.
Ocellated Humboldt lily (<i>Lilium humboldtii ssp. ocellatum</i>)	CRPR 4.2	Perennial bulbiferous herb. Blooms March-July. Chaparral, foothill woodland, yellow pine forest. Elev. 1,050-5,545 ft.	None. Suitable habitat not present on the site.

Table 4.3-1: Special-Status Plant and Wildlife Species – Potential for Occurrence			
Species	Status*	Habitat Description	Potential for Occurrence on Project Site
Parish's bush mallow (<i>Malacothamnus parishii</i>)	CRPR 1A	Found in chaparral and sage scrub.	None. Suitable habitat not present on the site.
Parish's desert-thorn (<i>Lycium parishii</i>)	CRPR 2B.3	Found in creosote bush scrub and coastal sage scrub.	None. Suitable habitat not present on the site.
Parry's spineflower (<i>Chorizanthe parryi</i> var. <i>parryi</i>)	CRPR 1B.1	Annual herb. Blooms April-June. Chaparral, cismontane woodland, coastal scrub, and valley/foothill grassland. Elev. 900-4,000 ft.	Moderate. Suitable scrub habitat present on the site.
Peninsular spineflower (<i>Chorizanthe leptotheca</i>)	CRPR 4.2	Annual herb. Blooms May-Aug. Chaparral, coastal scrub, lower montane coniferous forest. Elev. 984-6,233 ft.	Moderate. Suitable scrub habitat present on the site.
Plummer's mariposa-lily (<i>Calochortus plummerae</i>)	CRPR 4.2	Perennial bulbiferous herb. Blooms May-July. Chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest, valley/foothill grassland. Elev. 330-5,580 ft.	Moderate. Suitable scrub habitat present on the site.
Pringle's monardella (<i>Monardella pringlei</i>)	CRPR 1A	Annual herb. Blooms May-June. Coastal scrub (sandy). Elev. 980-1,310 ft.	None. Known from only two locations near Colton, CA, last seen in 1941.
Prostrate vernal pool navarretia (<i>Navarretia prostrata</i>)	CRPR 1B.1	Annual herb. Blooms April-July. Coastal sage scrub, wetland/riparian. Elev. 65-490 ft.	None. No vernal pools on the site.
Robinson's pepper-grass (<i>Lepidium virginicum</i> var. <i>robinsonii</i>)	CRPR 4.3	Annual herb. Blooms Jan-Jul. Chaparral and coastal sage scrub. Elev. 3-2,905 ft.	Low. Suitable habitat minimal on the site.
Salt spring checkerbloom (<i>Sidalcea neomexicana</i>)	CRPR 2B.2	Perennial herb. Blooms Mar-Jun. Creosote bush scrub, chaparral, yellow pine forest, coastal sage scrub, alkali sink, wetland/riparian.	None. Suitable alkaline meadows not present on the site.
Santa Ana River woolly star (<i>Eriastrum densifolium</i> ssp. <i>sanctorum</i>)	FE, SE, CRPR 1B.1	Found in chaparral and coastal sage scrub.	None. Suitable habitat not present on the site.
Short-joint beavertail (<i>Opuntia basilaris</i> var. <i>brachyclada</i>)	CRPR 1B.2	Stem succulent shrub. Blooms April-June. Creosote bush scrub, chaparral, Joshua Tree woodland, pinyon-juniper woodland. Elev. 1,870-5,380 ft.	None. Would have been observed if present given survey was conducted during blooming period.
Singlewhorl burrobrush (<i>Ambrosia monogyra</i>)	CRPR 2B.2	Perennial shrub. Blooms Aug-Nov. Sandy chaparral, Sonoran Desert scrub. Elev. 32-1,640 ft.	None. Would have been observed if present given survey was conducted during blooming period.
Slender-horned spineflower (<i>Dodecahema leptoceras</i>)	FE, SE, CRPR 1B.1	Annual herb. Blooms April-June. Sandy soils in chaparral, cismontane woodland, alluvial fan coastal scrub. Elev. 655- 2,490 ft.	None. Suitable habitat not present on the site.

Table 4.3-1: Special-Status Plant and Wildlife Species – Potential for Occurrence			
Species	Status*	Habitat Description	Potential for Occurrence on Project Site
Smooth tarplant (<i>Centromadia pungens</i> <i>ssp. laevis</i>)	CRPR 1B.1	Annual herb. Blooms April-Sept. Chenopod scrub, meadows and seeps, playas, riparian woodland, valley/foothill grassland. Elev. 0-2,100 ft.	Moderate. Suitable scrub habitat present on the site.
Southern California black walnut (<i>Juglans californica</i>) Tree.	CRPR 4.2	Blooms March-June. Southern oak woodland, wetland/riparian. Elev. 245-4,890 ft.	None. Would have been observed if present given survey was conducted during blooming period.
Thread-leaved brodiaea (<i>Brodiaea filifolia</i>)	FT, SE, CRPR 1B.1	Perennial bulbiferous herb. Blooms March-June. Valley grassland, foothill woodland, coastal sage scrub, freshwater wetland, wetland/riparian. Elev. 130-3,640 ft.	Low. Suitable habitat minimal on the site.
Western spleenwort (<i>Asplenium vespertinum</i>)	CRPR 4.2	Perennial rhizomatous herb. Visible Feb.-June. Chaparral, cismontane woodland, coastal scrub. Elev. 590-3,280 ft.	None. Suitable habitat not present on the site.
White-bracted spineflower (<i>Chorizanthe xanti</i> var. <i>leucotheca</i>)	CRPR 1B.2	Annual herb. Blooms April-June. Creosote bush scrub, pinyon-juniper woodland. Elev. 1,805-2,985 ft.	None. Suitable habitat not present on the site.
Woolly chaparral-pea (<i>Pickeringia montana</i> var. <i>tomentosa</i>)	CRPR 4.3	Shrub. Blooms May-Aug. Chaparral, coastal sage scrub. Elev. 655-4,165 ft.	None. Would have been observed if present given survey was conducted during blooming period.
Reptiles			
Coast horned lizard (<i>Phrynosoma blainvillii</i>)	SSC	Inhabits open areas of sandy soil and low vegetation in grasslands, coniferous forests, woodlands, and chaparral. Often found in sandy washes and along dirt roads.	Low. Suitable habitat minimal on the site.
Silvery legless lizard (<i>Anniella pulchra pulchra</i>)	SSC	Found in moist warm loose soil with plant cover. Occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces.	None. Suitable habitat not present on the site.
Southern rubber boa (<i>Charina umbratica</i>)	ST	Found in oak-conifer and mixed-conifer forests at elevations between 5,000 to 8,200 ft.	None. Suitable habitat not on the site.
Invertebrates			
Delhi Sands flower-loving fly (<i>Rhaphiomidas terminatus abdominalis</i>)	FE	Found in sandy areas composed of Delhi Fine Sands, stabilized by sparse native vegetation.	None. Delhi Fine Sands are not present on the site.
Mammals			
Los Angeles pocket mouse (<i>Perognathus longimembris brevinasus</i>)	SSC	Found in Riversideans sage scrub, alluvial fan scrub, desert scrub or grassland on sandy soils, generally adjacent to sandy washes or windblown sand.	Low. Suitable habitat minimal on the site.

Table 4.3-1: Special-Status Plant and Wildlife Species – Potential for Occurrence			
Species	Status*	Habitat Description	Potential for Occurrence on Project Site
Pocketed free-tailed bat (<i>Nyctinomops femorosaccus</i>)	SSC	Found in pinyon-juniper woodlands, desert scrub, desert riparian, desert wash, Joshua tree, and palm oasis. Roosts in cave, rock crevices in cliff faces, and man-made structures.	None. Suitable habitat not present on the site.
San Bernardino kangaroo rat (<i>Dipodomys merriami parvus</i>)	FE; SSC	Found on the gentle slopes of alluvial fans, on flood plains, along washes, and on adjacent upland areas, including alluvial sage scrub, coastal sage scrub, and chaparral.	Low. Suitable habitat minimal on the site. Not observed during protocol surveys.
Birds			
burrowing owl (<i>Athene cunicularia</i>)	SSC	Found in grasslands and open scrub from coast to foothills. Strongly associated with California ground squirrel and other fossorial mammal burrows.	Present. Single owl wintering on the site. Moderate nesting potential occurs on the site.
California horned lark (<i>Eremophila alpestris</i>)	WL	Found from coastal deserts and grasslands to alpine dwarf-shrub habitat above the tree line. Also seen in coniferous or chaparral habitats.	Present. Species documented foraging on the site.
Coastal California gnatcatcher (<i>Polioptila californica californica</i>)	FT, SSC	Inhabits sage scrub dominated by California sagebrush and flat-top buckwheat.	Low. On-site Riversidean sage scrub is disturbed and low quality. Not observed during protocol surveys.
Least Bell's vireo (<i>Vireo bellii pusillus</i>)	FE, SE	Found primarily in riparian forests and woodlands; also found in oak woodlands and mesquite brushlands often near water.	None. Suitable riparian habitat not present on the site.
FE – Federally Endangered (USFWS); FT – Federally Threatened (USFWS); SE – State Endangered (CDFW); SCE – State Candidate for Listing as Endangered (CDFW); ST – State Threatened (CDFW); FP – Fully Protected (CDFW); SSC – Species of Special Concern (CDFW); WL – Watch List (CDFW) *CRPR – California Rare Plant Rank 1B – Plants rare, threatened, or endangered in California and elsewhere 2B – Plants rare, threatened, or endangered in California but more common elsewhere 3 – Review List: Plants about which more information is needed 4 – Plants of limited distribution Threat Ranks 0.1 – Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat) 0.2 – Moderately threatened in California (20-80% of occurrences threatened/moderate degree and immediacy of threat) 0.3 – Not very threatened in California (less than 20% of occurrences threatened/low degree and immediacy of threat or no current threats known)			

Delhi Sands Flower-Loving Fly Habitat Assessment

Delhi Sands flower-loving fly is most commonly observed in sandy areas composed of Delhi fine sand with sparse cover of native shrubs. The primary nectar source for the Delhi Sands flower-loving fly is California buckwheat. Since several historical occurrences occur within one mile of the project site, biologists conducted a habitat assessment by surveying for suitable Delhi fine sand soil and potential Delhi Sands

flower-loving fly nectar sources within the project site. No focused surveys for Delhi Sands flower-loving fly were conducted.

Based on the NRCS soils map, **Figure 4.3-3, Soils**, and field investigation, Delhi fine sands are not present on the project site. As such, there is no potential for this species to occur. Further, the on-site Riverside sage scrub is disturbed and dominated by California sagebrush and supports limited nectar sources for the Delhi Sands flower-loving fly.

Burrowing Owl Habitat Assessment and Surveys

Biologists assessed burrowing owl (BUOW) habitat in accordance with the CDFW's *Staff Report on Burrowing Owl Mitigation* (referred to herein as the Guidelines). Suitable burrowing owl habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low growing vegetation. Suitable owl habitat may also include trees and shrubs if the canopy covers less than 30 percent of the ground surface. Burrows are the essential component of burrowing owl habitat; both natural and artificial burrows provide protection, shelter, and nests for burrowing owl. Burrowing owls typically use burrows made by rodents, such as ground squirrels or badgers, but may also use human-made structures, such as concrete culverts, concrete, asphalt or wood debris piles, or openings beneath concrete or asphalt pavement.

In compliance with the Guidelines, RBC conducted four protocol presence/absence burrowing owl surveys during the breeding season (February 1 to August 31). The surveys were conducted at least three weeks apart with one survey conducted between February 15 and April 15, and one survey conducted after June 15. No burrowing owl individuals or burrowing owl sign were observed on the project site during protocol presence/absence surveys conducted between April 15 and June 17, 2019. However, a single burrowing owl was flushed from an on-site burrow during a coastal California gnatcatcher survey on December 19, 2019. The individual has been documented on the project site several times following its initial discovery. Observations of the individual burrowing owl occurred outside of the breeding season and it is assumed that the individual is only wintering on the project site.

The project site is within the San Bernardino's Burrowing Owl Overlay Zone and an individual burrowing owl is using the project site. As such, the potential for future burrowing owl nesting on the project site is moderate.

Coastal California Gnatcatcher Habitat Assessment and Surveys

Coastal California gnatcatchers are year-round residents of Southern California found in the six southernmost California counties (Ventura, Los Angeles, Orange, Riverside, San Bernardino, and San Diego) within the coastal plain. The species typically occur in coastal sage scrub communities dominated by California sagebrush and California buckwheat. This species is typically found in stands of sage scrub that have moderate shrub canopy cover, generally greater than 50 percent. The USFWS notes that gnatcatchers will use sparsely vegetated sage scrub as long as perennial shrubs are available, although there appears to be a minimum cover threshold below which the habitat becomes unsuitable. RBC conducted a habitat assessment by surveying for suitable sage scrub habitat on the project site.

On September 9, 2019, RBC sent a pre-survey notification letter to the Carlsbad USFWS field office stating the intent to conduct coastal California gnatcatcher surveys for the proposed Project. Survey methodology followed the USFWS protocol for non-Natural Community Conservation Plan (NCCP) areas, which requires

nine protocol surveys during the non-breeding season (September 1 to February 14), spaced at least two weeks apart (USFWS, 1997).

RBC biologists, Ian Hirschler (authorized under TE-063230-5.4) and Sarah Krejca (TE-99413B-0), conducted nine surveys between September 12, 2019 and January 2, 2020 within all suitable on-site habitat. The biologists used taped vocalizations to elicit a gnatcatcher response. No coastal California gnatcatchers were documented during the nine non-breeding season protocol surveys. As such, there is a low potential for this species to occur on the project site.

San Bernardino Kangaroo Rat Habitat Assessment and Surveys

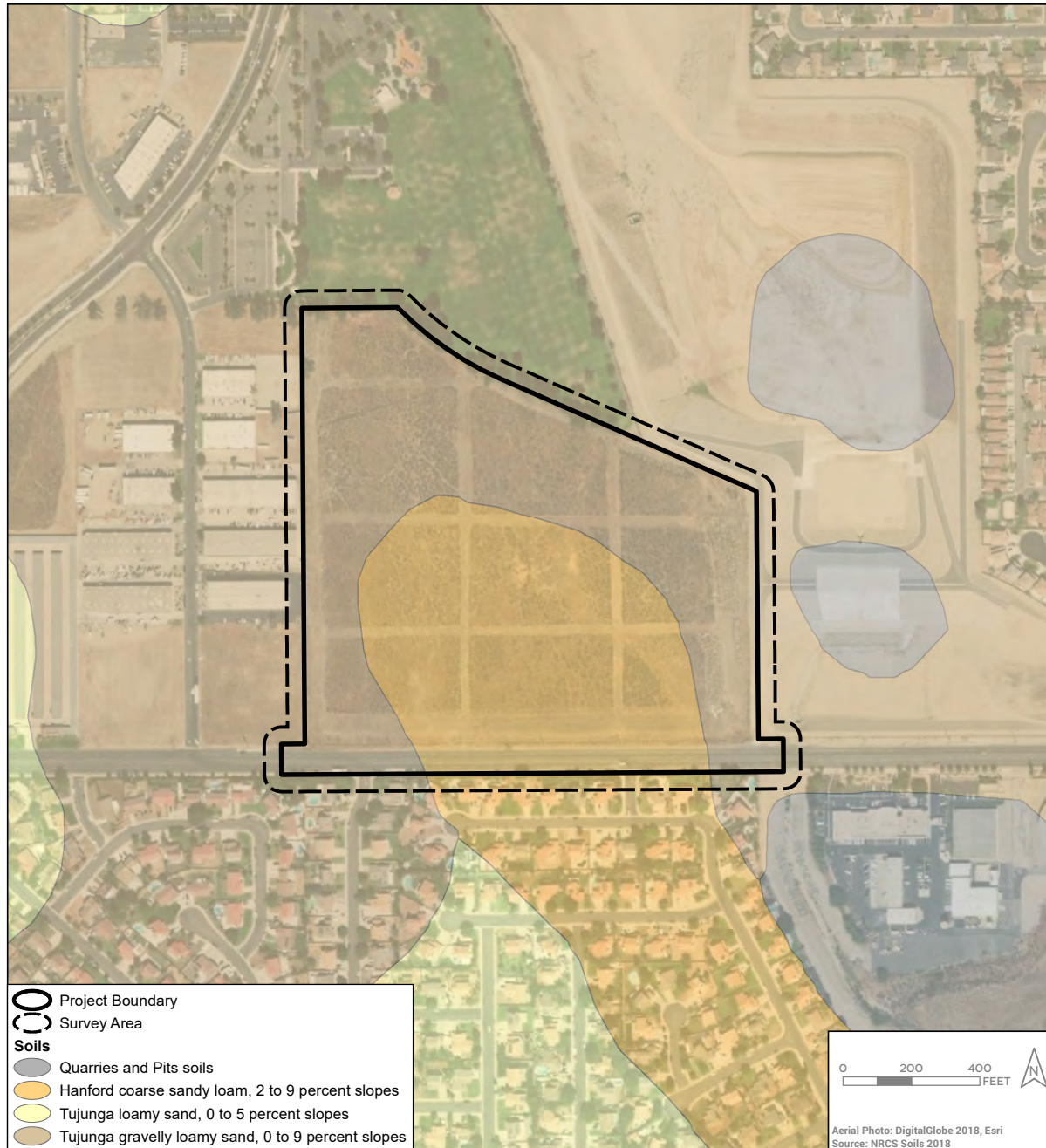
San Bernardino kangaroo rat (SBKR) is most commonly associated with alluvial fan scrub habitat. Alluvial fan scrub is a subtype of Riversidean sage scrub, although with more riparian species. The habitat type generally occurs on xeric sites with severely drained soils. Since SBKR has multiple historic occurrences within one mile of the project site, RBC conducted a habitat assessment by surveying for suitable habitat, suitable burrows, and SBKR sign (e.g., tail drags, scat, or seed caches).

On September 11, 2019, RBC sent a pre-survey notification letter to the Carlsbad USFWS field office stating the intent to conduct SBKR surveys. A live-trapping survey was carried out over five consecutive nights from September 22 to September 27, 2019 by Dr. Phil Brylski (TE-148555-2) who conducted the trapping. RBC accrued 1,000 trap-nights (a trap-night is defined as the number of traps set multiplied by the number of nights deployed, so 200 traps/night for five nights equals 1,000 trap-nights) during the field survey. No San Bernardino kangaroo rats were captured during the on-site trapping survey. As such, there is a low potential for this species to occur on the project site.

Biologists visited the project site on April 15, 2019 to conduct general biological surveys, vegetation mapping, habitat assessments for special-status plant and wildlife species including the burrowing owl, coastal California gnatcatcher (*Polioptila californica californica*), Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) and the San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and to examine the project site for potential jurisdictional wetlands/waters of the U.S. Biologists conducted focused surveys for burrowing owl between April 15 and June 20, 2019. Nine focused surveys were conducted for the coastal California gnatcatcher between September 12, 2019 and January 2, 2020. In addition, focused San Bernardino kangaroo rat surveys (live-trapping) were conducted on five consecutive nights from September 22 to 27, 2019.

Vegetation on the project site was mapped including a 100-foot buffer, which included all observed flora and fauna for inclusion in plant and wildlife lists applicable to the project site.

The Project is evaluated against the significance criteria/thresholds, as the basis for determining the impact's level of significance concerning biological resources. In addition to the design characteristics of future development, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.



Source: Rocks Biological Consulting

FIGURE 4.3-3: Soils
 Olive Avenue Development Project
 Draft EIR



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This analysis of impacts on biological resources examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects-based significance criteria/threshold's application, outlined above. For each criterion, the analyses address both temporary (construction) and operational impacts, as applicable. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

4.3.5 Thresholds of Significance

The following significance criteria for biological resources were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact could be considered significant and may require mitigation if it meets one of the following criteria:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS.
- Have a substantial adverse effect on state or federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, NCCP, or other approved local, regional, or state habitat conservation plan.

4.3.6 Project Impacts and Mitigation

Impact 4.3-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?

Level of Significance: Less than Significant Impact with Mitigation

Special-Status Plants

There are five special-status plant species with moderate potential to occur on the project site: Catalina mariposa-lily (*Calochortus catalinae*, CRPR 4.2); Parry's spineflower (*Chorizanthe parryi* var. *parryi*, CRPR 1B.1); Peninsular spineflower (*Chorizanthe leptotheca*, CRPR 4.2); Plummer's mariposa-lily (*Calochortus plummerae*, CRPR 4.2); and Smooth tarplant (*Centromadia pungens* ssp. *laevis*, CRPR 1B.1). Given the high level of site disturbance and absence of these species found on the project site during previously conducted floristic surveys, extensive populations of special-status plant species are not anticipated to occur. If present, impacts to these species would be minor, measured in individual plants. Further, because the project site is bordered by existing and planned development, any populations

(if present) would be isolated and would not contribute to any larger population or long-term perpetuation of the species. Impacts on special-status plants would be less than significant and no mitigation is required.

Special-Status Animals

As noted above, the project site has no potential to support the Delhi Sands flower-loving fly and low potential to support the California gnatcatcher and San Bernardino kangaroo rat. An individual burrowing owl (CDFW Species of Special Concern) has been documented on the project site and has a moderate potential to nest on project site. Additionally, the CDFW Watch List species California horned lark was also observed on site. With implementation of Mitigation Measure (MM) BIO-1 and MM BIO-2, impacts to burrowing owls and special-status animals would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM BIO-1 A qualified biologist(s) shall conduct a pre-construction presence/absence survey for burrowing owls 14 days prior to ground-disturbing activities and 24 hours immediately before ground-disturbing activities. If burrowing owls are documented on the project site, then a plan for avoidance or passive exclusion shall be made in coordination with CDFW. If the survey is negative, the Project may proceed without further restrictions related to burrowing owls.

MM BIO-2 Vegetation clearing and ground disturbing activities should be conducted outside of the nesting season (February 1 to August 31). If construction activities occur during nesting season, a qualified biologist shall conduct a nesting bird survey within seven days prior to any disturbance of the project site, including tree and shrub removal, disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests. Raptor species shall have an avoidance buffer of 500 feet and other bird species shall have an avoidance buffer of 300 feet. These buffers may be reduced in consultation with the CDFW. If active nests are not identified, vegetation clearing and ground-disturbing activities may commence. If ground-disturbing activities are scheduled outside of the nesting season, a nesting bird survey is not be required.

Impact 4.3-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?

Level of Significance: Less than Significant Impact

The Project would impact six habitats or land uses as identified in Table 4.3-2, *Potential Project Impacts on Vegetation Communities/Land Uses*. The Project would impact one native vegetation community:

disturbed Riversidean sage scrub. Impacts on this habitat would occur in areas that were previously disturbed; therefore, impacts on native habitats would be less than significant because this vegetation community is ranked as globally and State secure. Impacts on non-native vegetation communities or habitats would be less than significant because these habitat types are locally and regionally abundant and the species that use these habitat types are generally adapted to disturbance.

Land Use (Map Code)	Impacts at Project Site (acres)
Developed (DEV)	3.02
Disturbed habitat (DIST)	7.83
Disturbed Riversidean Sage Scrub (D-RSS)	17.09
Eucalyptus woodland (EUC)	0.27
Non-native grassland (NNG)	3.79
Ruderal (RUD)	2.57
Total	34.57
Note: Acreages rounded to the hundredths based on raw numbers provided during GIS analysis of the Project.	

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.3-3: Would the project have a substantial adverse effect on State or federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Level of Significance: No Impact

The Project would not impact riparian areas, vernal pools or other jurisdictional aquatic resources because these features do not occur on the project site based on the initial aquatic resource assessment. Therefore, no impacts would occur and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.3-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Level of Significance: No Impact

The project site is not located within a known migratory wildlife corridor nor serves as wildlife nursery site. Construction of the proposed Project would not impact a wildlife corridor. Therefore, there would be no impact to migratory wildlife or corridors and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.3-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Level of Significance: No Impact

The proposed Project would not conflict with any local policies or ordinances protecting biological resources. While the proposed Project would remove common shrubs and trees found on the project site, these biological elements do not have any legal protection and their removal would not constitute a significant impact to biological resources under CEQA. The City does not have a tree protection ordinance. Therefore, no associated impacts would occur and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.3.7 Cumulative Impacts

Past, present and reasonably foreseeable future projects are required to implement measures, as set forth in their respective CEQA documents, consistent with federal, State, and local regulations to avoid adverse effects to existing biological resources or to mitigate for significant impacts to these resources. The types of measures required for projects impacting protected habitat, species, and regulated resources can include avoidance, project design features, regulatory approvals, best management practices, and mitigation measures. With mitigation, the proposed Project would not cause a significant impact to biological resources. As discussed in this section, the project site does not contain riparian habitat or any other water resources. Additionally, the project site does not contain waters, including wetland waters, that are subject to federal jurisdiction under Section 404 of the Clean Water Act. The project site is not located within a designated protected area, which may support species and habitats that are sensitive

and rare within the region or may function as a migration corridor for wildlife. The Project would not contribute to a cumulative effect on biological resources including sensitive species, protected habitat, or wetland resources. Therefore, the Project would not contribute to a cumulatively considerable impact.

4.3.8 Level of Significance After Mitigation

With implementation of the Mitigation Program set forth in this section, potential impacts would be reduced to a level considered less than significant.

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4.4 CULTURAL RESOURCES

4.4.1 Introduction

This section provides contextual background information on resources on or near the project site, including the area's prehistoric, ethnographic, and historical settings. The extent to which development of the proposed Project could impact existing historic or prehistoric resources is evaluated. The analysis in this section is based in part on the *Cultural Resource Study Findings Memo* prepared by ASM Affiliates (ASM, 2020), which is included as Appendix D of this EIR.

State CEQA Guidelines Section 16064.5 refers to "historical resources" as being a resource listed in or eligible for listing as a significant resource in state or local registers of historical resources, or by determination of a lead agency which is supported by substantial evidence. The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to California Public Resources Code [PRC] §5020.1(k), or identified in an historical resources survey (meeting the criteria in PRC §5024.1(g) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

Tribal cultural resources as defined in PRC Section 21074 (sites, features, places, cultural landscapes, sacred places, and objectives with cultural value to a California Native American tribe) are addressed in Section 4.16, *Tribal Cultural Resources*, of this EIR. Paleontological resources are addressed in Section 4.6, *Geology and Soils*.

4.4.2 Regulatory Setting

Federal Regulations

National Historic Preservation Act of 1966

Pursuant to the National Historic Preservation Act (NHPA) of 1966, as amended, the federal government, acting through the U.S. Department of the Interior's National Park Service, maintains an inventory of historic and archaeological resources — referred to as the National Register of Historic Places (NRHP) — that are worthy of preservation based on meeting certain criteria. The NHPA established the Advisory Council on Historic Preservation and provided procedures for the agency to follow if a proposed action affects a property that is included or may be eligible for inclusion, on the NRHP. The NRHP was developed as a direct result of the NHPA.

The NRHP was established by the NHPA of 1966, as "an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment" (*Code of Federal Regulations* [CFR] 36 §60.2). To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. A property (districts, sites, buildings, structures, and objects of potential significance) is eligible for the NRHP if it is significant under one or more of the following four established criteria:

- Criterion A: Associated with events that have made a significant contribution to the broad patterns of our history;
- Criterion B: Associated with the lives of persons significant in our past;

- Criterion C: Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction;
- Criterion D: Have yielded, or may be likely to yield, information important in prehistory or history.

Eligible properties meet at least one of the criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character, the degree to which the original fabric has been retained, and the reversibility of changes to the property.

State Regulations

California Register of Historic Resources (CRHR)

In 1992, Assembly Bill (AB) 2881 was signed into law establishing the California Register of Historical Resources (CRHR). The CRHR is an authoritative guide in California to be used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change. Eligibility for the CRHR is determined by the California Office of Historic Preservation in a formal review process in which a resource is proposed for listing. A resource deemed eligible for the NRHP is typically deemed eligible for the CRHR. Certain resources are determined by the statute to be included in the CRHR, including California properties formally determined eligible for or listed in the NRHP, as well as State Landmarks and State Points of Interest. The CRHR is maintained by the Office of Historic Preservation's State Historic Preservation Officer.

For a historic resource to be listed, the resource must meet one or more of the following criteria:

- A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- B. Is associated with lives of persons important in our past;
- C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- D. Has yielded, or may be likely to yield, information important in prehistory or history.

California Public Resources Code

The PRC establishes the definition and criteria for historical resources. "Historical resources," according to PRC Section 5020.1(j), "includes, but is not limited to, any object, building, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California." Section 15064.5(a) of the State CEQA Guidelines states that "[g]enerally, a resource shall be considered by the Lead Agency to be 'historically significant' if the resource meets the criteria for listing on the California Register of Historical Resources."

CEQA has established statutory requirements for the formal review and analysis of projects that fall under its jurisdiction. CEQA maintains that any property listed in, determined, or found eligible for listing in the CRHR is considered to be a "historical resource" and shall be considered historically significant. Pursuant to PRC Section 21084.1, 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.” PRC Section 21083.2 additionally requires agencies to determine whether proposed projects would have effects on “unique archaeological resources.”

Impacts to cultural resources are considered significant if a project (1) physically destroys or damages all or part of a resource; (2) changes the character of the use of the resource or physical feature within the setting of the resource that contributes to its significance; and/or (3) introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

The Lead Agency must concurrently determine whether a project will cause damage to a unique archaeological resource (as defined in PRC §21083.2[b]) and, if so, must make reasonable efforts to permit the resources to be preserved in place or left undisturbed. An archaeological resource must be determined to be “unique” or “historic” for an impact to the resource to be considered significant. Section 21083.2(g) of CEQA defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be demonstrated that without merely adding to the existing body of archaeological knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If a resource is neither unique nor historical, the effects of a project on that resource will not be considered significant effects on the environment (CEQA Guidelines §15064(C)(4)).

Local Regulations

Rialto General Plan 2010

Project relevant General Plan policies for cultural resources are addressed below. Where inconsistencies exist, if any, they are addressed in the respective impact analysis below.

Our Roots: Cultural and Historic Resources Element

- Goal CUL 7-1** Preserve Rialto’s significant historical resources as a source of community identity, stability, aesthetic character, and social value.
- Policy 7-1.1** Protect the architectural, historical, agricultural, open space, environmental, and archaeological resources in Rialto.
- Policy 7-1.2** Identify, through appropriate research and surveys, the historical resources in Rialto through documentation and photography.
- Goal CUL 7-2** Provide public understanding and involvement of the unique heritage of the City of Rialto.
- Policy 7-2.1** Establish, promote, and enhance a Rialto history collection centered on the archaeological, historic archaeological and historical texts, archives, and collections of value to Rialto.

- Goal CUL 7-3** Identify, document, and protect significant archaeological resources in Rialto.
- Policy 7-3.1** Require archaeological surveys during the development review process for all projects in archaeologically sensitive areas where no previous surveys are recorded.
- Policy 7-3.2** Avoid impacts to potentially significant prehistoric and historical archaeological resources and sites containing Native American human remains consistent with State law.
- Policy 7-3.4** Actively pursue a comprehensive survey program to identify, document, and protect prehistoric and historical archaeological sites and sites containing Native American human remains.

City of Rialto Municipal Code

Chapter 2.20 of the Municipal Code establishes the Historical Preservation Commission. The commission is authorized to make recommendations, decisions and determinations concerning the designation, preservation, protection, enhancement, and perpetuation of these historical, and cultural resources which contribute to the culture and aesthetic values of the City. Government Code Section 37361 empowers cities to adopt regulations and incentives for the protection, enhancement, perpetuation and use of such places, buildings, structures and other objects. The adoption of reasonable and fair regulations is necessary as a means of recognition, documentation, preservation and maintenance of resources of cultural, aesthetic, or historical significance. Such regulation serves as a means to integrate the preservation of resources and the extraction of relevant data from such resources into public and private land management and development process, and to identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses. Chapter 2.20 is intended to carry out the goals and policies of the General Plan.

4.4.3 Environmental Setting

Natural Setting

The project site lies in the central portion of Rialto. Elevations range from approximately 1,390 feet above msl at the northwestern corner to 1,360 feet above msl at the southeastern corner. The City is largely urbanized and surrounded by other developed cities; the setting surrounding the project site is primarily light industrial, warehouses, and residential.

Prehistoric Setting

Archaeological evidence indicates that human occupation of California began at least 12,000 years ago. The following discussion describes the regional prehistoric circumstances relative to the project site.

Lake Mojave Period (Paleo-Indian and Early Archaic; ca. 12,000 – 7000 B.P.) The Lake Mojave complex represents the earliest human occupation in the Mojave Desert region, beginning at about 12,000 B.P. Considered a Paleo-Indian assemblage, it is thought to be ancestral to the Early Archaic cultures of the subsequent Pinto period. Claims for archaeological assemblages dating to periods earlier than Lake Mojave period, such as those made for Tule Springs, China Lake, and Manix Lake, are controversial and, even if eventually proven to be authentic, appear to have no relationship to later cultural developments in the region.

Cultural materials characteristic of the Lake Mojave Complex includes Lake Mojave, Parman, Silver Lake, and rare fluted projectile points. Other artifacts typically found in these assemblages include lunate and eccentric crescents, small flake engravers, technical scrapers, leaf-shaped knives, drills, and heavy choppers or hammer stones. Milling stones are generally absent in the Lake Mojave Complex. In the Mojave Desert and southern Great Basin, this assemblage is typically (but not exclusively) found in association with Late Pleistocene/Early Holocene lake stands and outwash drainages, although the role of the lakes in the overall adaptation remains in dispute.

Some researchers have argued that lacustrine, or lake-related, resources were the subsistence focus, while others suggest that grasslands suitable for the grazing of large animals during the Late Pleistocene would have surrounded the lakes, and that these were the primary subsistence focus of the Lake Mojave cultures. Some experts assert that the assemblages are the remains of a widespread, generalized hunting adaptation found throughout the western Great Basin, while others interpret the same assemblages as indicating a specialized exploitation of the lacustrine resources of the pluvial lakes and call the complex the “Western Pluvial Lakes Tradition.” Still, other experts propose a combination of these models suggesting a generalized hunting and collecting economy, in which lakeside sites represent the seasonal exploitation of marsh resources. This complex represents Early Man in the Mojave Desert, and exhibits similarities to sites in the western Great Basin and to the San Dieguito complex of the southern California culture area.

Pinto Period (Middle Archaic; ca. 7000 – 4000 B.P.). The transition from pluvial to arid conditions at the end of the early Holocene appears to have been the most extreme environmental change in the southern Great Basin during post-Pleistocene times. Increasingly arid conditions prevailed throughout the region between about 7500 and 5000 B.P.

The cultural manifestations of this period are indicative of adaptation to increasing aridity. As the Pleistocene lakes and rivers dried up and plant and animal life changed, human populations adapted or withdrew to more desirable areas. Pinto populations appear to have withdrawn to desert margins and scattered oases, undergoing the changes as the Pinto Basin Complex assemblages gradually replaced those of the preceding Lake Mojave period. As in the Lake Mojave period, Pinto period sites are usually found in open settings in relatively well-watered locales representing isolated oases of high productivity. Artifacts dating to the Pinto period include Pinto series projectile points, leaf-shaped points and knives, domed and elongated keeled scrapers, and occasional Lake Mojave and Silver Lake points. Simple flat milling stones, occasional shallow-basined milling stones, and hand stones also occur in Pinto period sites.

During this period, small, mobile populations continued to be dependent upon hunting and gathering. The use of grinding implements expanded; however, these were poorly developed as might be expected in a newly acquired technology. This development suggests that the processing of hard seeds was becoming more important in the subsistence system, although it is believed that Pinto period people maintained a mobile subsistence strategy focused primarily on the hunting of highly ranked large game.

Saratoga Springs Period (ca. 1500 – 750 B.P.). Late in prehistory (approximately 1000 B.P.), it is theorized, groups of people speaking Numic languages expanded from somewhere in the Death Valley area across the Great Basin. The Numic Expansion hypothesis gained widespread support in the years following its introduction by Sydney Lamb in 1958. It is believed that the Numa were able to displace the previous inhabitants because of low-cost adaptive strategies oriented around the exploitation of diverse plant resources. This hypothesis is supported by similarities in artifact types and glottochronological theory

advanced by historian Lamb. Historians, and archeologists proposed that a competitive interaction existed between the Numic and pre-Numic groups in the Great Basin. In recent years, the hypothesis has been challenged and remains controversial.

Protohistoric/Ethnographic

The Protohistoric era, a transitional period between the prehistoric and the historic/ethnohistoric, dates from ca. 750 B.P. and continued until first contact with Euro-Americans. Cultural developments established earlier during the Saratoga Springs period continued with some modifications. Numerous sites dating to this most recent period of prehistory are located along the Mojave River in the San Bernardino Mountains and in the inland valleys to the south of the mountains. Diagnostic artifacts for this period are Desert Side-notched points and various poorly defined types of brown ware pottery. Most archaeologists agree that trade along the Mojave Trail was steady throughout this period, accounting for much of the coastal and Colorado River influences in the San Bernardino Mountains.

Ethnography is the descriptive and analytic study of the culture of particular groups or communities. An ethnographer seeks to understand a community through interviews with its members and often through living in and observing it (a practice referred to as "participant observation"). The major ethnographic group associated with the project area was the Serrano. The Serrano were so-called by the Spanish because they lived in and around the San Bernardino Mountains (*serrano*, from *sierra*, means "mountain dweller" in Spanish). The Serrano's own general name for themselves was *Takhtam*, or "people," although most individuals were identified by the name of their particular clan or village, and these names are frequently referred to as "tribes."

The Serrano language is part of the Takic subfamily of the larger Uto-Aztecan language family, which includes a wide variety of language groups extending as far south as the Basin of Mexico. Closer to home, the culture groups neighboring the Serrano to the south of the San Bernardino Mountains—the Gabrielino, Luiseño, and Cahuilla—were also Takic-language speakers. The Serrano appear to have been most closely linguistically aligned with the Cahuilla people, the easternmost of the three.

The Serrano, and many neighboring language groups, were organized into independent but interconnected village communities. Each of these villages consisted of one or more patrilineal clans that belonged to one of two exogamous moieties, named coyote or wildcat. The clan-based villages and the larger moiety groups maintained complex ceremonial relationships with one another.

Prior to European contact, the Serrano were hunters and gatherers who exploited a wide variety of resources from the mountains, the desert, and the Mojave River, including both large and small game, as well as numerous plant resources. Large game—such as deer, mountain sheep, and pronghorn—was hunted with bow and arrow, and smaller animals such as rabbits, rodents, and reptiles were taken with throwing sticks, nets, and snares. Acorns, pinyon nuts, and mesquite beans were among the staple foods, which were seasonally supplemented by chia and ricegrass seeds, roots, tubers, and various fresh greens.

The presence of a perennial water source was the determining factor in the nature, duration, and distribution of Serrano villages. Most Serrano village-hamlets were in the foothill Upper Sonoran life-zone while a few were on the desert floor, near permanent water sources, or in the forest Transition zone. Small villages were more common, although there were larger villages in the Summit Valley and the Cajon

Pass. Small special purpose sites, such as temporary camps, food processing stations, and lithic procurement areas, were located as needed.

By 1975, most Serrano lived on two Southern California reservations (Morongo and San Manuel), where with other native Californians, they participated in ceremonial and political affairs on a pan-reservation. Only slightly over 100 people claimed Serrano descent, reduced from a pre-contact figure between 1,500 and even fewer speak their native language; however, all recall with pride their history. Ethnic identity is strong, and they remain a readily identifiable cultural entity.

Historic Setting

From at least the 1930s to the late 1960s, the project site was used for agricultural purposes, with the possibility of vineyard operations and associated structures. In the 1950s to the late 1960s, sand and gravel mining operations were active on the eastern portion of the project site. The site has been vacant from at least 1967 to the present. Although the project site has returned to natural conditions, it has been subject to disking for weed control and dirt trails are present throughout the site.

The project site is located north of the historic community of Agua Mansa, which originated from a large land grant owned by Juan Bandini which was near the modern City of Riverside, called Rancho Jurupa. A portion of this land was donated to Spanish-speaking settlers from New Mexico and they named it Agua Mansa (Spanish for gentle waters). The original settlement extended from Slover Mountain to the vicinity of the Riverside-San Bernardino county line. The Agua Mansa settlers subsisted on animal husbandry and farming, and at first were relatively successful. However, in 1862, a disastrous flood destroyed most of the community. New homes were built, but Agua Mansa never regained its former prosperity. The residents eventually lost control of the land to large property owners through court battles in the late 19th century.

Typical of many San Bernardino County towns, the area that would one day become Rialto was a fertile agricultural area, due to the warm, dry climate. The beginning of Southern California's citrus culture can be traced to the Mission San Gabriel, a six-acre orange grove planted on mission lands in 1804. Rialto's town site was laid out in 1887 by the Semi-Tropic and Water Company after the Santa Fe Railroad was extended between the cities of San Bernardino and Los Angeles. The Semi-Tropic and Water Company named the community, Rialto, and began development in the area. Shortly thereafter, a group of midwestern Methodists immigrated to Rialto and furthered its development. By the late 19th century, Rialto was a typical small Southern California agricultural community; citrus was the main crop. In 1893, the community had approximately 35 homes with 250 residents, a few local businesses, and the three-story Hotel del Rialto. The first citrus packing house was built in 1894, and a citrus association was established.

Incorporated in 1911, Rialto had 1,500 residents and 40 businesses. Most businesses were located on Riverside Avenue between Santa Fe Station and First Street. Those businesses included one bank, four real estate agencies, a few grocery stores, two meat markets, two department stores, two barbershops, a weekly newspaper (Rialto Record), two garages, and two telephone companies. On the southeast corner of Riverside Avenue at First Street stood the J. H. Crowder Building occupied by a grocery store, which has since been demolished. On the west side of Riverside Avenue stood the offices of the Lytle Creek Water and Improvement Company. The First National Bank of Rialto opened its new building in February 1908

on the northwest corner of Riverside Avenue at Rialto Avenue. In 1913, Rialto's Light and Power Company was sold to California Electric Power Company.

Citrus agriculture was the most important industry to Rialto in the 20th century. Connections to improved transportation resulted in steady growth, as the small agricultural community was able to expand the markets for their local product. In addition to the Santa Fe railroad connection, in 1914 Los Angeles' Pacific Electric Railway completed the San Bernardino Line through the City of Rialto. Transportation infrastructure improved throughout the City, including improvements along Foothill Boulevard, which eventually became a part of U.S. Highway 66, known as transnational Route 66. As a result of post-World War II expansion and the general population boom in Southern California, Rialto became a bedroom/commuter community to larger cities in the county and region. With a population of approximately 102,568¹, only a few acres of the original citrus land are in active use.

4.4.4 Methodology and Results

An archaeological and historical records search was conducted at the South Central Coastal Information Center of the California Historic Resources Inventory System on September 27, 2019 by ASM, and included the project site and a one-mile radius around the site (Appendix D). The search included a review of all recorded archaeological and built-environment resources as well as a review of cultural resource reports on file. Historic aerial photographs and historic USGS topographic maps of the project site were consulted.

A field survey was conducted on October 17, 2019, by ASM Senior Archaeologist, Sherri Andrews, and Assistant Archaeologist, Enadina Lozano. Field methods consisted of a pedestrian survey of accessible areas on the project site using transects spaced at 15-meter intervals.

4.4.5 Thresholds of Significance

State CEQA Guidelines Appendix G has been used as significance criteria in this section. A project would have a significant environmental impact if it:

- Would cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.
- Would cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- Would disturb any human remains, including those interred outside of formal cemeteries.

4.4.6 Project Impacts and Mitigation

Impact 4.4-1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Impact 4.4-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

¹ Department of Finance, (2021). *Population and Housing Estimates for Cities, Counties, and the State, January 1, 2020-2021*. Retrieved from: <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>

The records search identified 28 previous studies that had been conducted within a one-mile radius of the project site. Five of the studies addressed properties adjacent to the southern and eastern boundaries of the project site. There are 11 historic-period properties within a one-mile radius which have been assigned Office of Historic Preservation numbers. All of these properties are more than 0.5 mile from the project site. None of these historic-period resources were identified as eligible for listing on the CRHR as historical resources.

The records search conducted for the Project found eight cultural resources that have been previously recorded within a one-mile radius of the project site (Appendix D). None of these eight resources are located on the project site. All of the resources are historic, and include refuse scatters, irrigation features, water tanks, single-family homes, the Art Scholl Municipal Airport, and Baseline Road.

Additionally, no prehistoric or historic archaeological resources were found during the pedestrian survey of the project site conducted by ASM. Therefore, there is a low archaeological sensitivity for CRHR eligible historical resources to be present on the project site. Although the project site has been disturbed, Mitigation Measure (MM) CUL-1 is proposed to address the discovery of unrecorded historic and/or archaeological resources during construction activities. In compliance with MM CUL-1, an archaeologist would monitor grading and excavation activities. The archaeologist would have the ability to temporarily halt or redirect work to permit the sampling, identification, and evaluation of the artifacts and resources, as appropriate. If resources are found to be significant, the archaeologist would determine appropriate actions. Therefore, with incorporation of mitigation, potential impacts to historical and archaeological resources would be reduced to a less than significant level.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM CUL-1 The State CEQA Guidelines (14 CCR §15126.4[b][3]) direct public agencies, wherever feasible, to avoid damaging historical resources of an archaeological nature, preferably by preserving the resource(s) in place. Preservation in place options suggested by the State CEQA Guidelines include (1) planning construction to avoid an archaeological site; (2) incorporating the site into open space; (3) capping the site with a chemically stable soil; and/or (4) deeding the site into a permanent conservation easement. Prior to issuance of any grading or building permits and/or action that would permit project site disturbance (whichever occurs first), the Applicant shall provide a letter to the City of Rialto Community Development Department, or designee, from a qualified professional archeologist stating that the Applicant has retained this individual and that the archeologist shall provide on-call services in the event historical or archeological resources are discovered. The archeologist shall be present at the pre-grading conference to establish procedures for archaeological resource surveillance. If unknown cultural resources are discovered during ground disturbing activities, all activity within 100 feet of the area of discovery shall cease and the City shall be immediately notified. In the event of the discovery of tribal cultural resources, refer to Mitigation Measures (MMs) TCR-1, TCR-2, and TCR-3. The archeologist shall be contacted to flag the area in the field and determine if the archaeological deposits

meet the CEQA definition of historical (State CEQA Guidelines §15064.5(a)) and/or unique archaeological resources (Public Resources Code [PRC] §21083.2(g)).

If the find is considered a “resource,” the archaeologist shall pursue either protection in place or recovery, salvage, and treatment of the deposits. Recovery, salvage and treatment protocols shall be developed in accordance with applicable provisions of PRC Section 21083.2 and State CEQA Guidelines Sections 15064.5 and 15126.4. If unique archaeological resources cannot be preserved in place or left in an undisturbed state, recovery, salvage, and treatment shall be required at the Applicant’s expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the archaeologist. Resources shall be identified and curated into an established accredited professional repository. The archaeologist shall have a repository agreement in hand prior to initiating recovery of the resource. Excavation as a treatment option shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the Project.

Impact 4.4-3: Would the project disturb any human remains, including those interred outside of formal cemeteries?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

The project site is not located within a known or suspected cemetery and there are no known human remains within the project site. Despite the applicable regulatory framework and the relatively low likelihood of discovery, it remains possible that the proposed Project would discover human remains during subsurface activities, which could then result in the remains being inadvertently damaged. To reduce this potentially significant impact to a less than significant level, SC CUL-1 and MM CUL-1 would be implemented. Compliance with existing laws and the protocols described in the Mitigation Program would reduce potential impacts related to the discovery of human remains to a less than significant level.

Mitigation Program

Standard Conditions

SC CUL-1 California Health and Safety Code Section 7050.5, CEQA Section 15064.5, and Public Resources Code Section 5097.98 mandate the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery. California Health and Safety Code Section 7050.5 requires that in the event that human remains are discovered within the project site, disturbance of the site shall be halted until the coroner has conducted an investigation into the circumstances, manner and cause of death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants (MLD) to be consulted regarding treatment and/or reburial of the remains. If an MLD cannot be identified, or the MLD fails to make a recommendation

regarding the treatment of the remains within 48 hours after gaining access to the remains, the property owner shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Mitigation Measures

MM CUL-1 is applicable.

4.4.7 Cumulative Impacts

The project site contains no known historical or archaeological resources. Despite the site-specific nature of the resources, mitigation required for the identification and protection of unknown or undocumented resources would reduce the potential for cumulative impacts. On a cumulative level, data recovered from a site, combined with data from other sites in the region, would allow for the examination and evaluation of the diversity of human activities in the region. As a result, development of the proposed Project would not contribute to a significant cumulative impact on cultural resources.

4.4.8 Level of Significance After Mitigation

With implementation of the Mitigation Program set forth in this EIR, potential impacts to cultural resources would be reduced to a level considered less than significant.

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4.5 ENERGY

This section examines the existing setting as it relates to energy conservation, identifies associated regulatory conditions and requirements, and presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Project. Energy calculations for the Project are included in Appendix E.

4.5.1 Regulatory Setting

Federal Regulations

Energy Independence and Security Act of 2007

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by former President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage. Under the EISA, the Renewable Fuel Standard program (RFS2) was expanded in several key ways:

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required U.S. Environmental Protection Agency (U.S. EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

State Regulations

California Building Energy Efficiency Standards: Title 24, Part 6 (California Energy Code)

The California Energy Code (Title 24, Part 6) was created as part of the California Building Standards Code (Title 24 of the California Code of Regulations [CCR]) by the California Building Standards Commission in 1978 to establish statewide building energy efficiency standards to reduce California's energy use. These standards include provisions applicable to all buildings, residential and non-residential, which describe

requirements for documentation and certificates that the building meets the standards.¹ These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment
- Gas-Fired Equipment Including Furnaces and Stoves/Ovens
- Windows and Exterior Doors
- Joints and Other Building Structure Openings (envelope)
- Insulation and Cool Roofs
- Lighting Control Devices

The standards include additional mandatory requirements for space conditioning (cooling and heating), water heating, indoor and outdoor lighting systems, as well as equipment in non-residential, high-rise residential, and hotel or motel buildings. Mandatory requirements for low-rise residential buildings cover indoor and outdoor lighting, fireplaces, space cooling and heating equipment (including ducts and fans), and insulation of the structure, foundation, and water piping. In addition to the mandatory requirements, the standards call for further energy efficiency that can be provided through a choice between performance and prescriptive compliance approaches. Separate sections apply to low-rise residential and to non-residential, high-rise residential, and hotel or motel buildings. In buildings designed for mixed use (e.g., commercial and residential), each section must meet the standards applicable to that type of occupancy.

The performance approach set forth under these standards provides for the calculation of an energy budget for each building and allows flexibility in building systems and features to meet the budget. The energy budget addresses space-conditioning (cooling and heating), lighting, and water heating. Compliance with the budget is determined using a CEC-approved computer software energy model. The alternative prescriptive standards require demonstrating compliance with specific minimum efficiency for components of the building such as building envelope insulation R-values, fenestration (areas, U-factor and solar heat gain coefficients of windows and doors) and heating and cooling, water heating and lighting system design requirements. These requirements vary depending on the building's location in the State's 16 climate zones.

¹ CEC. (2020). *2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings*. Retrieved from CEC Website: <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>. Accessed March 17, 2020; these are the current standards.

California's Building Energy Efficiency Standards (CBEES) are updated on an approximately three-year cycle as technology and methods evolve. As a result of new law under Assembly Bill (AB) 970, passed in the fall of 2000 in response to the State's electricity crisis, an emergency update of the standards went into effect in June 2001. The CEC then initiated an immediate follow-on proceeding to consider and adopt updated standards that could not be completed during the emergency proceeding. The 2013 Standards went into effect July 1, 2014. The 2016 CBEES went into effect on January 1, 2017 and improve upon the 2013 CBEES for new construction of, and additions and alterations to, residential and non-residential buildings. The 2019 CBEES were adopted on May 9, 2018 and took effect on January 1, 2020 (for building permit applications submitted on or after that date). The 2019 standards require solar photovoltaic systems for new homes; establish requirements for newly constructed healthcare facilities; encourage demand-responsive technologies and improving the thermal envelope of residential structures; update indoor and outdoor lighting making maximum use of LED technology in non-residential buildings; and enable the use of highly efficient air filters to trap hazardous particulates and improve kitchen ventilation systems in residential and non-residential buildings.² The Project would be constructed in compliance with the non-residential CBEES that are current at the time of construction. Under the 2019 standards, homes will use about 53 percent less energy and non-residential buildings will use about 30 percent less energy than buildings under the 2016 standards. The CBEES updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings, and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

California Green Building Standards

The California Green Building Standards Code (CCR, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new commercial and residential buildings to comply with mandatory measures under five topical areas: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was published in July 2019 and took effect on January 1, 2020.³

As previously discussed, effective January 1, 2020, new homes in California are required to have solar photovoltaic systems installed. In compliance with this mandate, single-family residences will be constructed with solar photovoltaic systems automatically installed. In addition, multi-family residences up to three stories in height will also be constructed with solar photovoltaic systems automatically installed.

² CEC, Efficiency Division. (2018). *2019 Building Energy Efficiency Standards Frequently Asked Questions*. Retrieved from CEC Website: https://www.energy.ca.gov/sites/default/files/2020-03/Title_24_2019_Building_Standards_FAQ_ada.pdf Accessed August 9, 2021.

³ International Code Council (ICC). (2019). *2019 California Green Building Standards Code, Title 24, Part 11*. Retrieved from ICC Website: <https://codes.iccsafe.org/content/chapter/15762/>. Accessed March 17, 2020; these are the current standards.

CEQA Guidelines Appendix F

Public Resources Code (PRC) Section 21100(b)(3) and State CEQA Guidelines Section 15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary use of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the California State Legislature adopted AB 1575, which created the California Energy Commission (CEC). The CEC's statutory mission is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct State responses to energy emergencies, and promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended PRC Section 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary use of energy caused by a project. In addition, State CEQA Guidelines Section 15126.4 was adopted in 1998 which requires that an EIR describe feasible mitigation measures which would minimize the inefficient and unnecessary use of energy. Thereafter, the State Resources Agency created State CEQA Guidelines Appendix F – Energy Conservation.

Pursuant to Appendix F, an EIR must include a “discussion of the potential energy impacts of proposed projects...”⁴ However, because lead agencies have not consistently included such analysis in their EIRs, California's Natural Resources Agency amended Appendix F to the State CEQA Guidelines in 2009 “to ensure that lead agencies comply with the substantive directive in §21100(b)(3).” CEQA Guidelines Appendix F lists environmental impacts and mitigation measures that an EIR may include. What is required is a “discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy.” Potential impacts that may be discussed include:

- A project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of a project including construction, operation, maintenance, or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of a project on local and regional energy supplies and on requirements for additional capacity.
- The effects of a project on peak and base period demands for electricity and other forms of energy.
- The degree to which a project complies with existing energy standards.
- The effects of a project on energy resources.
- A project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

State CEQA Guidelines Appendix F assists EIR preparers in determining whether a project would result in the inefficient, wasteful, and unnecessary use of energy.

Executive Order B-55-18 to Achieve Carbon Neutrality

Executive Order (EO) B-55-18 established a new statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. The EO

⁴ California Association of Environmental Professionals (AEP). (2021). *California Environmental Quality Act, Appendix F Energy Conservation*. Retrieved from AEP website: https://www.califaep.org/docs/CEQA_Handbook_2021.pdf.

requires the California Air Resources Board (CARB) to work with relevant State agencies to develop a framework for implementation and accounting that tracks the progress toward this goal. CARB will also be required to work with relevant State agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.⁵ Carbon neutrality, or having a net zero carbon footprint, refers to achieving net zero carbon dioxide emissions by balancing carbon emissions with carbon removal or simply eliminating carbon emissions altogether.

Senate Bill 100 or the 100 Percent Clean Energy Act of 2018

Senate Bill (SB) 100, approved September 10, 2018, declares that the Public Utilities Commission (PUC), State Energy Resources Conservation and Development Commission, and State Air Resources Board (ARB) should plan for 100 percent of total retail sales of electricity in California to come from eligible renewable energy resources and zero-carbon resources by December 31, 2045. The last 40 percent of the 100 percent total can come from “carbon-free” sources, including large dams, nuclear power, and even natural gas-fired power plants, if they can capture and store the carbon in the ground, which so far is an unproven technology.

SB 100 revises existing law to state that the goal of the California Renewables Portfolio Standard Program is to achieve 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. The bill would require that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt-hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030.⁶

Sustainable Communities Strategy

The Sustainable Communities and Climate Protection Act of 2008, or SB 375, coordinates land use planning, regional transportation plans, and funding priorities to help California meet its GHG emissions reduction mandates. As codified in California Government Code Section 65080, SB 375 requires metropolitan planning organizations (e.g., SCAG) to include a Sustainable Communities Strategy in their regional transportation plan. The main focus of the Sustainable Communities Strategy is to plan for growth in a fashion that will ultimately reduce GHG emissions, but the strategy is also part of a bigger effort to address other development issues, including transit and VMT, which influence the consumption of petroleum-based fuels. Developed by SCAG, Connect SoCal is a regional transportation plan/sustainable communities that seeks to balance future mobility and housing needs with economic, environmental, and public health goals by 2045.

Regional and Local Regulations

Rialto General Plan 2010

The City of Rialto developed and adopted the General Plan to include goals, policies and actions that, when implemented, provide the vision and framework for the physical development of the City. The goals

⁵ State of California. (2018). *Executive Order B-55-18 to Achieve Carbon Neutrality*. Retrieved from State of California Website: https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9_10_18-Executive-Order.pdf. Accessed March 18, 2020.

⁶ California Legislative Information (CLI). (2018). *Senate Bill No. 100*. Retrieved from CLI Website: https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB100. Accessed March 18, 2020.

and policies identified below include conservation techniques to reduce energy use and minimize depletion of energy resources. Chapter 2 of the General Plan describes the conservation goals and policies that the City of Rialto has identified for implementation to provide a high quality of life for residents and the overall community.

Sustainable Building Practices and Energy Conservation

- Goal 2-30** Incorporate green building and other sustainable building practices into development projects.
- Policy 2-30.1** Explore and adopt the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar in both private and public projects.
- Policy 2-30.2** Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate.
- Policy 2-30.3** Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment.
- Goal 2-31** Conserve energy resources.
- Policy 2-31.1** Require the incorporation of energy conservation features into the design of all new construction and site development activities.
- Policy 2-31.2** Provide incentives for the installation of energy conservation measures in existing multi-unit residential and commercial developments, including technical assistance and possibly low-interest loans.
- Policy 2-31.3** Educate the public regarding the need for energy conservation techniques which can be employed and systems which are available.

4.5.2 Environmental Setting

Existing Electricity and Natural Gas Supplies

Electricity

Electricity as a utility is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves a number of system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in

megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

Electrical services are provided to the area by Southern California Edison (SCE). SCE provides electricity to approximately 15 million people, 180 incorporated cities, 15 counties, 5,000 large businesses, and 280,000 small businesses throughout its 50,000-square-mile service area.⁷ SCE produces and purchases their energy from a mix of conventional and renewable generating sources. Table 4.5-1, *Energy Resources Used to Generate Electricity for SCE* shows the SCE electric power mix in 2019 compared to the statewide 2019 power mix. In 2019, electricity use attributable to the County of San Bernardino was approximately 14,987 GWh from non-residential and residential sectors.⁸

Table 4.5-1: Energy Resources Used to Generate Electricity for SCE (2019)		
Energy Resources	2019 SCE Power Mix	2019 CA Power Mix
Eligible Renewable:	35.1%:	31.7%:
Biomass and Biowaste	0.6%	2.4%
Geothermal	5.9%	4.8%
Eligible Hydroelectric	1%	2%
Solar	16%	12.3%
Wind	11.5%	10.2%
Coal	0%	3%
Large Hydroelectric	7.9%	14.6%
Natural Gas	16.1%	34.2%
Nuclear	8.2%	9%
Other	0.1%	0.2%
Unspecified Sources of Power ¹	32.6%	7.3%
Total	100%	100%
Electricity from transactions that are not traceable to specific generation sources.		
Source: SCE. (2020). <i>2019 Power Content Label, Southern California Edison</i> . Retrieved from SCE Website: https://www.sce.com/sites/default/files/inline-files/SCE_2019PowerContentLabel.pdf . Accessed July 16, 2021		

Natural Gas

The Southern California Gas Company (SoCalGas), the service provider for the project area, services approximately 21 million people in a 20,000-square mile service territory. SoCalGas has four storage fields; Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey, as well as a combined storage capacity of approximately 134 billion cubic feet. According to the CEC, natural gas demand in the SoCalGas service area was 5,156 million therms in 2018.⁹

⁷ SCE. (2020). *By the Numbers: Who We Serve*. Retrieved from SEC Website: <https://www.sce.com/about-us/who-we-are>. Accessed March 17, 2020.

⁸ California Energy Commission (CEC). (2020). *Electricity Consumption by County*. Retrieved from CEC Website: <http://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed July 16, 2021.

⁹ California Energy Commission (CEC). (2020). *Gas Consumption by Southern California Gas*. Retrieved from CEC Website: <http://ecdms.energy.ca.gov/elecbycounty.aspx>. Accessed March 17, 2020.

SoCalGas projects that total demand for natural gas will decline at an annual rate of 0.74 percent from 2018 to 2035.¹⁰ The decline in demand is due to modest economic growth, California Public Utilities Commission mandated energy efficiency standards and programs, tighter standards created by revised Title 24 Codes and Standards, renewable electricity goals, the decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure.

Energy Use

Energy use is typically quantified using the British Thermal Unit (BTU). Total energy use in California was 7,881 trillion BTU in 2017¹¹ (the most recent year for which this specific data is available), which equates to an average of approximately 200 million BTU per capita. Of California's total energy use, the breakdown by sector is approximately 40 percent transportation, 23 percent industrial, 19 percent commercial, and 18 percent residential. Electricity and natural gas in California are generally used by stationary sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use. In 2019, taxable gasoline sales (including aviation gasoline) in California accounted for 15,338,758,756 gallons of gasoline.¹²

4.5.3 Methodology

This section analyzes energy use on three sources of energy that are relevant to the proposed Project, including electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for Project construction. The analysis of the Project's electricity and natural gas use is based on the California Emissions Estimator Model (CalEEMod), which quantifies energy use for occupancy. The results of CalEEMod are included in Appendix B to this EIR. Modeling related to Project energy use was based primarily on the default settings in CalEEMod. The amount of operational fuel use was estimated using CalEEMod outputs for the Project and CARB Emissions Factor (EMFAC) 2017 computer program for typical daily fuel use in San Bernardino County. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

4.5.4 Thresholds of Significance

The following significance criteria for Energy were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact would be considered significant and would require mitigation if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

¹⁰ *California Gas and Electric Utilities (2018). 2018 California Gas Report*
https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf. Accessed March 17, 2020.

¹¹ US Energy Information Administration (2020). *California Energy Consumption Estimates*. Retrieved from EIA Website:
<https://www.eia.gov/state/print.php?sid=CA>. Accessed March 17, 2020.

¹² California Department of Tax and Fee Administration (CDTFA). (2021). *Net Taxable Gasoline Gallons*. Retrieved from CDTFA Website: <https://www.cdtfa.ca.gov/taxes-and-fees/spfrpts.htm>. Accessed on March 17, 2020 and 2021. Documentation for 2019 was used because the 2020 taxation total decreased due to decreased driving because of Covid-19.

4.5.5 Project Impacts and Mitigation

Impact 4.5-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Level of Significance: Less than Significant Impact

Construction

The energy associated with Project construction includes electricity use associated with water utilized for dust control, diesel fuel from on-road hauling trips, vendor trips, and off-road construction diesel equipment, as well as gasoline fuel from on-road worker commute trips. Because construction activities typically do not require natural gas, it is not included in the following discussion. The methodology for each category is discussed below. This analysis relies on the construction equipment list and operational characteristics, as stated in Section 4.2, *Air Quality* and Section 4.7, *Greenhouse Gas Emissions*. Quantifications of construction energy are provided for the Project below. Demand is shown in Table 4.5-2, *Energy Use During Construction*.

Project Source	Total Construction Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use: GWh			
Water Use ¹	0.1048	15,634	0.0007%
Diesel Use: Gallons			
On-Road Construction Trips ²	133,360	277,427,995	0.0481%
Off-Road Construction Equipment ³	48,603		0.0175%
Construction Diesel Total	181,963		0.0656 %
Gasoline: Gallons			
On-Road Construction Trips	35,619	840,123,907	0.0042%
¹ Construction water use based on acres disturbed per day per construction sequencing and estimated water use per acre. ² On-Road mobile source fuel use based on VMT from CalEEMod and fleet-average fuel use in MPG from EMFAC in San Bernardino County. ³ Construction fuel use was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. Source: Refer to energy calculations in Appendix B.			

Electricity

Water for Construction Dust Control. Electricity use associated with water use for construction dust control is calculated based on total water use and the energy intensity for supply, distribution, and treatment of water. The total number of gallons of water used is calculated based on acreage disturbed during grading and site preparation, as well as the daily watering rate per acre disturbed.

- The total acres disturbed are calculated using the methodology described in Chapter 4.2 of Appendix A of the CalEEMod User’s Guide, available at: <http://www.caleemod.com/>.

- The water application rate of 3,020 gallons per acre per day is from the Air and Waste Management Association's Air Pollution Engineering Manual (1992).

The energy intensity value is based on the CalEEMod default energy intensity per gallon of water for San Bernardino County. As summarized in Table 4.5-2, the total electricity demand associated with water use for construction dust control would be approximately 0.1048 GWh over the duration of construction.

Petroleum Fuel

On-Road Diesel Construction Trips. The diesel fuel associated with on-road construction mobile trips is calculated based on vehicle miles traveled (VMT) from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default diesel fleet percentage, and vehicle fuel efficiency in miles per gallon (MPG). VMT for the entire construction period is calculated based on the number of trips multiplied by the trip lengths for each phase shown in CalEEMod. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. In summary, the total diesel fuel associated with on-road construction trips would be approximately 133,360 gallons over the duration of buildout of the Project (Table 4.5-2).

Off-Road Diesel Construction Equipment. Similarly, the construction diesel fuel associated with the off-road construction equipment is calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. The total diesel fuel associated with off-road construction equipment is approximately 48,603 gallons for duration of buildout of the Project (Table 4.5-2).

On-Road Gasoline Construction Trips. The gasoline fuel associated with on-road construction mobile trips is calculated based on VMT from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default gasoline fleet percentage, and vehicle fuel efficiency in MPG using the same methodology as the construction on-road trip diesel fuel calculation discussed above. The total gasoline fuel associated with on-road construction trips would be approximately 35,619 gallons over the duration of buildout of the Project (Table 4.5-2).

Construction Energy Use Analysis

In total, construction of the Project would use approximately 0.1048 GWh of electricity, 35,619 gallons of gasoline, and 181,963 gallons of diesel. Californians used 285,436 GWh of electricity in 2018, of which San Bernardino County used 15,633 GWh. Project construction electricity use would represent approximately 0.00004 percent of current electricity use in the State, and 0.0007 percent of the current electricity use in San Bernardino County.

In 2018, Californians used approximately 15,589,042,965 gallons of gasoline and approximately 3,107,823,655 gallons of diesel fuel.¹³ San Bernardino County annual gasoline fuel use in 2018 was 840,123,907 gallons and diesel use was 277,427,995 gallons. Total Project construction gasoline fuel would represent 0.004 percent of annual gasoline used in the County, and total Project construction diesel fuel would represent 0.07 percent of annual diesel used in the County. Based on the total Project's relatively low construction fuel use proportional to annual State and County use, the Project would not

¹³ CDTFA. (2021). *Net Taxable Gasoline Gallons*. Retrieved from CDTFA Website: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>. Accessed on March 17, 2020 and 2021. Documentation for 2019 was used because the 2020 taxation total decreased due to decreased driving because of Covid-19.

substantially affect existing energy fuel supplies or resources. New capacity or additional sources of construction fuel are not anticipated to be required.

SCE's total energy sales are projected to be 94,270 GWh of electricity in 2021.¹⁴ Therefore, the Project's construction-related net annual electricity consumption of 0.1048 GWh would represent approximately 0.0001 percent of SCE's projected sales. Therefore, it is anticipated that SCE's existing and planned electricity capacity and electricity supplies would be sufficient to serve the Project's temporary construction electricity demand. Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet 50 years of worldwide consumption.¹⁵ As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's temporary construction demand.

Furthermore, there are no unusual characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. In addition, some energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel use.

The Project would have construction activities that would use energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). Contractors would be required to monitor air quality emissions of construction activities using applicable regulatory guidance such as from SCAQMD CEQA Guidelines. Additionally, construction is subject to and would comply with California regulations (e.g., California Code of Regulations, Title 13, Sections 2485 and 2449), which reduce diesel PM and criteria pollutant emissions from in-use off-road diesel-fueled vehicles and limit the idling of heavy-duty construction equipment to no more than five minutes. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced from the monitoring and the efficient use of equipment and materials, energy use is reduced. There are no aspects of the Project that would foreseeably result in the inefficient, wasteful, or unnecessary use of energy during construction activities.

Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary use of energy during construction. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive and that there is a significant cost-savings potential in green building practices. Substantial reduction in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than non-recycled materials. The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. It is reasonable to assume that production of building materials such as concrete,

¹⁴ California Energy Commission, *CEC 2019 Baseline Forecast – LSE and BA Tables High Demand Case*, February 2020.

¹⁵ BP Global, *Statistical Review of World Energy*, 2021.

steel, etc., would employ all reasonable energy conservation practices in the interest in minimizing the costs of business.

As described above, the Project’s fuel from the entire construction period would increase fuel use in the County by less than one percent. It should be noted that the State CEQA Guideline Appendix G and Appendix F criteria require the Project’s effects on local and regional energy supplies and on the requirements for additional capacity to be addressed. A less than one percent increase in construction fuel demand is not anticipated to trigger the need for additional capacity. Additionally, use of construction fuel would be temporary and would cease once the Project is fully developed. As such, Project construction would have a nominal effect on the local and regional energy supplies.

As stated above, there are no unusual characteristics that necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction fuel use associated with the Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. Therefore, potential impacts are considered less than significant.

Operations

The energy consumption associated with Project operations would occur from building energy (electricity and natural gas) use, water use, and transportation-related fuel use. The methodology for each category is discussed below. Quantifications of operational energy use are provided for the Project. Annual energy use during operations is shown in Table 4.5-3, *Annual Energy Use During Operations*.

Table 4.5-3: Annual Energy Use During Operations			
Project Source	Annual Operational Energy	San Bernardino County Annual Energy	Percentage Increase Countywide
Electricity Use		GWh	
Area ¹	1.78	15,634	0.0114 %
Water ¹	1.68		0.0107 %
Total Electricity	3.46		0.0221 %
Natural Gas Use		Therms	
Area ¹	9,818	500,082,474	0.0020 %
Diesel Use		Gallons	
Mobile ²	416,563	277,427,995	0.1502 %
Gasoline Use		Gallons	
Mobile ²	208,591	840,123,907	0.0248 %
¹ The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults. ² Calculated based on the mobile source fuel use based on VMT and fleet-average fuel consumption MPG from EMFAC. Source: Refer to energy calculations in Appendix E, Energy Calculations.			

Petroleum Fuel

The gasoline and diesel fuel associated with on-road vehicular trips is calculated based on total VMT calculated for the analyses within Section 4.2, *Air Quality*, and Section 4.7, *Greenhouse Gas Emissions*, and average fuel efficiency from the EMFAC model. The EMFAC fuel efficiency data incorporates the Pavley

Clean Car Standards and the Advanced Clean Cars Program.¹⁶ As summarized in Table 4.5-3, *Annual Energy Use During Operations*, the total gasoline and diesel fuel associated with on-road trips would be approximately 208,591 gallons per year and 416,563 gallons per year, respectively.

Electricity

The electricity use during Project operations is based on CalEEMod defaults. The warehouse and general office building land uses along with the parking lot would use approximately 1.78 GWh of electricity per year (Table 4.5-3). Under the standards in the 2019 Title 24 building code, non-residential buildings would use about 30 percent less energy than buildings under the 2016 standards.

The electricity associated with operational water use is estimated based on the annual water use and the energy intensity factor is the CalEEMod default energy intensity per gallon of water for San Bernardino County. Project area water use is based on the CalEEMod default rates. The Project would use approximately 125 million gallons annually of water annually which would require approximately 1.68 GWh per year for conveyance and treatment.

Natural Gas

The methodology used to calculate the natural gas use associated with the Project is based on CalEEMod default rates. The building envelope would use 981,828 thousand BTUs, or approximately 9,818 therms of natural gas per year (Table 4.5-3).

Operational Energy Use Analysis

Operation of the Project would annually use approximately 3.46 GWh of electricity, 9,818 therms of natural gas, 208,591 gallons of gasoline, and 416,563 gallons of diesel.

Californians used 284,436 GWh of electricity in 2018, of which San Bernardino County used 15,634 GWh. The Project's operational electricity use would represent 0.001 percent of electricity used in the State, and 0.0221 percent of the energy use in San Bernardino County. The Project's electricity consumption estimated above includes reductions associated with compliance with the 2019 Title 24 building code, which requires homes to use 53 percent less energy and non-residential buildings to use 30 percent less energy than buildings under the 2016 standards. Regarding natural gas, Californians used 12,666 million therms of natural gas and 500 million therms of natural gas in San Bernardino County in 2018. Therefore, the Project's operational natural gas use would represent 0.0001 percent of the natural gas use in the State and 0.002 percent of the natural gas use in the County.

In 2021, Californians are anticipated to use approximately 14,045,354,075 gallons of gasoline and approximately 3,446,523,083 gallons of diesel fuel. San Bernardino County annual gasoline fuel use in 2021 is anticipated to be 840,123,907 gallons and diesel fuel is anticipated to be 277,427,995 gallons. Expected Project operational use of gasoline and diesel would represent 0.0015 percent of current gasoline use and 0.012 percent of current diesel use in the State. Project operational use of gasoline and diesel would represent 0.02 percent of gasoline use and 0.15 percent of diesel use in the County.

¹⁶ The CARB EMFAC 2017 Technical Documentation from March 2018 notes that emissions are estimated with all current controls active, except Low Carbon Fuel Standards (LCFS). The reason for excluding LCFS is that most of the emissions benefits due to the LCFS come from the production cycle (upstream emissions) of the fuel rather than the combustion cycle (tailpipe). As a result, LCFS is assumed to not have a significant impact on CO2 emissions from EMFAC's tailpipe emission estimates.

Based on the California Energy Demand 2019 Baseline Forecast (February 2020),¹⁷ SCE's total energy sales in 2030 will be 84,873 GWh of electricity. As such, the project-related net annual electricity consumption of 3.46 GWh would represent approximately 0.004 percent of SCE's projected sales in 2030. SCE would review the Project's estimated electricity consumption in order to ensure that the estimated power requirement would be part of the total load growth forecast for their service area and accounted for in the planned growth of the power system. Based on these factors, it is anticipated that SCE's existing and planned electricity capacity and electricity supplies would be sufficient to serve the Project's electricity demand.

Based on the 2020 California Gas Report¹⁸, the California Energy and Electric Utilities estimates natural gas consumption within SoCalGas' planning area will be approximately 2,597 million cf per day in 2021.¹ Accordingly, the Project's 9,818 therms (981,566 cubic feet) of annual natural gas consumption would account for approximately 0.038 percent of the forecasted natural gas consumption in the SoCalGas planning area. In addition, the 2020 California Gas Report estimates that there will be an additional supply available within SoCalGas' planning area of 1,187 million cf per day in 2030. Accordingly, the Project would account for approximately 0.083 percent of forecasted surplus of natural gas in the SoCalGas planning area. As such, the Project's consumption of natural gas is expected to fall within SoCalGas' projected consumption and supplies for the area. According to the United States Energy Information Administration, the United States currently has over 80 years of natural gas reserves based on 2018 consumption.¹⁹

Transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet 50 years of worldwide consumption.²⁰ As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's demand.

None of the Project energy uses exceed one percent of their corresponding County use. Project operations would not substantially affect existing energy or fuel supplies or resources. The Project would comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant.

Energy Efficiency Measures

As discussed above, California's Energy Efficiency Standards for Residential and Non-Residential Buildings create uniform building codes to reduce California's energy use and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use. For example, requirements for energy-efficient lighting, heating and cooling systems, and green building materials are expected to save additional electricity and natural gas. These savings are cumulative, doubling as years go by.

Regarding water energy conservation, the Project would incorporate drought-tolerant landscaping. Water-efficient irrigation controls would also be used in landscape areas. Comprehensive water

¹⁷ California Energy Commission, *CEC 2019 Baseline Forecast – LSE and BA Tables High Demand Case*, February 2020.

¹⁸ California Gas and Electric Utilities, *2020 California Gas Report*, 2020.

¹⁹ U.S. Energy Information Administration, *Frequently Asked Questions, How Much Natural Gas Does the United States Have, and How Long Will It Last?* February 2021.

²⁰ BP Global, *Statistical Review of World Energy*, 2021.

conservation strategies would be developed to each respective land use as part of the Project plan development. Buildings would incorporate water-efficient fixtures and appliances, to comply with Title 24.

It should also be noted that SCE is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase total procurement from eligible renewable energy resources to 33 percent by 2020 and 50 percent by 2030. SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat.

The Project would be required to adhere to all federal, State, and local requirements for energy efficiency, including the latest Title 24 standards. Therefore, potential impacts are considered less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.5-2: Would the project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?

Level of Significance: Less than Significant Impact

As discussed in Impact 4.5-1 above, the energy conservation policies and plans relevant to the Project include the California Title 24 energy standards and the 2019 CALGreen building code. The Project would be required to comply with these existing energy standards. Compliance with state and local energy efficiency standards would ensure that the Project meets all applicable energy conservation policies and regulations. As such, the Project would not conflict with applicable plans for renewable energy or energy efficiency. SCAG's 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal) (RTP/SCS), adopted in September 2020, integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. As detailed in Section 4.7, *Greenhouse Gas Emissions*, the Project would be consistent with the applicable goals of SCAG's Connect SoCal: 2020-2045 RTP/SCS. The project site is located near existing transit routes on Baseline Road and would include a TDM program to reduce single occupant vehicle trips and encourage transit. Further, as discussed in Section 4.14, *Transportation*, the Project would not interfere with existing bicycle facilities, and new bicycle facilities provided by the Project would continue to promote alternative modes of transportation. Therefore, the Project would not conflict with the stated goals of the RTP/SCS. Potential impacts are considered less than significant without mitigation.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.5.6 Cumulative Impacts

Construction and operations associated with implementation of the Project would result in the use of energy, but not in a wasteful manner. The use of energy would not be substantial in comparison to statewide electricity, natural gas, gasoline, and diesel demand; refer to Table 4.5-2 and Table 4.5-3. As discussed above, the project-related construction electricity consumption would represent approximately 0.0001 percent of SCE generated electricity. Therefore, the Project's construction electricity consumption would be negligible relative to SCE's generated electricity and electricity supplies would be sufficient to serve the Project's temporary construction electricity demand.

During operations the project-related net annual electricity consumption would represent approximately 0.004 percent of SCE's projected sales in 2030. SCE would review the Project's estimated electricity consumption in order to ensure that the estimated power requirement would be part of the total load growth forecast for their service area and accounted for in the planned growth of the power system. The Project's natural gas consumption would account for approximately 0.038 percent of the forecasted natural gas consumption and the Project would account for approximately 0.083 percent of forecasted surplus of natural gas in the SoCalGas planning area. It should be noted that the planning projections of SCE and SoCalGas consider planned development for their service areas and are in and of themselves providing for cumulative growth. Therefore, it is likely that the cumulative growth associated with the related projects is already accounted for in the planning of future supplies to cover projected demand.

Furthermore, transportation fuels (gasoline and diesel) are produced from crude oil, which can be domestic or imported from various regions around the world. Based on current proven reserves, current crude oil production would be sufficient to meet 50 years of worldwide consumption.²¹ As such, it is expected that existing and planned transportation fuel supplies would be sufficient to serve the Project's construction and operational demand. New capacity or supplies of energy resources would not be required. Additionally, the Project would be subject to compliance with all federal, State, and local requirements for energy efficiency.

The Project and new development projects located within the cumulative study area would also be required to comply with all the same applicable federal, State, and local measures aimed at reducing fossil fuel consumption and the conservation of energy. The anticipated Project impacts, in conjunction with cumulative development in the vicinity, would increase urbanization and result in increased energy use. Potential land use impacts are site-specific and require evaluation on a case-by-case basis. As noted above, the Project would not result in significant impacts to State or local plans for renewable energy or

²¹ BP Global, *Statistical Review of World Energy*, 2021.

energy efficiency. Therefore, the Project and identified cumulative projects are not anticipated to result in a significant cumulative impact. Therefore, potential impacts are considered less than significant.

4.5.7 Level of Significance After Mitigation

No significant impacts have been identified.

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4.6 GEOLOGY AND SOILS

4.6.1 Introduction

This section of the EIR describes the existing setting of the project site as it relates to geology and soils; identifies applicable regulatory conditions and requirements; presents the criteria used to evaluate potential impacts on geology and soils; and identifies measures to reduce or avoid significant impacts. Information used to prepare this section included the *Planning-Level Preliminary Geotechnical Investigation, Proposed Olive Grove Business Park*, prepared by Geotechnical Professionals, Inc. October 2, 2019 (Geotechnical Professionals, Inc., 2019) and *Addendum 1 to Planning-Level Preliminary Geotechnical Investigation, Proposed Olive Grove Business Park*, prepared by Geotechnical Professionals, Inc. July 26, 2021 (Geotechnical Professionals, Inc., 2021) provided as Appendix F to this EIR.

4.6.2 Regulatory Setting

Federal Regulations

Alquist-Priolo Earthquake Fault Zoning Act of 1972

The Alquist-Priolo Earthquake Fault Zoning Act, Public Resources Code (PRC), Sections 2621–2630, regulates development and construction of buildings intended for human occupancy to avoid the hazard of surface fault rupture. The Alquist-Priolo Earthquake Fault Zoning Act categorizes faults as active, potentially active, and inactive. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive. These classifications are qualified by the conditions that a fault must be shown to be “sufficiently active” and “well defined” by detailed site-specific geologic explorations to determine whether building setbacks should be established.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990, PRC Sections 2690–2699, directs the California Department of Conservation, California Geological Survey (CGS) to delineate Seismic Hazard Zones. The purpose of the Seismic Hazards Mapping Act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards. Cities, counties, and State agencies are directed to use seismic hazard zone maps developed by CGS in their land-use planning and permitting processes. The act requires that site-specific geotechnical investigations be performed prior to permitting most urban development projects within seismic hazard zones.

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency, the United States Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development

of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decision sciences.

Clean Water Act Section 402

Section 402 of the Clean Water Act authorizes the State Water Resources Control Board (SWRCB), a department of the California Environmental Protection Agency (CalEPA), to issue National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

The SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the construction site discharges directly to a water body listed on the 303(d) list for sediment. Increased compliance tasks under the adopted 2009 Construction General Permit include project risk evaluation, effluent monitoring, receiving water monitoring, electronic data submission of the SWPPP and all other permit registration documents, and a Rain Event Action Plan (REAP), which must be designed to protect all exposed portions of a project site within 48 hours prior to any likely precipitation event. The SWPPP would also include an Erosion Control Plan that would identify specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. The Erosion Control Plan would be included with the Project's Grading Plan and would be subject to approval by the City Engineer.

Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources

The Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources outline methods for assessing potential impacts to fossils and mitigating impacts from development. Impact mitigation includes pre-project survey and salvage, monitoring and screen washing during excavation to salvage fossils, conservation and inventory, and final reports and specimen curation.

Measures for adequate protection or salvage of significant paleontological resources are applied to areas determined to contain rock units that have either a high or undetermined potential for containing significant fossils. Specific mitigation measures generally need not be developed for areas of low paleontological potential. Developers (public and private) and contractors should be made aware,

however, that if there is not an on-site monitor it will be necessary to contact a qualified professional paleontologist if fossils are unearthed in the course of excavation. This contingency should be planned for in advance. In order to save time and project delays, in the advance planning phases of a project, the developer should contact a qualified professional paleontologist and arrange for the salvage of any unanticipated fossils. The paleontologist will then salvage the fossils and assess the necessity for further mitigation measures, if applicable. Decisions regarding the intensity of the paleontological resource impact mitigation program will be made by the project paleontologist on the basis of the significance of the paleontological resources, and their biostratigraphic, biochronologic, paleoecologic, taphonomic, and taxonomic attributes, not on the ability of a project proponent to fund the paleontological resource impact mitigation program.

All phases of mitigation must be supervised by a qualified professional paleontologist who maintains the necessary paleontological collecting permits and repository agreements. All field teams will be supervised by a paleontologist qualified to deal with the significant resources that might be encountered. The lead agency must assure compliance with the measures developed to mitigate impacts of excavation. To assure compliance at the start of the project, a statement that confirms the site's paleontological potential, confirms the repository agreement with an established public institution, and describes the program for impact mitigation, must be deposited with the lead agency and contractor(s) before any ground disturbance begins. In many cases, it will be necessary to conduct a salvage program prior to grading to prevent damage to known paleontological resources and to avoid delays to construction schedules. The impact mitigation program must include preparation, identification, cataloging, and curation of any salvaged specimens. All field notes, photographs, stratigraphic sections, and other data associated with the recovery of the specimens must be deposited with the institution receiving the specimens. Since it is not professionally acceptable to salvage specimens without preparation and curation of specimens and associated data, costs for this phase of the program must be included in the project budget. The mitigation program must be reviewed and accepted by the lead agency. If a mitigation program is initiated early during the course of project planning, construction delays due to paleontological salvage activities can be minimized or even completely avoided.

State Regulations

California Building Standards Code

The California Building Code (CBC) is another name for the body of regulations known as the California Code of Regulations (CCR), Title 24, Part 2, which is a portion of the California Building Standards Code and establishes minimum requirements for a building's structural strength and stability to safeguard the public health, safety, and general welfare. Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. Under State law, all building standards must be centralized in Title 24 or they are not enforceable.

California Health and Safety Code

Section 19100 et seq. of the California Health and Safety Code establishes the State's regulations for earthquake protection. This section of the code requires structural designs to be capable of resisting likely stresses produced by phenomena such as strong winds and earthquakes.

California Penal Code Section 622.5

2020 California Penal Code Part 1- Of Crimes and Punishments Title 14 – Malicious Mischief Section 622½ states “Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.”

Public Resources Code Section 5097.5

Requirements for paleontological resource management are included in PRC Division 5, Chapter 1.7, Section 5097.5, and Division 20, Chapter 3, Section 30244, which state:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.

These statutes prohibit the removal, without permission, of any paleontological site or feature from lands under the jurisdiction of the state or any city, county, district, authority, or public corporation, or any agency thereof. Consequently, local agencies are required to comply with PRC Section 5097.5 for their own activities, including construction and maintenance, as well as for permit actions (e.g., encroachment permits) undertaken by others. Public Resources Code Section 5097.5 also establishes the removal of paleontological resources as a misdemeanor and requires reasonable mitigation of adverse impacts to paleontological resources from developments on public (state, county, city, and district) lands.

California Public Resource Code 5097.5 2020 California Public Resources Code Division 5 – Parks and Monuments Chapter 1.7 – Archaeological, Paleontological, and Historical Sites Section 5097.5 states:

A person shall not knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

Regional and Local Regulations

Rialto General Plan 2010

The General Plan Safety and Noise Element notes that Rialto emphasizes a proactive approach to planning which involves mitigating hazards present in the environment that may adversely affect property and threaten lives. Rialto recognizes the importance of providing a safe living environment for its residents. The City identifies policies to help minimize the effects of hazards.

Goal-5-1 Minimize hazards to public health, safety, and welfare associated with geotechnical hazards.

Policy 5-1.1 Require geotechnical investigations by certified engineering geologist or other qualified professionals for all grading and construction projects subject to geologic

hazards, including fault rupture, severe ground shaking, liquefaction, landslides, and collapsible or expansive soils. Particular attention should be paid to areas within Alquist-Priolo Earthquake Fault Zones.

Policy 5-1.2 Require all construction to be in conformance with the Uniform Building Code (UBC) and the California Building Code (CBC), and to be consistent with the Municipal Code as it provides for earthquake resistant design, excavation and grading.

4.6.3 Environmental Setting

Project Setting

The 31.08-acre project site is vacant and contains scattered, small bushes, weeds and grass. Site elevations range from approximately 1,390 feet above mean sea level (msl) in the northwest part of the site to approximately 1,360 feet above msl at the southeast part of the site. The geotechnical report prepared by Geotechnical Professionals, Inc. (2019) notes that site has been vacant since 1966.

Geologic Setting

The project site is located within the Chino Basin near the northwestern boundary of the Peninsular Ranges Geomorphic Province of Southern California. The Peninsular Ranges Geomorphic Province consists of a series of topographical features moving northwesterly that abuts the Transverse Ranges Province. Within the Transverse Ranges Province are the San Gabriel and San Bernardino Mountains to the north of the project site.

According to the USGS, the project site sits within an area denoted as having young deposits of alluvial fans from the late Holocene epoch, containing unconsolidated to slightly consolidated fine and coarse-grained sands and pebble-boulder gravel.¹

Geologic Materials, Groundwater, Corrosive Soils, and Seismically Induced Settlement

Geologic Materials

The project site consists of undocumented fills overlying natural soils. The fill materials encountered during the geotechnical investigation performed for the project site are generally medium dense and dry and consist of silty sands with varying amounts of gravels and few cobbles. The natural soils on the project site consist predominately of sand and silty sand with varying amounts of gravel and cobbles, and gravels with varying amounts of sand and silt with moderate to high strength and low to medium compressibility characteristics. Scattered boulders, up to 22 inches in diameter, were also encountered on the project site.

Groundwater

The geotechnical investigation drilled to a maximum depth of 36 feet below ground surface and did not encounter groundwater. The depth to historically high ground water levels in the vicinity of the project site is estimated to be greater than 400 feet below the ground surface.

¹ USGS. *Geologic Map of the San Bernardino and Santa Ana 30' x 60' Quadrangles, California*. Retrieved from USGS Website: https://pubs.usgs.gov/of/2006/1217/of2006-1217_map/of2006-1217_geol_map.pdf. Websites were accessed February 9, 2020.

Corrosive Soils

The site soils are considered to be mildly corrosive to concrete and ferrous metals.

Seismically Induced Settlement

The project site is not located in a Seismic Hazards Zone for liquefaction nor earthquake induced landslide zones. The on-site natural soils are dense and not inclined to have the potential for seismic induced dry-sand settlement.

Faulting and Seismicity

The San Jacinto fault, located approximately 1.8 miles east of the project site, is part of the larger Sierra Madre-Cucamonga fault system, considered to be a blind thrust fault. Blind thrust faults are fault areas that do not intersect the ground surface, and therefore are not classified as active or potentially active in the same manner as faults that are present at the earth’s surface. Blind thrust faults are “buried” under the uppermost layers of rock in the crust.

There are no known active or potentially active faults located within the project site, including Alquist-Priolo Earthquake Fault Zones. However, there are numerous active faults located in the regional vicinity of the site. Active and potentially active faults proximate to the project site are identified on Table 4.6-1, *Regional Faults and Seismicity*. Major faults delineated as Alquist-Priolo Fault Zones are 30 and 50 miles from the project site, and include the Chino fault, Raymond fault, Helendale fault, and Yucaipa fault.

Table 4.6-1: Regional Faults and Seismicity			
Fault Segment	Approximate Distance from Project Site (miles)	Direction From Site	Probable Moment Magnitudes (M_w)
San Jacinto	1.8	East	6.5-7.5
San Andreas	7.0	North/Northeast	6.8-8.0
Cucamonga	5.0	Northwest	6.0-7.0

Source: City of Rialto, 2010; California Department of Conservation, 2015; California Institute of Technology Southern California Earthquake Data Center, 2013.

Surface Fault Rupture

Fault rupture is the surface displacement that occurs when movement on a fault deep within the earth breaks through to the surface. Fault rupture and displacement almost always follows preexisting faults, which are zones of weakness; however, not all earthquakes result in surface rupture (i.e., earthquakes that occur on blind thrusts do not result in surface fault rupture. Rupture may occur suddenly during an earthquake or slowly in the form of fault creep). In addition to damage caused by ground shaking from an earthquake, fault rupture is also damaging to buildings and other structures due to the differential displacement and deformation of the ground surface that occurs from the fault offset. This leads to damage or collapse of structures across this zone. Fault rupture displacements in large earthquakes can range from several feet to greater than 15 feet. Surface fault rupture would not occur at the project site due to no known active or potentially active faults that cross the project site, including Alquist-Priolo Earthquake Fault Zones.

Groundshaking

An earthquake is classified by the amount of energy released, which traditionally has been quantified using the Richter scale (M_L). However, seismologists most commonly use the Moment Magnitude (M_W) scale because it provides a more accurate measurement of the size of major and great earthquakes. For earthquakes of less than M_W 7.0, the Moment and Richter Magnitude scales are nearly identical. For earthquake magnitudes greater than M_W 7.0, readings on the Moment Magnitude scale are slightly greater than a corresponding Richter Magnitude.

The intensity of the seismic shaking, or strong ground motion, during an earthquake is dependent on the distance between a site and the epicenter of the earthquake, the magnitude of the earthquake, and the geologic conditions underlying and surrounding a site. Earthquakes occurring on faults closest to a project site would most likely generate the largest ground motion. However, in the case of the project site, there are no known active or potentially active faults that cross the project site, including Alquist-Priolo Earthquake Fault Zones.

Liquefaction

Liquefaction tends to occur in loose, saturated fine-grained sands, coarse silts, or clays with low plasticity. The liquefaction process typically occurs at depths less than 50 feet below the ground surface, although liquefaction can occur at deeper intervals, given the right conditions. The most susceptible zone occurs at depths shallower than 30 feet below the ground surface.

For liquefaction to occur, there must be proper soil type, soil saturation, and cyclic accelerations of sufficient magnitude to progressively increase the water pressures within the soil mass. Non-cohesive soil shear strength is developed by the point-to-point contact of the soil grains. As the water pressures increase in the void spaces surrounding the soil grains, soil particles become supported more by water than point-to-point contact. When water pressures increase sufficiently, soil grains lose the strength to hold to each other and the soils begin to liquefy.

Liquefaction can lead to several types of ground failure, depending on slope conditions and the geological and hydrological settings. The four most common types of ground failure are: (1) lateral spreads, (2) flow failures, (3) ground oscillation, and (4) loss of bearing strength.

The project site is not located within a zone identified as having a potential for liquefaction by the CGS, as the quadrangle has not yet been assessed. The site is not located in a zone identified as having a potential for liquefaction by the County of San Bernardino. Published groundwater elevation maps indicate that groundwater is at a depth of approximately 400 feet below ground surface, based on California Department of Water Resources data. In addition, the site is underlain by coarsely granular alluvial fan deposits with high penetration resistance values. Accordingly, the potential for liquefaction at the site is remote.

Landslides

Landslides are gravity-driven movements of earth materials that may include rock, soil, unconsolidated sediment, or combinations of such materials. The primary factors influencing the stability of a slope are the nature of the underlying soil or bedrock, the geometry of the slope (height and steepness), and rainfall. The presence of historic landslide deposits is a good indicator of future landslides. Landslides are commonly triggered by unusually high rainfall and the resulting soil saturation, by earthquakes, or a

combination of these conditions. The project site is not located in a zone identified as being susceptible to landslides by the County of San Bernardino.

Lateral Spreading

Lateral spreading generally is a phenomenon where blocks of intact, non-liquefied soil moves downslope on a liquefied substrate of large areal extent. For lateral spreading to occur, a sloping site with an open face within or at some distance from the site typically exists and there is a potential for liquefaction to occur near the base of the open face. Because the potential for liquefaction to occur at the site is remote, the potential for lateral spreading is remote.

Soil Expansion

Expansive soils can undergo significant volume change with changes in moisture content. In general, expansive soils shrink and harden when dried, and swell and soften when wetted. Such changes can cause distress to building foundations and structures, slabs on grade, pavements, and other surface improvements. The natural soils consist predominately of sand and silty sand with varying amounts of gravel and cobbles, and gravels with varying amounts of sand and silt. Although not tested, these soils are considered to have a very low expansion potential.

Subsidence

The project site is located within a widespread area of recorded subsidence due to groundwater withdrawal/pumping (historical and current) across California.² Subsidence is a potential hazard in areas where there are significant thicknesses of alluvial soils and where groundwater withdrawal is anticipated. Published maps indicate that the project site is underlain by approximately 900 feet of alluvium and groundwater is at a depth of approximately 400 feet. Based on the depth to groundwater, if groundwater were lowered, subsidence would occur over a regional area and the effects would not cause potentially damaging differential settlement on local structures.

Paleontological Resources

The General Plan indicates that excavation and other earthmoving activities within surface and subsurface exposures of Pleistocene era alluvium materials (Qof) could disturb paleontological resources. Mitigation measures to address significant impacts to paleontological resources are included in the General Plan and consist of monitoring grading activities by a qualified paleontologist, and identifying and recovering paleontological resources. *Exhibit 4.6.2, Soils Map* in the General Plan, identifies soils on the project site as Young Alluvial Fan Deposits (Qyf), which is not the soil type indicative of containing paleontological resources. Therefore, paleontological resources are not anticipated to be identified at the project site.

4.6.4 Methodology

The technical analyses supporting the geotechnical impact conclusions in the following section were completed by Geotechnical Professionals, Inc. (2019 and 2021 reports). Data from these reports was supplemented through literature review and application of policies and guidelines of the General Plan for geology, soils, and paleontological resources.

² https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html. All websites were accessed in 2021.

The proposed Project is evaluated against the significance criteria/thresholds, as the basis for determining the impact's level of significance concerning geology and soils. In addition to project design features, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

4.6.5 Thresholds of Significance

The following significance criteria for geology and soils were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact of a project would be considered significant if it would meet one of the following criteria:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
 - ii. Strong seismic ground shaking.
 - iii. Seismic-related ground failure, including liquefaction.
 - iv. Landslides.
- b) Result in substantial soil erosion or the loss of topsoil.
- c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.
- e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

As addressed in Section 1.5, Summary of Effects With No Impact, the City has determined that the proposed Project would not have a significant impact on the following threshold for the reasons stated below, and that no further analysis was required:

- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

The proposed Project would connect to the City's sanitary sewer system, and there would be no septic systems constructed as part of the Project. Section 4.17, *Utilities*, of this EIR addresses wastewater service and facilities.

4.6.6 Project Impacts and Mitigation

Impact 4.6-1 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map

issued by the State Geologist for the area or based on other substantial evidence of a known faults or strong seismic ground shaking?

Level of Significance: Less than Significant Impact with Mitigation

There are no known active or potentially active faults at the project site, and the site is not within an Alquist-Priolo Earthquake Fault Zone as designated by the USGS. Since there are no known active faults crossing the project site, the likelihood of primary ground rupture is low. While there are no known active or potentially active faults or Alquist-Priolo Earthquake Fault Zones at the project site, there are numerous faults in the region. Rupture of any of these faults or of an unknown fault in the region could cause seismic ground shaking. The closest fault to the site is the San Jacinto fault, which is mapped about 1.6 miles to the northeast.

Construction of the Project would be required to conform to the seismic design requirements of the CBC and California Health and Safety Code (or applicable adopted code at the time of plan submittal or grading and building permit issuance for construction). The building and safety standards established by these codes have been developed to address structural integrity during a seismic event. State laws and local ordinances require that, prior to construction, potential seismic hazards be identified and mitigated, as needed, to protect public health and safety from substantial risks through appropriate engineering practices. Impacts related to strong seismic ground shaking could be potentially significant; however, with implementation of Mitigation Measure (MM) GEO-1 and compliance with applicable codes, impacts would be reduced to a less than significant level. MM GEO-1 would require the preparation of a final soils and geotechnical report for the Project. The report would be required to address site preparation, grading, building foundations, and CBC seismic design parameters. Impacts would be less than significant with mitigation.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM GEO-1 The Applicant shall submit to the City of Rialto Development Services Department and Public Works Department for review and approval, a site-specific, design-level geotechnical investigation prepared for the project site by a registered geotechnical engineer. The investigation shall comply with all applicable state and local code requirements³ and:

- a) Include an analysis of the expected ground motions at the site from known active faults using accepted methodologies;
- b) Determine structural design requirements as prescribed by the most current version of the California Building Code, including applicable City amendments, to ensure that structures can withstand ground accelerations expected from known active faults;

³ Rialto, CA Municipal Code Section 11.12.070 (Ord. 1234 (part), 1995: Ord. 649 §1 (part), 1973: 1965 Code Title XIII, Ch. 11, §7).

- c) Determine the final design parameters for walls, foundations, foundation slabs, utilities, roadways, parking lots, sidewalks, and other surrounding related improvements;

Project plans for foundation design, earthwork, and site preparation shall incorporate all of the mitigation in the site-specific investigations. The structural engineer shall review the site-specific investigations, provide any additional necessary measures to meet Building Code requirements, and incorporate all applicable recommendations from the investigation in the structural design plans and shall ensure that all structural plans for the Project meet current Building Code requirements.

The City's registered geotechnical engineer or third-party registered engineer retained to review the geotechnical reports shall review each site-specific geotechnical investigation, approve the final report, and require compliance with all geotechnical requirements contained in the investigation in the plans submitted for the grading, foundation, structural, infrastructure and all other relevant construction permits.

The City shall review all Project plans for grading, foundations, structural, infrastructure and all other relevant construction permits to ensure compliance with the applicable geotechnical investigation and other applicable Code requirements.

Impact 4.6-2 Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure including liquefaction?

Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Level of Significance: Less than Significant Impact

Seismic-Related Ground Failure – Liquefaction. The project site is not located within a zone identified as having a potential for liquefaction by the CGS, as the quadrangle has not yet been assessed. The project site is not located in a zone identified as having a potential for liquefaction by the County of San Bernardino. Published groundwater elevation maps indicate that groundwater is at a depth of approximately 400 feet below ground surface based on California Department of Water Resources data. In addition, the project site is underlain by coarsely granular alluvial fan deposits with high penetration resistance [N] values. Any buildings constructed on the site would also be required to comply with CBC requirements, which require development projects to perform geotechnical investigations in accordance with State law, engineer improvements to address potential seismic and ground failure issues as a result of liquefaction. Therefore, impacts from liquefaction are less than significant.

Landslides. The project site is located on relatively flat ground and is not adjacent to any areas with steep slopes such that if ground shaking occurred the site would experience damage from a landslide. In addition, the project site is not located in a zone identified as being susceptible to landslides by the County of San Bernardino. Due to the relatively level topography at the site, landslides are not present at the property or at a location that could impact the project site. Therefore, impacts from landslides are less than significant.

Lateral Spreading. Lateral spreading is the finite, horizontal movement of material associated with pore pressure build-up or liquefaction. This process can occur in a shallow underlying deposit during an earthquake in areas susceptible to liquefaction. To occur, lateral spreading requires the existence of a continuous and laterally unconstrained liquefiable zone. Given the very low probability of liquefaction, impacts from lateral spreading are less than significant.

Subsidence. The subsidence of soils is characterized by sinking or descending soils that occurs as the result of a heavy load being placed on underlying sediments, and may be triggered by seismic events. Seismically-induced settlement is dependent on the relative density of the subsurface soils. Settlements from collapsible soils can be relatively large and damaging to improvements. There is no extraction of groundwater, gas, oil, geothermal energy from implementation of the proposed Project. Plus, groundwater level is at a depth of approximately 400 feet below the ground surface. Given the depth to groundwater, if subsidence were to occur it would occur over a regional area and the effects would not cause potentially damaging differential settlement for on-site structures. Accordingly, the Project would not cause nor accelerate geologic hazards related to subsidence, which would result in substantial damage to structures or infrastructure, nor expose people to substantial risk of injury. Impacts related to subsidence would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.6-3 **Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?**

Level of Significance: No Impact

Site elevations range from approximately 1,390 feet above msl in the northwest part of the site to approximately 1,360 feet above msl at the southeast part of the site. Due to the gently sloping topography on the project site and in area surrounding the site, landslides are not anticipated. The project site is also not located in a zone identified as being susceptible to landslides by the County of San Bernardino. Therefore, Project implementation would not expose people or structures to potential substantial adverse effects involving landslides. No impacts from landslides would occur.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.6-4 Would the project result in substantial soil erosion or the loss of topsoil?

Level of Significance: Less than Significant Impact

Soil erosion occurs when surface materials are worn away from the earth's surface due to land disturbance and/or natural factors such as wind and precipitation. The potential for soil erosion is determined by characteristics including texture and content, surface roughness, vegetation cover, and slope grade and length. Wind erosion typically occurs when fine-grained non-cohesive soils are exposed to high-velocity winds, while water erosion tends to occur when loose soils on moderate to steep slopes are exposed to high-intensity storm events.

The project site gently slopes from the northeast corner to the southwest corner. The near surface natural soils consist predominately of sand and silty sand with varying amounts of gravel and cobbles, and gravels with varying amounts of sand and silt. These materials have a relatively low to moderate potential for erosion depending on drainage patterns. The Project is not anticipated to require significant cuts and fills thereby reducing the potential for such erosion. The finished Project is also anticipated to be relatively flat and substantially covered with pavements and buildings, thereby reducing the potential for erosion. During grading and construction, topsoil would be exposed and the potential exists for wind and water erosion to occur. During construction, the proposed Project would be required to comply with the NPDES permitting process. Section 4.9, *Hydrology and Water Quality*, identifies NPDES compliance requirements for the Project. The NPDES permitting process applies to projects involving disturbance of one acre or more. These projects are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies how water quality would be protected during construction activities. The SWPPP would include BMPs to protect the quality of stormwater runoff. Construction BMPs would include, but are not limited to, stabilization of construction entrances, straw wattles on embankments, and sediment filters on existing inlets. These measures would minimize erosion, protect exposed slope areas, control surface water flows over exposed soils, and implement a sediment monitoring plan⁴.

The project site is currently vacant. With site development, the property would be primarily impervious surfaces. Pervious areas would be landscaped to prevent soil erosion; the remainder of the project site would be impervious and therefore not subject to soil erosion. Therefore, the Project would not result in substantial soil erosion or loss of topsoil. As a result, impacts associated with soil erosion and loss of topsoil would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

⁴ Rialto, California Municipal Code Section 17.40.010 (Ord. 1234 (part), 1995; Ord. 684 §23, 1975).

Impact 4.6-5 Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Level of Significance: Less than Significant Impact

Soils that expand and contract in volume (“shrink-swell” pattern) are considered to be expansive and may cause damage to aboveground infrastructure as a result of density changes that shift overlying materials. Fine-grain clay sediments are most likely to exhibit shrink-swell patterns in response to changing moisture levels. As previously discussed the project site contains soils that have a very low expansion potential. Therefore, impacts from expansive soils are less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.6-6 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Level of Significance: Less than Significant Impact

According to the General Plan, the project site does not contain soils conducive to support the potential for paleontological resources. As a result, impacts to paleontological resources would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.6.7 Cumulative Impacts

Geology and Soils. Southern California is a seismically active region with a range of geologic and soil conditions. These conditions can vary widely within a limited geographical area due to factors, including differences in landforms and proximity to fault zones, among others. Therefore, while geotechnical impacts may be associated with the cumulative development, by the very nature of the impacts (i.e., landslides and expansive and compressible soils), the constraints are typically site-specific and there is low, if any, cumulative relationship between the development of a proposed project and development within a larger cumulative area, such as citywide development. Additionally, while seismic conditions are regional in nature, seismic impacts on a given project site are site-specific. For example, development within the site or surrounding area would not alter geologic events or soil features/characteristics (such as ground-shaking, seismic intensity, or soil expansion); therefore, the Project would not affect the level

of intensity at which a seismic event on an adjacent site is experienced. However, Project development and future development in the area may expose more persons to seismic hazards.

In accordance with the thresholds of significance, impacts associated with seismic events and hazards would be considered significant if the effects of an earthquake on a property could not be mitigated by an engineered solution. The significance criteria do not require elimination of the potential for structural damage from seismic hazards. Instead, the criteria require an evaluation of whether the seismic conditions on a site can be overcome through engineering design solutions that would reduce to less than significant the substantial risk of exposing people or structures to loss, injury, or death.

Project site is not in an Alquist-Priolo Earthquake Fault Zone, landslide, liquefaction, or preliminary fault rupture study area. In addition, the proposed Project would be constructed in compliance with applicable codes and in accordance with the Mitigation Program set forth in this EIR, which are designed to reduce the exposure of people or structures to substantial risk of loss, injury, or death related to geological conditions or seismic events.

Accordingly, the Project's contribution to any cumulative impact related to the exposure of people or structures to potential substantial adverse effects involving fault rupture, ground shaking, or ground failure, as well as unstable geologic units or expansive soil, would not be cumulatively considerable and the cumulative impact would be reduced to a level of less than significant.

Similar to the Project, future projects would be required to follow City of Rialto Building standards, SCAQMD's requirements for dust control, and Regional Water Quality Control Board regulations pertaining to surface water runoff and water quality (which would require BMPs) for construction projects greater and smaller than one acre of disturbance, would prevent significant cumulative impacts related to erosion and other geological impacts. Therefore, the Project's contribution to any cumulative impact related to soil erosion would not be cumulatively considerable and the cumulative impact would be reduced to a level of less than significant.

Paleontology. The potential cumulative impact related to paleontological resources is typically site specific. The analysis herein determined that the proposed Project would not result in any significant impacts related to the destruction of a unique paleontological resource given that the project site does not contain soils conducive for paleontological resources. Therefore, the impacts of the proposed project-related to paleontological resources would be less than cumulatively considerable.

4.6.8 Level of Significance After Mitigation

With implementation of the Mitigation Program set forth in this section, potential impacts related to geology, soils and paleontological resources would be reduced to a level considered less than significant.

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4.7 GREENHOUSE GAS EMISSIONS

This section provides a discussion of existing regulations, plans, and policies pertaining to global climate change and the reduction of greenhouse gas (GHG) emissions, a quantified estimate of GHG emissions that will result from the Project, and an analysis of the significance of the impact of these GHGs. The Greenhouse Gas Emissions Technical Report is summarized in this EIR section and provided as Appendix G of this EIR.

4.7.1 Environmental Setting

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF₆), and nitrogen trifluoride (NF₃); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO₂ is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO₂ emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO₂ emissions remains stored in the atmosphere. Table 4.7-1, *Description of Greenhouse Gases* describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.7-1: Description of Greenhouse Gases	
Greenhouse Gas	Description
Carbon Dioxide (CO ₂)	CO ₂ is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO ₂ emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO ₂ is variable because it is readily exchanged in the atmosphere. CO ₂ is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N ₂ O)	N ₂ O is largely attributable to agricultural practices and soil management. Primary human-related sources of N ₂ O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N ₂ O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N ₂ O is approximately 120 years. The Global Warming Potential of N ₂ O is 298.
Methane (CH ₄)	CH ₄ , a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH ₄ include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH ₄ is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF ₆)	SF ₆ is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF ₆ is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF ₃)	NF ₃ was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.
Source: Compiled from U.S. EPA, <i>Overview of Greenhouse Gases</i> , April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); U.S. EPA, <i>Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016</i> , 2018; Intergovernmental Panel on Climate Change, <i>Climate Change 2007: The Physical Science Basis</i> , 2007; National Research Council, <i>Advancing the Science of Climate Change</i> , 2010; U.S. EPA, <i>Methane and Nitrous Oxide Emission from Natural Sources</i> , April 2010	

4.7.2 Regulatory Setting

Federal Regulations

To date, national standards have not been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which will aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon (mpg) for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency (U.S. EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO₂, CH₄, N₂O, HFCs, PFCs, and SF₆) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the U.S. EPA's assessment of the scientific evidence that form the basis for the U.S. EPA's regulatory actions.

Federal Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, Executive Order (EO) 13432 was issued in 2007 directing the U.S. EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the U.S. EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, U.S. EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and

NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017-2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO₂ in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 mpg if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017-2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the U.S. EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 mpg), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the U.S. EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO₂ emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the U.S. EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the U.S. EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021–2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO₂ emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

State Regulations

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO₂ equivalents (CO₂e) in the world and produced 459 million gross metric tons of CO₂e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved

by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

California Air Resource Board Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual")². The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program³. Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.
- The California Sustainable Freight Action Plan was developed in 2016 and provides a vision for California's transition to a more efficient, more economically competitive, and less polluting freight transport system. This transition of California's freight transport system is essential to supporting the State's economic development in coming decades while reducing pollution.
- CARB's Mobile Source Strategy demonstrates how the State can simultaneously meet air quality standards, achieve GHG emission reduction targets, decrease health risk from transportation emissions, and reduce petroleum consumption over the next fifteen years. The mobile Source Strategy includes increasing new zero emission vehicles (ZEV) buses and trucks.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future

fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO₂e (MMTCO₂e) to 545 MMTCO₂e. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a second update to the Scoping Plan¹. The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by EO B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and, support the Clean Power Plan and other federal actions.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in EO B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the U.S. EPA's denial of an implementation waiver. The U.S. EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules

¹ California Air Resources Board, *California's 2017 Climate Change Scoping Plan*, https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed 2020 and 2021.

will be fully implemented, new automobiles will emit 34 percent fewer CO₂e emissions and 75 percent fewer smog-forming emissions.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO₂ per megawatt-hour.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed EO S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. EO S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of EO B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of State agencies.

Executive Order S-3-05

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07

Issued on January 18, 2007, EO S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Issued on November 14, 2008, EO S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08

Issued on November 17, 2008, EO S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, EO S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly-owned electricity retailers.

Executive Order S-21-09

Issued on July 17, 2009, EO S-21-09 directs CARB to adopt regulations to increase California's Renewables Portfolio Standard (RPS) to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

Issued on April 29, 2015, EO B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO₂e (MMT CO₂e). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by EO S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18

Issued on September 10, 2018, EO B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant State agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires State agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

Executive Order N-79-20

Signed in September 2020, EO N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of ZEVs "towards the target of 100 percent." The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive

Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations

The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and effective January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy and non-residential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2017. Updates to the 2016 CALGreen Code took effect on January 1, 2020 (2019 CALGreen). The 2019 CALGreen standards will continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and non-residential buildings.

CARB Advanced Clean Truck Regulation

CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission "last-mile" delivery trucks and vans by

2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- **Zero-Emission Truck Sales:** Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- **Company and Fleet Reporting:** Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations. This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Regional and Local Regulations

South Coast Air Quality Management District Thresholds

The South Coast Air Quality Management District (SCAQMD) formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, a project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. For all industrial projects, the SCAQMD has proposed a screening threshold of 10,000 million metric tons of CO₂e (MTCO₂e) per year. During Working Group Meeting #7 it was explained that this threshold was derived using a 90 percent capture rate of a large sampling of industrial facilities. During Meeting #8, the Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.). SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Southern California Association of Governments – Connect SoCal: Regional Transportation Plan/Sustainable Communities Strategy

As the metropolitan planning organization for the region's six counties and 191 cities, the Southern California Association of Governments (SCAG) is mandated by law to develop a long-term regional transportation and sustainability plan every four years. On September 3, 2020, SCAG adopted Connect SoCal: 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS). The 2020-2045 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. It contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs

and replacement bridges. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost-effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve State GHG emissions reduction goals and FCAA requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and use resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions.

San Bernardino County Regional Greenhouse Gas Reduction Plan

In response to statewide GHG reduction initiatives, the San Bernardino Associated Governments (formerly SANBAG, now known as San Bernardino Council of Governments or SBCOG), cooperated to compile an inventory of GHG emissions and an evaluation of reduction measures to be adopted by the cities partnering within SBCOG. Reduction measures in the GHG Reduction Plan (GHGRP) are targeting GHG goals for the year 2020. Several of the measures and policies mentioned in the GHGRP for the City of Rialto are from the RGP. The policies listed in the GHGRP range from broadly supporting energy efficiency and sustainability to policies closely tied to specific GHG reduction measures. Application of these policies is expected to reduce local GHGs by an estimated 387,998 MTCO₂e from “business as usual” levels in 2020. This would equate to a 28.0 percent reduction in GHGs from the 2008 levels of 1,238,926 MTCO₂e annually.

Rialto General Plan 2010

The City of Rialto developed and adopted the General Plan to include goals, policies and actions that, when implemented, provide the vision and framework for the physical development of the City. The goals and policies identified below include requirements that would reduce the potential for project-specific impacts related to air quality. Chapter 2 of the General Plan describes the Conservation goals and policies that the City of Rialto has identified for implementation to provide a high quality of life for residents and the overall community.

Sustainable Building Practices and Energy Conservation

- Goal 2-30** Incorporate green building and other sustainable building practices into development projects.
- Policy 2.30.1** Explore and adopt the use of green building standards and Leadership in Energy and Environmental Design (LEED) or similar in both private and public projects.
- Policy 2.30.2** Promote sustainable building practices that go beyond the requirements of Title 24 of the California Administrative Code, and encourage energy-efficient design elements, as appropriate.
- Policy 2.30.3** Support sustainable building practices that integrate building materials and methods that promote environmental quality, economic vitality, and social benefit through the design, construction, and operation of the built environment.
- Goal 2-31** Conserve energy resources.

- Policy 2-31.1** Require the incorporation of energy conservation features into the design of all new construction and site development activities.

Air Quality and Climate

- Goal 2-35** Reduce air pollution emissions from both mobile and stationary sources in the City.

- Policy 2-35.2** Require that new development projects incorporate design features that encourage ridesharing, transit use, park and ride facilities, and bicycle and pedestrian circulation.

- Policy 2-35.3** Establish a balanced land use pattern, and facilitate developments that provide jobs for City residents in order to reduce vehicle trips citywide.

- Policy 2-35.4** Require new development and significant redevelopment proposals to incorporate sufficient design and operational controls to prevent release of noxious odors beyond the limits of the development site.

- Goal 2-38** Mitigate against climate change.

- Policy 2-38.1** Consult with State agencies, SCAG, and the San Bernardino Council of Governments (SBCOG) to implement Assembly Bill (AB) 32 and Senate Bill (SB) 375 by utilizing incentives to facilitate infill and transit-oriented development.

- Policy 2-38.2** Encourage development of transit-oriented and infill development, and encourage a mix of uses that foster walking and alternative transportation in Downtown and along Foothill Boulevard.

- Policy 2-38.3** Provide enhanced bicycling and walking infrastructure, and support public transit, including public bus service, the Metrolink, and the potential for Bus Rapid Transit.

- Policy 2-38.4** The City shall participate in the *San Bernardino Regional Greenhouse Inventory and Reduction Plan*.

4.7.3 Methodology

Global climate change is, by definition, a cumulative impact of GHG emissions. Therefore, there is no project-level analysis. The baseline against which to compare potential impacts of the Project includes the natural and anthropogenic drivers of global climate change, including worldwide GHG emissions from human activities which almost doubled between 1970 and 2010 from approximately 27 gigatonnes (Gt) of CO₂/year to nearly 49 GtCO₂/year.² As such, the geographic extent of climate change and GHG emissions' cumulative impact discussion is worldwide.

The Project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod). Details of the modeling assumptions and emission factors are provided in Appendix A: Greenhouse Gas_Emissions Data. For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG emissions during construction were forecasted based on the proposed

² Intergovernmental Panel on Climate Change, *Climate Change 2014 Mitigation of Climate Change Working Group III Contribution to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, 2014.

construction schedule³ and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The Project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. The Project's operational-related GHG emissions would be generated by vehicular traffic, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste.

It should be noted that CalEEMod emission factors incorporate compliance with some, but not all, applicable rules and regulations regarding energy efficiency and vehicle fuel efficiency, and other GHG reduction policies, as described in the CalEEMod User's Guide (November 2017). For example, RPS is not accounted for in the current version of CalEEMod. Reductions from RPS are addressed by revising the electricity emission intensity factor in CalEEMod to account for the utility complying with the 33 percent renewable mandate by 2020. As of 2018 (latest available), Southern California Edison's (SCE) power mix was at 36 percent renewable energy⁴ and will be required to achieve the 60 percent renewable energy goal by 2030 established by SB 100. The CalEEMod carbon intensity factor was adjusted within the model to represent Southern California Edison's current emissions rate.

Energy savings from water conservation resulting from the Green Building Code Standards for indoor water use and California Model Water Efficient Landscape Ordinance for outdoor water use are not included in CalEEMod. The Water Conservation Act of 2009 mandates a 20 percent reduction in urban water use that is implemented with these regulations. Benefits of the water conservation regulations are applied in the CalEEMod mitigation component. Adjustments were also made for Project design features that would reduce GHG emissions. The proposed Project would also be constructed in conformance with CALGreen, which requires high-efficiency water fixtures for indoor plumbing and water efficient irrigation systems.

4.7.4 Thresholds of Significance

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a project normally will have a significant effect on the environment if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance; or
- Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions will have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful

³ Project construction was modeled to start in 2021 but would commence at a later date. Emissions in future years (i.e., due to a later construction start date or operational opening year) would be lower due to phased-in emissions standards, inspection and maintenance requirements, and fleet turnover). For emissions modeling purposes, conservatively analyzing the emissions using an earlier construction start date (i.e., 2021), provides for a worst-case analysis and full disclosure of potential air quality impacts.

⁴ California Energy Commission, *2018 Power Content Label*, July 2019.

judgment” and “make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate” the project’s GHG emissions⁵.

South Coast Air Quality Management Thresholds

The SCAQMD has not announced when staff is expecting to present a finalized version of its GHG thresholds to the governing board. On September 28, 2010, the SCAQMD recommended an interim screening level numeric “bright-line” threshold of 10,000 metric tons per year of CO₂e for industrial land uses. During Meeting #8, the Working Group defined industrial uses as production, manufacturing, and fabrication activities or storage and distribution (e.g., warehouse, transfer facility, etc.). These efficiency-based thresholds were developed as part of the SCAQMD GHG CEQA Significance Threshold Working Group. This working group was formed to assist SCAQMD’s efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research, CARB, the Attorney General’s Office, a variety of city and county planning departments in the SCAB, various utilities such as sanitation and power companies throughout the SCAB, industry groups, and environmental and professional organizations. The numeric “bright line” was developed to be consistent with CEQA requirements for developing significance thresholds, are supported by substantial evidence, and provides guidance to CEQA practitioners in determining whether GHG emissions from a proposed project are significant. Additionally, the SCAQMD GHG Significance Threshold Stakeholder Working Group has specified that a warehouse is considered to be an industrial project.⁶ The Working Group indicated that the 10,000 MTCO₂e per year threshold applies to both emissions from construction and operational phases plus indirect emissions (electricity, water use, etc.).

The City of Rialto has not adopted project-specific significance thresholds. As the Project involves the construction of new warehouse buildings, the 10,000 MTCO₂e per year industrial screening threshold has been selected as the significance threshold, as it is most applicable to the proposed Project. This threshold is selected because the proposed Project is analogous to an industrial use much more closely than any other land use such as commercial or residential in terms of its expected operating characteristics. Typical industrial zoned areas include storage facilities, warehouses, plants, and airports, while commercial land uses are generally designated as businesses that have some kind of interaction with the public and typically include offices, retail stores, hotels, or restaurants. Additionally, the SCAQMD GHG Significance Threshold Stakeholder Working Group has specified that a warehouse is considered to be an industrial project.⁷ The 10,000 MTCO₂e per year threshold is used in addition to the qualitative thresholds of significance set forth below from Section VII of Appendix G to the CEQA Guidelines.

⁵ 14 California Code of Regulations, Section 15064.4a

⁶ South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #8*, 2009.

⁷ South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #8*, 2009.

4.7.5 Project Impacts and Mitigation

Impact 4.7-1: Would the project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?

Level of Significance: Less than Significant Impact

Short-Term Construction Greenhouse Gas Emission

The Project would result in direct emissions of GHGs from construction. The approximate quantity of daily GHG emissions generated by construction equipment used to build the Project is depicted in Table 4.7-2, *Construction-Related Greenhouse Gas Emissions*.

Category	MTCO ₂ e
Total Construction Emissions	2,161.06
30-Year Amortized Construction	72.03

Note: Construction model based on earliest possible construction date, January 2021. Delaying the start of construction would only likely reduce emissions as emission control technology will improve in the future.
 Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.

As shown, the Project would result in the generation of approximately 2,161.06 MTCO₂e over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions⁸. The amortized Project construction emissions would be 72.03 MTCO₂e per year. Once construction is complete, the generation of these GHG emissions will cease.

Long-Term Operational Greenhouse Gas Emission

Operational or long-term emissions occur over the life of the Project. GHG emissions typically result from direct emissions such as project-generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in Table 4.7-3, *Project Greenhouse Gas Emissions (Unmitigated)*. As shown in the table, the Project would generate approximately 7,486.01 MTCO₂e annually from both construction and operations and the project-related GHG emissions would not exceed the City’s 10,000 MTCO₂e per year threshold. Therefore, impacts would be less than significant.

⁸ The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13*, August 26, 2009).

Table 4.7-3: Project Greenhouse Gas Emissions (Unmitigated)	
Emissions Source	CO₂e Emissions, metric tons/year
Proposed Project	
Area	0.03
Energy	466.01
Mobile	5,952.28
Offroad	123.19
Waste	316.72
Water	555.66
Amortized Construction Emissions	72.03
Total Annual Project GHG Emissions	7,486.01
Threshold	10,000
Exceeds Threshold?	No
Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs. Note: Total values are from CalEEMod and may not add up 100% due to rounding.	

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.8-2: Would the project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?

Level of Significance: Less than Significant Impact

San Bernardino County Regional Greenhouse Gas Reduction Plan (GHGRP) Consistency

The City follows the 2014 GHGRP, which serves as a long-term vision for how the City, along with neighboring cities, can be more environmentally friendly and provides guidance for residents, City staff, and decision-makers in the community on how to achieve future sustainability goals. The goals outlined in the GHGRP target GHG emissions in year 2020. As shown in Table 4.7-4, *San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency Summary*, the Project would not conflict with the goals in the GHGRP.

Table 4.7-4: San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency	
SBCOG Goals	Compliance
GOAL 1: Continue to support the regional bus system to provide intra-city service, inter-city service to major employment centers, and connect with other regional transportation transfer points.	N/A: This is not a transportation improvement project and therefore this goal is not applicable.
GOAL 2: Where needed and appropriate, require new development to provide transit facilities and accommodations, such as bus shelters and turnouts, consistent with regional agency plans and existing and anticipated demands.	Consistent: The project site is not located immediately adjacent to an existing bus stop. Therefore, the new development would not need to provide transit facilities and accommodations for buses.
GOAL 3: Continue to implement traffic signal systems and intelligent transportation systems (ITS) components (not limited to signal coordination, highway advisory radio, closed circuit television, emergency vehicle signal preemption, etc.) along arterial roadways and sub-areas, in accordance to the City's traffic Signal System Conceptual Buildout Plan and in compliance with regional and appropriate ITS Architecture Master Plans	N/A: This is not a transportation improvement project and therefore this goal is not applicable.
GOAL 4: Continue to develop non-motorized trails and bicycle routes as identified in the RGP; Parks, Recreation and Trails Element and the adopted Regional Non-Motorized Transportation Plan.	N/A: This is not a transportation improvement project and therefore this goal is not applicable.
GOAL 5: Require that all new development adjacent to non-motorized trails provide bicycle and pedestrian routes linked to those facilities.	Consistent: The project site is not adjacent to non-motorized trails. Therefore, the Project would not need to provide bicycle and pedestrian routes linked to those facilities. However, Mitigation Measure AQ-3, as required in the Air Quality Analysis (refer to Section 4.2) requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit.
GOAL 6: Increase densities through transit-oriented development in the core of the city adjacent to the Metrolink and Omni-trans hub.	N/A: This is not a project-specific goal. However, the Project is required to comply with the provisions of the California Building Energy Efficiency Standards and the Green Building Standards Code (CALGreen) and is located near existing development and transit.
GOAL 7: Activity Centers should be linked with residential neighborhoods and be accessible by multiple modes of transportation.	N/A: This is not an Activity Center project and therefore this goal is not applicable.
Source: San Bernardino County Transportation Authority, <i>San Bernardino County Regional Greenhouse Gas Reduction Plan</i> , March 2014.	

Connect SoCal: Regional Transportation Plan/Sustainable Communities Strategy Consistency

As previously noted, the 2020-2045 RTP/SCS accounts for operations and maintenance costs to ensure reliability, longevity, and cost-effectiveness. It is also supported by a combination of transportation and land use strategies that help the region achieve State GHG emissions reduction goals and FCAA requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and use resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore the Project’s comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the State. The Project’s consistency with Connect SoCal RTP/SCS goals is provided in Table 4.7-5, *Regional Transportation Plan/Sustainable Communities Strategy Consistency Summary*.

Compliance with applicable State standards would ensure consistency with State and regional GHG reduction planning efforts. The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As addressed in the table, the proposed Project would be consistent with the stated goals of the RTP/SCS. Therefore, the proposed Project would not result in any significant impacts or interfere with SCAG’s ability to achieve the region’s post-2020 mobile source GHG reduction targets.

SCAG Goals	Compliance
GOAL 1: Encourage regional economic prosperity and global competitiveness	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 2: Improve mobility, accessibility, reliability, and travel safety for people and goods	Consistent: Although this Project is not a transportation improvement project, the project site is located near existing transit routes on Baseline Road and access to SR-210.
GOAL 3: Enhance the preservation, security, and resilience of the regional transportation system	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 4: Increase person and goods movement and travel choices within the transportation system	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 5: Reduce greenhouse gas emissions and improve air quality	Consistent: The reduction of energy use, reduction of greenhouse gases, the improvement of air quality, and the promotion of more environmentally sustainable development are encouraged through the development of alternative transportation methods, green design techniques for buildings, and other energy-reducing techniques. This development project is required to comply with the provisions of the California Building Energy Efficiency Standards and the Green Building Standards Code (CALGreen).

Table 4.7-5: Connect SoCal: Regional Transportation Plan/Sustainable Communities Strategy Consistency Summary	
SCAG Goals	Compliance
	Additionally, Mitigation Measure AQ-3, as required in the Air Quality Analysis (refer to Section 4.2) requires the implementation of a TDM program to reduce single occupant vehicle trips and encourage transit.
GOAL 6: Support healthy and equitable communities	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options	N/A: This is not a residential improvement project and is therefore not applicable.
Source: Southern California Association of Governments, <i>Regional Transportation Plan/Sustainable Communities Strategy, 2020</i> .	

California Air Resource Board Scoping Plan Consistency

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (CO₂, CH₄, NO_x, HFCs, PFCs, and SF₆) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the *Climate Change Scoping Plan* (CCSP) in 2008, which outlines actions recommended to obtain that goal. The CCSP provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program. As identified in Table 4.7-6, *Project Consistency with Applicable CARB Scoping Plan Measures*, the Project is consistent with most of the strategies, while others are not applicable to the Project.

The 2017 CCSP Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the CCSP in 2013. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on GHG Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	Consistent. The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle GHG Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	Consistent. This measure applies to all new vehicles starting with model year 2012. The Project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the Project would be required to comply with the Pavley emissions standards.
		2012 LEV III California GHG and Criteria Pollutant Exhaust and Evaporative Emission Standards	Consistent. The LEV III amendments provide reductions from new vehicles sold in California between 2017 and 2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve GHG Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	Consistent. This measure applies to transportation fuels used by vehicles in California. The Project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the Project would use low carbon transportation fuels as required under this measure.
	Regional Transportation-Related GHG Targets.	SB 375. Cal. Public Resources Code §§21155, 21155.1, 21155.2, 21159.28	Consistent. The Project would provide development in the region that is consistent with the growth projections in the RTP/SCS.

Table 4.7-6: Project Consistency with Applicable CARB Scoping Plan Measures			
Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Goods Movement	Goods Movement Action Plan January 2007	Not applicable. The Project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer GHG Regulation	Consistent. This measure applies to medium and heavy-duty vehicles that operate in the State. The Project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with construction and operation of the Project would be required to comply with the requirements of this regulation.
	High Speed Rail	Funded under SB 862	Not applicable. This is a statewide measure that cannot be implemented by a project applicant or Lead Agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	Consistent. The Project would not conflict with implementation of this measure. The Project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	Consistent. The Project would obtain electricity from the electric utility, Southern California Edison (SCE). SCE obtained 32 percent of its power supply from renewable sources in 2017. Therefore, the utility would provide power when needed on-site that is composed of a greater percentage of renewable sources.
	Million Solar Roofs Program	SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	
	Million Solar Roofs Program	Tax Incentive Program	Consistent. This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The program provides incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards	Consistent. The Project would comply with the CalGreen standards, which requires a 20 percent reduction in indoor water use.
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	Consistent. The State is to increase the use of green building practices. The Project would implement required green building strategies through existing regulation that requires the

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
			Project to comply with various CalGreen requirements. The Project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	Not applicable. The Mandatory Reporting Regulation requires facilities and entities with more than 10,000 MTCO ₂ e of combustion and process emissions, all facilities belonging to certain industries, and all-electric power entities to submit an annual GHG emissions data report directly to CARB. As shown above, total Project GHG emissions would not exceed 10,000 MTCO ₂ e. Therefore, this regulation would not apply.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards	Consistent. The Project would not conflict with implementation of these measures. The Project is required to achieve the recycling mandates via compliance with the CALGreen code. The City has consistently achieved its State recycling mandates.
		AB 341 Statewide 75 Percent Diversion Goal	
Forests	Sustainable Forests	Cap and Trade Offset Projects	Not applicable. The project site is in an area designated for urban uses. No forested lands exist on-site.
High Global Warming Potential	High Global Warming Potential Gases	CARB Refrigerant Management Program CCR 95380	Not applicable. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The Project would not conflict with the refrigerant management regulations adopted by CARB.
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	Not applicable. The project site is designated for urban development. No grazing, feedlot, or other agricultural activities that generate manure currently exist on-site or are proposed to be implemented by the Project.
Source: California Air Resources Board, <i>California's 2017 Climate Change Scoping Plan</i> , November 2017 and CARB, <i>Climate Change Scoping Plan</i> , December 2008.			

The Project is estimated to emit approximately 8,339.64 MTCO₂e per year directly from on-site activities and indirectly from off-site motor vehicles. The GHG emissions caused by long-term operation of the Project would not exceed the SCAQMD's applicable threshold and impacts would be less than significant.

Regarding goals for 2050 under EO S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the Project would comply with all applicable measures are enacted that State lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050.

The majority of the GHG reductions from the Scoping Plan would result from continuation of the Cap-and-Trade regulation. AB 398 (2017) extends the State’s Cap-and-Trade program through 2030 and the Scoping Plan provide a comprehensive plan for the State to achieve its GHG targets through a variety of regulations enacted at the State level. Additional reductions are achieved from electricity sector standards (i.e., utility providers to supply 60 percent renewable electricity by 2030 and 100 percent renewable by 2045), doubling the energy efficiency savings at end uses, additional reductions from the LCFS, implementing the short-lived GHG strategy (e.g., hydrofluorocarbons), and implementing the Mobile Source Strategy and Sustainable Freight Action Plan.

Several of the State’s plans and policies would contribute to a reduction in mobile source emissions from the Project. These include the CARB’s Advanced Clean Truck Regulation, EO N-79-20, CARB’s Mobile Source Strategy, CARB’s Sustainable Freight Action Plan, and CARB’s Emissions Reduction Plan for Ports and Goods Movement. CARB’s Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8.

Executive Order N-79-20 establishes the goal for all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035 and all medium and heavy-duty vehicles will be zero-emission by 2045. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment “requiring increasing volumes” of new ZEVs “towards the target of 100 percent.”

CARB’s Mobile Source Strategy which include increasing ZEV buses and trucks and their Sustainable Freight Action Plan which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks. This Plan applies to all trucks accessing the project site and may include existing trucks or new trucks that are part of the statewide goods movement sector. CARB’s Emissions Reduction Plan for Ports and Goods Movement identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories. While these measures are not directly applicable to the Project, any commercial activity associated with goods movement would be required to comply with these measures as adopted. As such, the Project would not interfere with their implementation.

The Project would not obstruct or interfere with efforts to increase ZEVs or State efforts to improve system efficiency. The Project would also benefit from implementation of the State programs for ZEVs and goods movement efficiencies that reduce future GHG emissions from trucks.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.7.6 Cumulative Impacts

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the Project as well as other cumulative related projects would also be subject to all applicable regulatory requirements, which would further reduce GHG emissions. As shown in Table 4.7-4 and Table 4.7-5, the Project would not conflict with the GHGRP, or the RTP/SCS. As a result, the Project would not conflict with any GHG reduction plans including the CARB Scoping Plan. Therefore, the Project's cumulative contribution of GHG emissions would be less than significant and the Project's cumulative GHG impacts would also be less than cumulatively considerable.

4.7.7 Level of Significance After Mitigation

No significant GHG impacts have been identified.

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4.8 HAZARDS AND HAZARDOUS MATERIALS

This section of the EIR describes the potential hazards (other than geologic, flood, and wildfire hazards) associated with the project site, infrastructure, activities, and materials that could impact human health and the environment. The analysis in this section is based on the *Phase I Environmental Site Assessment, Olive Grove, Northside of Baseline Road, West of Cactus Avenue, Rialto, California 92376*, prepared by Partner Engineering and Science, Inc. dated June 17, 2021 (Partner, 2021) which is included as Appendix H of this EIR and a regulatory database search of the Department of Toxic Substances Control Envirostor website and the State Water Resources Control Board Geotracker website (2021).

4.8.1 Regulatory Setting

The management of hazardous materials and hazardous wastes is regulated at the federal, State, and local levels, including, among others, through programs administered by the U.S. Environmental Protection Agency (U.S. EPA); agencies within the California Environmental Protection Agency (CalEPA), such as the Department of Toxic Substances Control (DTSC); federal and State occupational safety agencies; and the San Bernardino County Department of Environmental Health (DEH).

At the federal level, the U.S. EPA is the principal regulatory agency, while at the State level, DTSC is the primary agency governing the storage, transportation, and disposal of hazardous wastes. The Santa Ana RWQCB has jurisdiction over discharges into Waters of the State. The federal Occupational Safety and Health Administration (OSHA) and the State Cal/OSHA regulate many aspects of worker safety.

Federal Regulations

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle to grave” system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) and the National Priorities List

The U.S. EPA also maintains the Comprehensive Environmental Response Compensation (CERCLIS) and Liability Information System list. This list contains sites that are either proposed to be or on the National Priorities List (NPL), as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The NPL is a list of the worst hazardous waste sites that have been identified by Superfund. There are no NPL sites on the project site.

Emergency Planning and Community Right-to-Know Act

The federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored on-site to both State and local agencies. EPCRA requires the U.S. EPA to maintain and publish a digital database list of toxic chemical releases and other waste management activities reported by certain industry groups and federal facilities. This database, known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

Hazardous Materials Transportation Act

The U.S. Department of Transportation (DOT) receives authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act, as amended and codified (49 U.S.C. 5101 et seq.). The DOT is the primary regulatory authority for the interstate transport of hazardous materials and establishes regulations for safe handling procedures (i.e., packaging, marking, labeling and routing).

In California, Section 31303 of the California Vehicle Code states that any hazardous material being moved from one location to another must use the route with the least travel time. This, in practice, means major roads and highways, although secondary roads are permitted to be used for local delivery. These policies are enforced by both the California Highway Patrol and the California Department of Transportation (Caltrans).

Clean Water Act/ Spill Prevention, Control and Countermeasure (SPCC) Rule

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq. was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCBs). The proposed Project is within the jurisdiction of the Santa Ana RWQCB.

Section 402 of the Clean Water Act authorizes the California State Water Resources Control Board (SWRCB) to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit."

Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permits.

Occupational Safety and Health Administration (OSHA)

Congress passed the Occupational and Safety Health Act to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. To establish standards for workplace health and safety, OSHA also created the National Institute for Occupational Safety and Health as the research institution for OSHA. The Administration is a division of the U.S. Department of Labor that oversees the administration of OSHA and enforces standards in all states. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA's Hazardous Waste Operations and Emergency Response Standard applies to five groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances (including hazardous waste) and who are engaged in clean-up operations; corrective actions; voluntary clean-up operations; operations involving hazardous wastes at treatment, storage, and disposal facilities; and emergency response operations.

State Regulations

California Environmental Protection Agency

CalEPA has jurisdiction over hazardous materials and wastes at the State level. DTSC is the department of CalEPA responsible for implementing and enforcing California's own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. DTSC regulates hazardous waste in California primarily under the authority of the federal and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. Hazardous wastes regulated by California but not by the U.S. EPA are called "non-RCRA hazardous wastes." Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the SWRCB as having underground storage tank leaks and have had a discharge of hazardous wastes

or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Enforcement of directives from DTSC is handled at the local level, in this case the San Bernardino County DEH. The RWQCB also has the authority to implement regulations regarding the management of soil and groundwater investigation.

CalFire Strategic Fire Plan 2019

CalFire uses this plan to direct and guide its fire management activities for the State Responsibility Area (SRA) throughout California. CalFire's mission is to serve and safeguard the people and protect the property and resources of California. CalFire responds to emergencies such as fires of all types, vehicle accidents, floods, earthquakes, hazardous material spills, and others within the SRA. CalFire provides direction for fire prevention using fire resource assessments, a variety of available data, mapping and other tools. The plan emphasizes "pre-fire" management, which is a process to assess alternatives to protect assets from unacceptable risk of wildland fire damage and focus on those actions that can be taken in advance of a wildland fire to potentially reduce the severity of the fire and ensure safety. Pre-fire management activities include prescribed burning, fuel breaks, forest health treatments and removal of hazardous vegetation.

CalFire has mapped fire threat potential throughout California. It ranks fire threats based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat.

California Fire Code

California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Title 24, Part 9. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution.

Hazardous Materials Release Response Plans and Inventory Act of 1985

The California Health and Safety Code, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Businesses must submit this information to the County DEH. The Environmental Health Division verifies the information and provides it to agencies responsible for protection of public health and safety and the environment. Business Plans are required to include emergency response plans and procedures in the event of a reportable release or threatened release of a hazardous material, including, but not limited to, all of the following:

- Immediate notification to the administering agency and to the appropriate local emergency rescue personnel.
- Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.
- Evacuation plans and procedures, including immediate notice, for the business site.

Business Plans are also required to include training for all new employees, and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the State hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The act is implemented by regulations contained in Title 26 of the California Code of Regulations (CCR), which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (“Tiered Permitting”); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or “Community-Right-To-Know”); California Accidental Release Prevention Program (Cal ARP); Underground Storage Tank (UST) Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA. The project site is in San Bernardino County. The CUPA designated for San Bernardino County is the Hazardous Materials Division of the San Bernardino County Fire Department.

Department of Toxic Substance Control

The Department of Toxic Substance Control (DTSC) is a department of CalEPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites; Department of Health Services lists of contaminated drinking water wells; sites listed by the SWRCB as having UST leaks and have had a discharge of hazardous wastes

or materials into the water or groundwater; and lists from local regulatory agencies of sites that have had a known migration of hazardous wastes and/or materials.

California Office of Emergency Services

To protect the public health and safety and the environment, the California Office of Emergency Services is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release or threatened release of hazardous materials. Basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. The information must be included in these institutions' business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California Health and Safety Code Article 1 – Hazardous Materials Release Response and Inventory Program (§§25500 to 25520) and Article 2 – Hazardous Materials Management (§§25531 to 25543.3). CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4 – Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous Materials Business Plans (HMBP). These plans shall include the following: (1) a hazardous material inventory in accordance with Sections 2729.2 to 2729.7; (2) emergency response plans and procedures in accordance with Section 2731; and (3) training program information in accordance with Section 2732. Business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the State. Each business shall prepare a HMBP if that business uses, handles, or stores a hazardous material or an extremely hazardous material in quantities greater than or equal to the following: 500 pounds of a solid substance, 55 gallons of a liquid, 200 cubic feet of compressed gas, a hazardous compressed gas in any amount, or hazardous waste in any quantity.

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR §§337-340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings. In addition, Cal/OSHA regulates medical and/or infectious waste.

California Department of Public Health

California's medical waste disposal regulations are overseen by the California Department of Public Health, Environmental Management Branch. The Medical Waste Management Program within the Environmental Management Branch regulates the generation, handling, storage, treatment, and disposal of medical waste. The Medical Waste Management Program also implements the large quantity generator inspector inspection program. A large quantity generator is a medical waste generator that generates more than 200 pounds of medical waste per month in any month of a 12-month period. A small quantity generator is a medical waste generator that generates less than 200 pounds per month of medical waste. Small quantity generators are subject to all of the requirements under Chapter 4 of the Medical Waste

Management Act, Health and Safety Code section 117915 through 117946. Medical waste must be picked up by a registered medical waste hauler or if appropriate sent for treatment through a mail-back program.

Asbestos-Containing Materials (ACM)

Asbestos, a natural fiber used in the manufacturing of different building materials, has been identified as a human carcinogen. Most friable (i.e., easily broken or crushed) asbestos-containing materials (ACM) were banned in building materials by 1978. By 1989, most major manufacturers had voluntarily removed non-friable ACM (i.e., flooring, roofing, and mastics/sealants) from the market. These materials were not banned completely.

Lead-Based Paint

Lead-based paint has been identified by OSHA, the U.S. EPA, and the Department of Housing and Urban Development as a potential health risk to humans, particularly children, based on its effects to the central nervous system, kidneys, and bloodstream. The Department of Housing and Urban Development classifies the risk of lead-based paint based upon the painted surface's age and condition.

Division of Oil, Gas and Geothermal Resources Map

To evaluate the presence of oil or gas wells on-site and in the immediate site vicinity, maps available online at the California Department of Conservation, Geologic Energy Management Division (CalGEM) (<https://maps.conservation.ca.gov/doggr/wellfinder/#/>) were reviewed. No abandoned/plugged oil/gas wells are located on the project site.

Polychlorinated Biphenyls

No polychlorinated biphenyls (PCB)-containing equipment (e.g., transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) were observed within the project site during the 2021 site visit.

Radon

Radon is a colorless, odorless, naturally occurring, radioactive, inert, gaseous element formed by radioactive decay of radium (Ra) atoms. The U.S. EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. Radon sampling was not conducted as part of the Phase I Environmental Site Assessment (ESA). Review of the U.S. EPA Map of Radon Zones places the Site in Zone 2. Zone 2 has a moderate potential for radon levels between 2.0 and 4.0 picocuries per liter (pCi/L). Based upon the radon zone classification, radon is not considered to be a significant environmental concern for the project site.

Regional and Local Regulations

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of San Bernardino, Los Angeles, and Riverside Bernardino counties. The agency's primary responsibility is ensuring that State and federal ambient air quality standards are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air

pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The following is a list of SCAQMD rules that are required of construction activities associated with the Project:

Rule 403 (Fugitive Dust) – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM₁₀ emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM₁₀ suppression techniques are summarized below.

- a) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- b) All on-site roads are paved as soon as feasible, watered regularly, or chemically stabilized.
- c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.

Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down following the workday to remove soil from pavement.

Rule 1166 – This rule sets requirements to control the emission of volatile organic compounds (VOC) from excavating, grading, handling and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

Rialto General Plan 2010

General Plan policies for hazards and hazardous materials that are relevant to the Project are addressed below. The goals and policies are from the Rialto 2010 General Plan Safety and Noise Element. Where inconsistencies exist, if any, they are addressed in the respective impact analysis.

- | | |
|---------------------|--|
| Goal 5-4 | Protect the health and welfare of the public, environment, and economy by providing for the safe and responsible management of hazardous materials and wastes. |
| Policy 5-4.1 | Continue to identify hazardous material users and generators within the City through the use of field surveys, inspection programs, and licensing requirements. |
| Policy 5-4.3 | Identify and establish specific travel routes for the transport of hazardous materials and wastes, with key considerations being capacity to safely accommodate additional truck traffic, avoidance of residential areas, and use of interstate or State divided highways as preferred routes. |
| Policy 5-4.4 | Require all hazardous waste generators and hazardous materials handlers to report to City officials, including the Fire Department any equipment malfunction or upset which may cause hazardous waste to be emitted. |

- Goal 5-5** Minimize the generation of hazardous waste in Rialto.
- Policy 5-5.1** Prohibit unauthorized disposal of household hazardous waste in the Mid Valley County Landfill.
- Policy 5-5.2** Encourage and promote practices that will reduce the use of hazardous materials and the generation of hazardous waste at their source, recycle the remaining hazardous wastes for reuse, and treat those wastes which cannot be reduced at the source or recycled.
- Policy 5-5.3** Prohibit businesses from storing hazardous materials for commercial use or commercially generated hazardous wastes in residential areas.
- Goal 5-6** Educate the public and private businesses about proper disposal of hazardous waste.
- Policy 5-6.1** Conduct regularly scheduled household hazardous waste roundup and disposal events.
- Policy 5-6.2** Support education programs for hazardous waste generators. This program shall include information on proper labeling, placarding, and manifesting requirements.
- Goal 5-7** Maintain a high level of emergency response capability.
- Policy 5-7.1** Update, on a regular basis, the City Hazard Mitigation Plan.
- Policy 5-7.2** Provide training to all City employees on their roles and responsibilities in times of disasters and local emergencies. Training should include comprehensive and realistic disaster exercises.
- Policy 5-7.3** Increase the City's ability to coordinate and control its resources in an emergency situation by improving the operational capacity of the Emergency Operating Center, by identifying local resources available, and by developing contracts and agreements for utilizing these resources in an emergency.
- Policy 5-7.4** Distribute and/or publicize established emergency preparedness plans to increase public awareness.

City of Rialto Standardized Emergency Management System (SEMS)/National Incident Management System (NIMS) Multi-Hazard Functional Plan (MHFP)

The City of Rialto provides fire and emergency response services to residents and businesses in the City. The City has adopted the Multi-Hazard Functional Plan (MHFP) to address the City's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies. The objective of the MHFP is to incorporate and coordinate all the facilities and personnel of the City into an efficient organization capable of responding to any emergency.

City of Rialto Fire Code

The California Fire Code sets forth requirements including those for building materials and methods pertaining to fire safety and life safety, fire protection systems in buildings, emergency access to buildings, and handling and storage of hazardous materials. The City adopted the California Fire Code with certain amendments, additions, and deletions, as Chapters 15.28 of the Rialto Municipal Code.

4.8.2 Environmental Setting

Current Use

The project site is currently unoccupied, vacant land zoned for industrial use. No on-site operations exist.

Current Use of Adjacent Properties

The project site is in an area of the City, which includes commercial, warehouse/industrial, and residential uses. Table 4.8-1, *Adjacent Properties*, lists the land use and the applicable regulatory databases.

Direction Relative to Project Site	Description	Database(s)
North	Jerry Eaves Park (1485 North Ayala Drive); northeast is San Bernardino County Flood Control District (no address)	None
South	West Baseline Road beyond which is residential (1191 and 1192 Glenwood Avenue); 922 to 1040 West Mesa Drive); and (908 and 1171 Idyllwild Avenue); southeast is San Bernardino County Flood Control District (no address)	None
East	San Bernardino County Flood Control District (no address)	Solid Waste Landfill (SWF/LF)
West	Auto Repair, Car Audio, Custom Trailers (1245 North Fitzgerald Avenue); Dynamic Powder Coating & Sand Blasting (1265 North Fitzgerald Avenue); Fastenal Industrial & Construction Supplies (1285 North Fitzgerald Avenue); Compressor Component Park Co inc. (1325 North Fitzgerald Avenue); Guadalajara's Auto Repair (1345 North Fitzgerald Avenue); Power Pro Plus Inc. (1375 North Fitzgerald Avenue).	California Environmental Reporting System Hazardous Waste (CERS HAZ WASTE), San Bernardino County Permit site, RCRA Non Generator No Longer Regulated (RCRA NonGen/NLR), and EDR Historical Auto site.

Historical Use of Site

No prior tenants were identified for the project site. No potential environmental concerns were identified in association with the current or former use of the project site. The project site was historically used for agricultural purposes from the late 1930s until sometime in the 1960s. There is a potential that agricultural related chemicals such as pesticides, herbicides, and fertilizers, may have been used and stored on-site. Future development of the project site would likely involve either paving over or covering by building structures that minimize direct contact to any potential remaining concentrations in the soil. Additionally, during previous site development activities, near surface soils (where residual agricultural chemical concentrations would have most likely been present, if at all) would likely be mixed with fill material or be disturbed during grading.

Also, during development it is common that engineered fill material is placed over underlying soils as part of the development activities. These additional activities serve to further reduce the potential for exposure to residual agricultural chemicals (if any). Based on these reasons, the Phase I ESA concludes that the former use of agricultural chemicals at the project site is not expected to represent an environmental concern at this time.

Database Review

The Phase I ESA included a report from a third party, EDR, who provided current regulatory database information compiled by a variety of federal and State regulatory agencies. The Phase I ESA included a review of the referenced databases and considered the potential or likelihood of contamination from adjoining and nearby sites. To evaluate which of the adjoining and nearby sites identified in the regulatory database report present an environmental concern to the project site, the Phase I ESA considered several factors including the type of database on which the adjoining/nearby property is identified, the topographic position of the property relative to the project site, the direction and distance of the identified facility from the project site, the known and/or inferred ground water flow direction in the Project area, and the status of the respective regulatory agency-required investigations and/or cleanup associated with the identified facility. Details of the review are included in the Phase I ESA in Appendix H. The project site is not identified in the regulatory database report. Several of the adjoining/nearby properties are listed on the referenced databases; however, based on the factors discussed above, the project site and adjoining/nearby properties are not environmental concerns for the proposed Project.

Hazardous Substances and Petroleum Products Used or Stored at the Site

No hazardous substances or petroleum products were observed on the project site during the site reconnaissance.

Aboveground and Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs/USTs)

No evidence of current or former ASTs or USTs was observed on the project site during the site reconnaissance.

Evidence of Releases

No spills, stains, or other indications that a surficial release has occurred on the project site were observed.

Asbestos-Containing Materials (ACM)

Due to the vacant, unimproved state of the project site, ACMs are not a concern for the site.

Lead-Based Paint

Due to the vacant, unimproved state of the project site, lead-based paint is not a concern for the site.

Polychlorinated Biphenyls (PCBs)

No potential PCB-containing equipment (e.g., transformers, oil-filled switches, hoists, lifts, dock levelers, hydraulic elevators, etc.) was observed on the project site during the site reconnaissance.

Airport Proximity

There are no private or public airport facilities near the project site. The closest airport is the San Bernardino International Airport, located approximately eight miles southeast of the project site.

Oil Facilities

According to CalGEM, the project site is not within or near the administrative boundary of an oil field (CalGEM, February 12, 2020) and there are no active oil or natural gas wells within one mile of the project site.

4.8.3 Methodology

In determining whether implementation of the proposed Project would result in hazards or hazardous materials, this analysis considers the recommendations of Appendix G to the *State CEQA Guidelines* as described below. The evaluation was based on a review of regulations and a determination of the applicability of the regulations within the Project area. The baseline conditions and impact analyses are based on the results of *Phase I Environmental Site Assessment, Olive Grove, Northside of Baseline Road, West of Cactus Avenue, Rialto, California 92376*, prepared by Partner Engineering and Science, Inc. dated June 17, 2021, analysis of aerial and ground-level photographs, and review of various data available in public records, including local planning documents. The determination that the proposed Project will or will not result in a significant impact with respect to hazards and hazardous materials considers the type of development proposed and whether or not past or current uses on the site have the potential to pose a risk to the proposed development.

4.8.4 Thresholds of Significance

The following significance criteria for hazards and hazardous materials were derived from the Environmental Checklist in the State CEQA Guidelines, Appendix G. An impact of a project could be considered significant and may require mitigation if it meets one of the following criteria.

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

As addressed in Section 1.5, Summary of Effects With No Impact, the City has determined that the proposed Project would not have a significant impact on the following thresholds for the reasons stated below, and that no further analysis was required:

- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area.

The project site is not located in the vicinity of a public or public use airport. The closest airport is the San Bernardino International Airport, which is approximately eight miles southeast of the project site. The Rialto Municipal Airport Final Comprehensive Plan (January 1991) is no longer applicable as the airport closed in 2014. Therefore, no impact would occur.

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Fire Hazard Severity Zones (FHSZs) are mapped by the California Department of Forestry and Fire Protection (CAL FIRE) as set forth in PRC 4201-4204 and Government Code 51175-89. FHSZs are categorized fire protection within a Federal Responsibility Area under the jurisdiction of a federal agency, a State Responsibility Area (SRA) under the jurisdiction of CAL FIRE, or within a Local Responsibility Area under the jurisdiction of a local agency. CAL FIRE is responsible for fire protection within SRAs. CAL FIRE defines a SRA as land that is not federally owned, not incorporated, does not exceed a housing density of three units per acre, contains wildland vegetation as opposed to agriculture or ornamentals, and has watershed value and/or has range/forage value (this effectively eliminates most desert lands). Where local fire protection agencies, such as the Rialto Fire Department, are responsible for wildfire protection, the land is classified as a Local Responsibility Area (LRA). The project site and its adjacent areas are classified as a Non-VHFHSZ (non-very high FHSZ). Therefore, no impact would occur. Fire protection and associated resources are discussed in *Section 4.13, Public Services*.

4.8.5 Project Impacts and Mitigation

Impact 4.8-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

The Project consists of the construction of two warehouse buildings and associated infrastructure improvements. Construction of the Project would involve the transport, use, and disposal of hazardous materials on and off of the project site, which include fuels, paints, mechanical fluids, and solvents, but would not be present in such a quantity or used in such a manner that would pose a significant hazard to the public. In addition, should a spill or other hazardous materials incident occur, construction staff are well versed in how to handle such a situation, including containment and who to contact if such a situation occurs. Material Safety Data Sheets would be posted on the site to provide workers and emergency responders with procedures for handling hazardous materials safely, including information for fire suppression, toxicity/ first aid, storage/ disposal, and spill handling.

The routine transport, use, and disposal of hazardous materials can result in hazards to people and the environment, due to the potential for accidental release. Such hazards are typically associated with certain types of land uses, such as chemical manufacturing facilities, industrial processes, waste disposal, and hazardous material storage and distribution facilities. At full buildout, the Project has two warehouse buildings. As previously mentioned, this land use is not expected to use significant quantities of hazardous materials or to generate significant quantities of hazardous materials requiring transport. The routine transport, use, and disposal of these materials must adhere to federal, State, and local regulations for transport, handling, storage, and disposal of hazardous substances. Compliance with the regulatory

framework would ensure Project construction would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction.

Operations

The proposed Project includes two warehousing facilities and is not anticipated to result in releases of hazardous materials into the environment. The proposed facilities would be expected to use limited hazardous materials and substances which would include cleaners, paints, solvents, and fertilizers and pesticides for site landscaping. The proposed Project would not create a significant impact through the transport, use, or disposal of hazardous materials since the facilities are required to comply with all applicable Federal, State, and regional regulations which are intended to avoid impacts to the public and environment. These regulations ensure that hazardous materials/waste users, generators and transporters provide operational safety and measures to reduce threats to public health and safety.

Although not anticipated, if a facility is proposed that has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, then Mitigation Measure HAZ-1 described below would be triggered and require preparation and implementation of a Hazardous Materials Risk Management Plan for that facility. With implementation of Mitigation Measure HAZ-1 (if applicable) and compliance with all applicable Federal, State, and regional regulations regarding hazardous material generation and usage on the site, potential impacts related to transport, use, or disposal of hazardous materials would be reduced to less than significant levels.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM HAZ-1 If a facility is proposed that has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code 25532 (g) in excess of threshold quantities. This plan shall be reviewed and approved by the San Bernardino County Department of Environmental Health through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.

Impact 4.8-2: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Level of Significance: Less than Significant Impact

Construction

The Phase I ESA investigation included a review of local, State, and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources, a reconnaissance of the project site to review use and current conditions and to check for the storage, use,

production or disposal of hazardous or potentially hazardous materials, and interviews with persons and agencies knowledgeable about current and past site use. The Phase I ESA did not identify any environmental concerns associated with the project site. Given that there are no known hazardous materials on the project site, the risk of a release of hazardous materials into the environment is less than significant. No mitigation is required.

Operations

Project operations would involve typical hazardous materials/chemicals associated with warehousing uses such cleaners, paints, solvents, and fertilizers and pesticides for site landscaping. As discussed in Impact 4.8-1 above, any routine transport, use, and disposal of these materials during Project operations must adhere to federal, State, and local regulations for transport, handling, storage, and disposal of hazardous substances. Furthermore, hazardous materials/chemicals such as cleaners, paints, solvents and fertilizers in low quantities do not pose a significant threat related to the release of hazardous materials into the environment. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.8-3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Level of Significance: Less than Significant Impact

The nearest school, Helen L. Dollahan Elementary School, is at 1060 W. Etiwanda Avenue, approximately 0.38-mile south of the project site. Eisenhower Senior High School, at 1321 N. Lilac Avenue, is approximately 0.50-mile east of the project site and Dunn Elementary School, at 830 N. Lilac Avenue, is approximately 0.61-mile southeast of the project site. The Project does not propose any industrial uses which could generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools. The types of hazardous materials that would be routinely handled would be limited to cleaners, paints, and solvents, and fertilizers and pesticides for site landscaping. The Project would be required to adhere to all applicable federal, State and regional regulations regarding handling, transport and disposal of hazardous materials. Therefore, the impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.8-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Level of Significance: Less than Significant Impact

The project site is not included on the hazardous sites list compiled pursuant to California Government Code Section 65962.5.¹ In addition, the Phase I ESA (2021) did not identify any environmental concerns for the project site. Impacts would be less than significant and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.8-5: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Level of Significance: Less than Significant Impact

The Project would not impair or physically interfere with an adopted emergency response or evacuation plan. The City has adopted the Multi-Hazard Functional Plan (MHFP) to address the City's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and national security emergencies. The objective of the MHFP is to incorporate and coordinate all the facilities and personnel of the City into an efficient organization capable of responding to any emergency. The MHFP provides a process for emergency management and response with the City. The MHFP identifies the organization structure and responsibilities of agencies in the event of an emergency or disaster. No revisions to the MHFP would be required as a result of the proposed Project. Primary access to all major roads would be maintained during construction and operation of the proposed Project. Emergency services and access is further described in Section 4.13, *Public Services*.

The Project is required to prepare a Traffic Construction Management Plan. The Plan will identify construction phasing and address traffic control for any temporary street closures, detours, or other disruptions to traffic circulation and public transit routes. It will also identify the routes that construction vehicles shall use to access the site, the hours of construction traffic, traffic controls and detours, vehicle staging areas, and parking areas for the Project. As discussed above, access to all major roads would be maintained during construction and would not interfere with emergency access into or out of the project site.

The City's Development Fee Program also makes certain required facilities for new development are adequately funded and costs are distributed to the various types of development in the form of development impact fees paid by project applicants. By complying with the General Plan and participating in the City's Impact Fee Program, implementation of the Project would result in a less than significant

¹ California, State of, Department of Toxic Substances Control, DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Available at: <https://dtsc.ca.gov/dtscs-cortese-list/>. Accessed: February 8, 2021.

impact with respect to interference with an adopted emergency response plan or emergency evacuation plan and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.8.6 Cumulative Impacts

Impacts associated with hazardous materials are often site-specific and localized. The EIR evaluates potential environmental concerns in connection with the project site and surrounding area. The database searches document the findings of various governmental database searches regarding properties with known or suspected releases of hazardous materials or petroleum hydrocarbons within a search radius of up to one mile from the site and serves as the basis for defining the cumulative impacts study area.

Although some of the cumulative projects and other future projects associated with buildout of the surrounding communities also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are typically site-specific.

Each project is required to address any issues related to hazardous materials or wastes. Projects must adhere to applicable regulations for the use, transport, and disposal of hazardous materials and implement mitigation in compliance with federal, State, and local regulations to protect against site contamination by hazardous materials. Compliance with all applicable federal, State, and local regulations related to hazardous materials would ensure that the routine transport, use, or disposal of hazardous materials would not result in adverse impacts. Additionally, site-specific investigations would be conducted at sites where contaminated soils or groundwater could occur to minimize the exposure of workers and the public to hazardous substances.

With adherence to applicable federal, State, and local regulations governing hazardous materials, and the implementation of MM HAZ-1 and MM HAZ-2, the potential risks associated with hazardous wastes would be reduced to a level of less than significant. The incremental effects of the proposed Project related to hazards and hazardous materials, are anticipated to be minimal, and any effects would be site-specific. Therefore, the Project would not result in incremental effects to hazards with respect to hazardous materials that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects. Therefore, Project would not result in cumulatively considerable impacts to or from hazards or hazardous materials.

4.8.7 Level of Significance After Mitigation

With implementation of the Mitigation Program set forth in this section, potential impacts related to hazardous materials would be reduced to a level considered less than significant.

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4.9 HYDROLOGY AND WATER QUALITY

This section of the EIR identifies and analyzes the hydrologic resources available to the proposed Project while assessing the potential impact the Project could have on those resources. The pre-development conditions of the water and drainage systems surrounding the proposed Project area were used as a baseline with which to compare potential impacts associated with the Project and will inform the degree of impact that the proposed Project could have on those existing hydrologic systems. Federal, State, regional, and local regulations will provide further context regarding the area's hydrologic resources. Impacts in this section are assessed regarding their effects on water quality, groundwater availability, and other hydrological conditions of the area. The analysis also considers the proposed Project's potential effects in flood, tsunami, and seiche zones.

Information used in the preparation of this section includes the following: *Planning-Level Preliminary Geotechnical Investigation* (Geotechnical Professionals, Inc., 2019); *Preliminary Drainage Report, Olive Avenue Development* (Kimley-Horn, 2020); and *Preliminary Water Quality Management Plan, Olive Avenue Development* (Kimley-Horn, 2020). The reports are summarized in this section and included in their entirety in Appendix F (geotechnical report) and Appendix I (drainage and water quality reports) of this EIR.

4.9.1 Regulatory Setting

Federal Regulations

Clean Water Act

The Clean Water Act (CWA), as amended by the Water Quality Act of 1987, is the major federal legislation governing water quality. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Important applicable sections of the CWA are as follows:

- Section 301 prohibits the discharge of any pollutant by any person, except as in compliance with Sections 302, 306, 307, 318, 402, and 404 of the CWA. Sections 303 and 304 provide for water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for any federal permit that proposes an activity which may result in a discharge to "waters of the United States" to obtain certification from the State that the discharge will comply with other provisions of the CWA. The Regional Water Quality Control Board (RWQCB) provides certification.
- Section 402 establishes the National Pollution Discharge Elimination System (NPDES) a permitting system for the discharge of any pollutant (except for dredge or fill material) into waters of the United States. This permit program is administered by the RWQCB and is discussed later in this section.
- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. This permit program is administered by the United States Army Corps of Engineers (USACE).

State Regulations

California Porter-Cologne Water Quality Control Act

The State of California's Porter-Cologne Water Quality Control Act (California Water Code Section 13000, et seq.) provides the basis for water quality regulation within California. The Act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or otherwise) to land or surface waters that may impair a beneficial use of surface or groundwater of the State. Waste discharge requirements (WDR) resulting from the report are issued by the RWQCB, as discussed below. In practice, these requirements are typically integrated within the National Pollutant Discharge Elimination System (NPDES) permitting process. The State Water Resources Control Board (SWRCB) carries out its water quality protection authority through the adoption of specific Water Quality Control Plans (Basin Plans). These plans establish water quality standards for particular bodies of water. California water quality standards are composed of three parts: the designation of beneficial uses of water, water quality objectives to protect those uses, and implementation programs designed to achieve and maintain compliance with the water quality objectives.

Clean Water Act Section 402

Section 402 of the Clean Water Act authorizes the SWRCB, a department of the California Environmental Protection Agency (CalEPA), to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

The SWPPP must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the construction site discharges directly to a water body listed on the 303(d) list for sediment. Increased compliance tasks under the adopted 2009 Construction General Permit include project risk evaluation, effluent monitoring, receiving water monitoring, electronic data submission of the SWPPP and all other permit registration documents, and a Rain Event Action Plan, which must be designed to protect all exposed portions of a project site within 48 hours prior to any likely precipitation event. The SWPPP would also include an Erosion Control Plan that would identify specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. The Erosion Control Plan would be included with the Project's Grading Plan and would be subject to approval by the City Engineer.

Regional and Local Regulations

Santa Ana Regional Water Quality Control Board

The Santa Ana Regional Water Quality Control Board (SARWQCB) regulates State water quality standards in the City of Rialto. Beneficial uses and water quality objectives for surface water and groundwater resources in the Project area are established in the water quality control plans of each RWQCB and mandated by the State Porter-Cologne Act and CWA. The RWQCB also implements the CCWA Section 303(d) total maximum daily load (TMDL) process, which consists of identifying candidate water bodies where water quality is impaired by the presence of pollutants. The TMDL process is implemented to determine the assimilative capacity of the water body for the pollutants of concern and to establish equitable allocation of the allowable pollutant loading within the watershed. CWA Section 401 requires an applicant pursuing a federal permit to conduct any activity that may result in a discharge of a pollutant to obtain a water quality certification (or waiver) from the applicable RWQCB.

The RWQCB primarily implements basin plan policies through issuing waste discharge requirements for waste discharges to land and water. The RWQCB is also responsible for administering the NPDES permit program, which is designed to manage and monitor point and non-point source pollution. NPDES stormwater permits for general construction activity are required for projects that disturb more than one acre of land. Municipal NPDES stormwater permits are required for urban areas with populations greater than 100,000. In addition, projects that involve the California Department of Transportation (Caltrans) are required to comply with the Caltrans statewide NPDES permit and associated Stormwater Management Plan (SEMP). Caltrans implements the SEMP in coordination with the RWQCB.

Rialto General Plan 2010

During project review, approval and permitting, the City requires new development projects to address the quality and quantity of stormwater runoff through the incorporation of permanent (post-construction) BMPs into the Project's design.

The City of Rialto General Plan includes the following applicable policies related to flooding:

- Goal 5-2** Minimize the risk and damage from flood hazards.
- Policy 5-2.1** For properties located within designated 100-year flood zones, require the submittal of information prepared by qualified specialists which certifies compliance with development standards established for 100-year flood zones.
- Policy 5-2.2** Require the implementation of adequate erosion control measures for development projects to minimize sedimentation damage to drainage facilities.
- Policy 5-2.3** Continue to consult with the San Bernardino County Flood Control District regarding the establishment and maintenance of regional flood control facilities located within the City.
- Policy 5-2.4** Require water retention devices in new developments to minimize flooding of the surface drainage system by peak flows.
- Policy 5-2.5** Require that any structure proposed within an officially designated 100-year floodplain, or other floodplain as determined through geotechnical investigation, be

designed in a manner that does not negatively impede or redirect floodwaters or raise anticipated flood heights.

4.9.2 Environmental Setting

Existing Conditions

Hydrology

The United States is divided into successively smaller hydrological areas, or units, which are then nested within each other. These regions are labeled from largest to smallest as regions (HUC 2), subregions (HUC 4), basins (HUC 6), subbasins (HUC 8), watersheds (HUC 10), and subwatersheds (HUC 12)¹. Hydrological unit boundaries of each designation are delineated based on surface features of their geographic locations. The proposed Project would be located within the Santa Ana, Middle Santa Ana River, and East Etiwanda Creek-Santa Ana River watersheds. Each watershed is classified with a Hydrologic Unit Code (HUC) of HUC 8, HUC 10, and HUC 12, respectively.

The Santa Ana subbasin is the largest watershed in Southern California. The subbasin is home to over six million people and covers an approximately 2,700-square mile area of Orange, Riverside, San Bernardino, and Los Angeles counties. The Santa Ana watershed drains into the Santa Ana River, allowing the river to flow 100 miles from the crest of San Bernardino Mountains to the Pacific Ocean, near Huntington Beach². The Middle Santa Ana River watershed is approximately 292 square miles and the East Etiwanda Creek watershed encompasses approximately 216 square miles. The location and boundaries of each watershed boundary is shown in **Figure 4.9-1, Watersheds**.

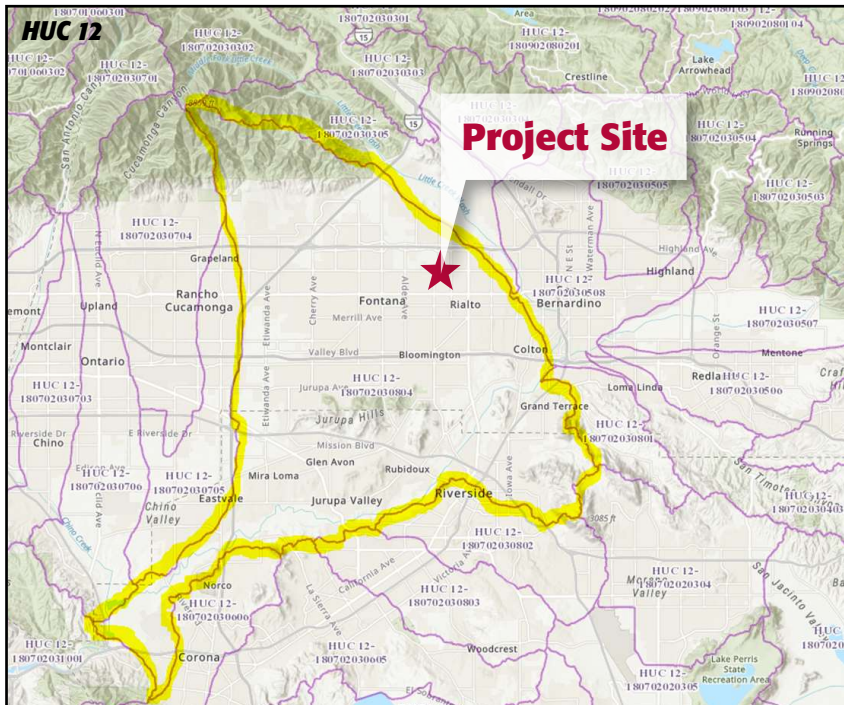
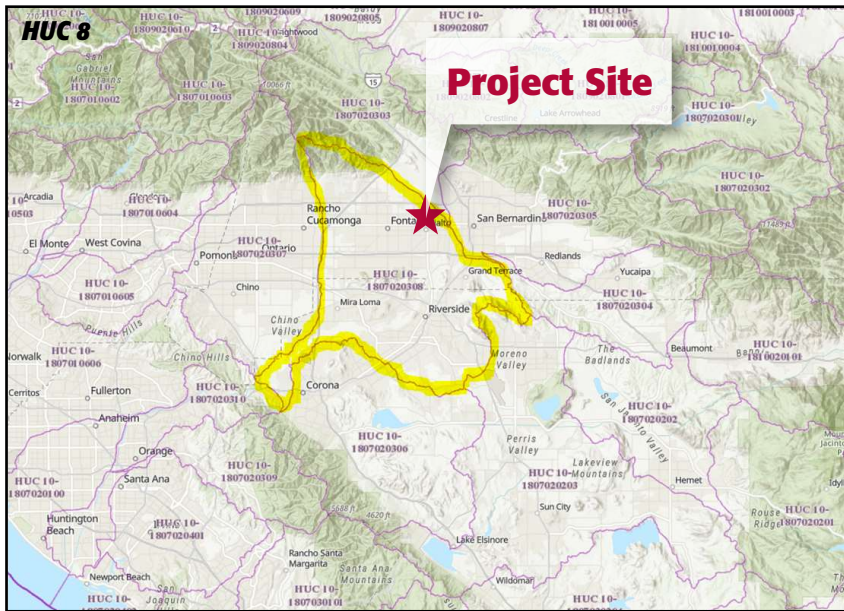
East Etiwanda Creek is approximately 6.5 miles west of the project site and is classified as a Riverine by the USGS National Wetlands Inventory (NWI). The project site is part of a larger drainage area tributary to the San Bernardino County Flood Control District Cactus Basin System. The Cactus Basin System is a network of five detention basins that are located between Cactus Avenue and W Renaissance Parkway, bound by Ayala Drive, Jerry Eaves Park, and the Project to its west. These facilities are owned, operated, and maintained by San Bernardino County Flood Control District. The locations and boundaries of the Cactus Basin System is shown in **Figure 4.9-2, Cactus Basin System**.

Precipitation frequency data for the Project area was retrieved from the National Oceanic and Atmospheric Administration's Atlas 14 (Rialto, California area). The National Weather Service data indicated that in 2019, the Project area experienced above-average precipitation of six to eight inches³.

¹ United States Geological Survey. (2013). Federal Standards and Procedures for the National Watershed Boundary Dataset (WBD). Pages 14 and 19. Reston, Virginia: United States Geological Survey.

² United States Geological Survey. (2016). California Water Science Center – Santa Ana Basin, National Water Quality Assessment Program: Study Unit Description. Retrieved from: https://ca.water.usgs.gov/projects/sana_nawqa/env_set.html

³ National Weather Service. (2019). Advanced Hydrologic Prediction Service. Retrieved from: https://water.weather.gov/precip/index.php?analysis_date=1546300800&lat=34.1204394164&location_name=sgx&location_type=wfo&lon=-117.3842106189&precip_layer=0.75&product=departure&recent_type=false&rfc_layer=-1&state_layer=-1&hsa_layer=-1&county_layer=-1&time_frame=year2date&time_type=year&units=eng&zoom=14&domain=current

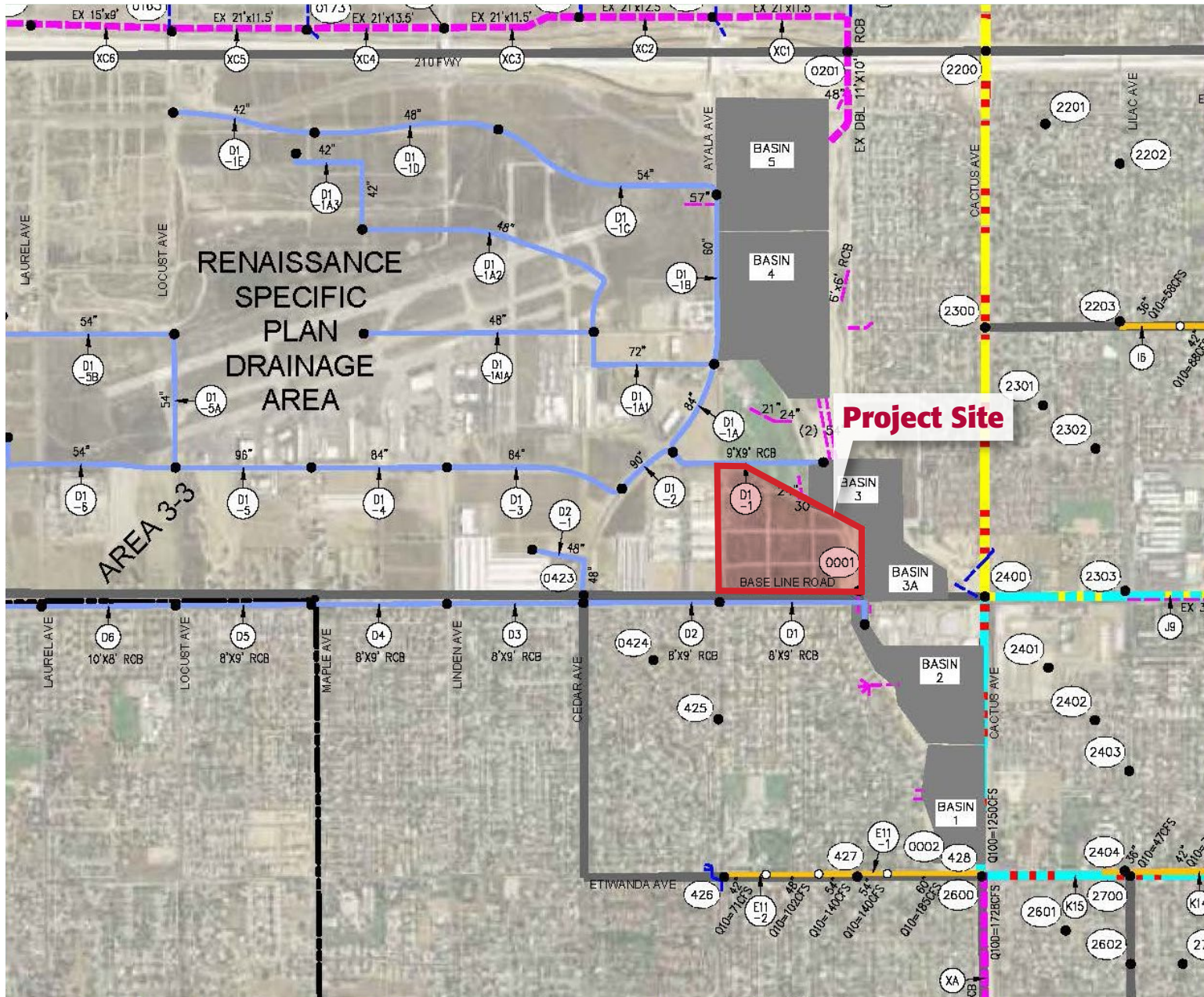


Source: CA Department of Water Resources

FIGURE 4.9-1: Watersheds
Olive Avenue Development Project
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Source: City of Rialto, 2020

FIGURE 4.9-2: Cactus Basin System
 Olive Avenue Development Project
 Draft EIR



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The project site is relatively flat, regionally sloping to the southeast at an approximate gradient of less than two percent. Based upon survey and field observation, the flows from the northwest sheet flow to the southeast corner where flows are collected by existing curb inlets that discharge into Cactus Basin 2. The estimated existing 100-year flow from the project site 48.39 cubic feet per second (cfs). Flow from the project site discharges into the Cactus Basin 2 via curb inlets in Baseline Road at the southern extent of the site. A future, City of Rialto 6-foot by 12-foot reinforced concrete box storm drain (not part of this Project) would encroach inside the property line within a City of Rialto easement along the northern and eastern extents of the project site and continue west along Baseline Road. This storm drain will not be used for this Project as the storm drain line is conveying drainage from a different tributary to Cactus Basin 3. Refer to **Figure 4.9-3, Baseline Road Storm Drain**.

Groundwater

Per the Geotechnical Investigation conducted for the proposed Project, groundwater was not encountered during explorations drilled to a maximum depth of 36 feet below ground level at the time of the study. The report further indicates that groundwater is deeper than 400 feet below ground surface, referencing published data by the California Department of Water Resources.⁴

Flood Hazard

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) shows the project site being covered by one map panel, 06071C8657H (effective 8/28/2008). The City of Rialto, community number 060280, is included in this FIRM. No part of the project site is within a FEMA-mapped special flood hazard area. The entirety of the project site is classified as Zone X, an area noted as having a minimal flood hazard. In addition, there are no dams, reservoirs or large water bodies near the project site. The Lytle Creek Floodway is approximately two miles north of the project site and is classified with two primary zones: Zone X, having a 0.2 percent annual chance flood hazard and Zone A, Special Flood Hazard Area Without Base Flood Elevation.

Water Quality

The amount of pollutants in the surface runoff is determined by the quantity of a material in the environment and its characteristics. In an urban environment, the quantity of certain pollutants in the stormwater systems is generally associated with the intensity of the land use. Within the middle Santa Ana River watershed, pathogens, harmful bacteria, and nitrates are pollutants of concern.⁵

4.9.3 Methodology

A hydrologic analysis was performed to assess the potential impacts on water and groundwater resources as a result of the proposed development. The pre-development conditions of the water and drainage systems surrounding the proposed project site were used as a baseline with which to compare potential impacts on existing hydrologic systems.

⁴ (Geotechnical Professionals, Inc. 3)

⁵ California Water Boards, Santa Ana – R8. (2019). Santa Ana Region – Total Maximum Daily Loads (TMDLs). Retrieved from: https://www.waterboards.ca.gov/santaana/water_issues/programs/tmdl/

Hydrologic modeling was prepared using the Modified Rational Method and the methodology described in the San Bernardino County Hydrology Manual (August 1986). Modeling assumptions are addressed in Appendix I.

The Preliminary Water Quality Management Plan (WQMP) was prepared to comply with the requirements of the City of Rialto, San Bernardino County Municipal Storm Water Management Program and the NPDES Areawide Stormwater Program requiring the preparation of a WQMP.

4.9.4 Thresholds of Significance

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning Hydrology and Water Quality. The questions presented in the Environmental Checklist Form have been used as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - i Result in substantial erosion or siltation on- or off-site;
 - ii Substantially increase the rate or amount of surface in a manner which would result in flooding on- or off-site;
 - iii Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;
 - iv Impede or redirect flood flows.
- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

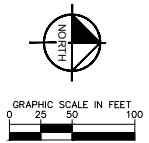
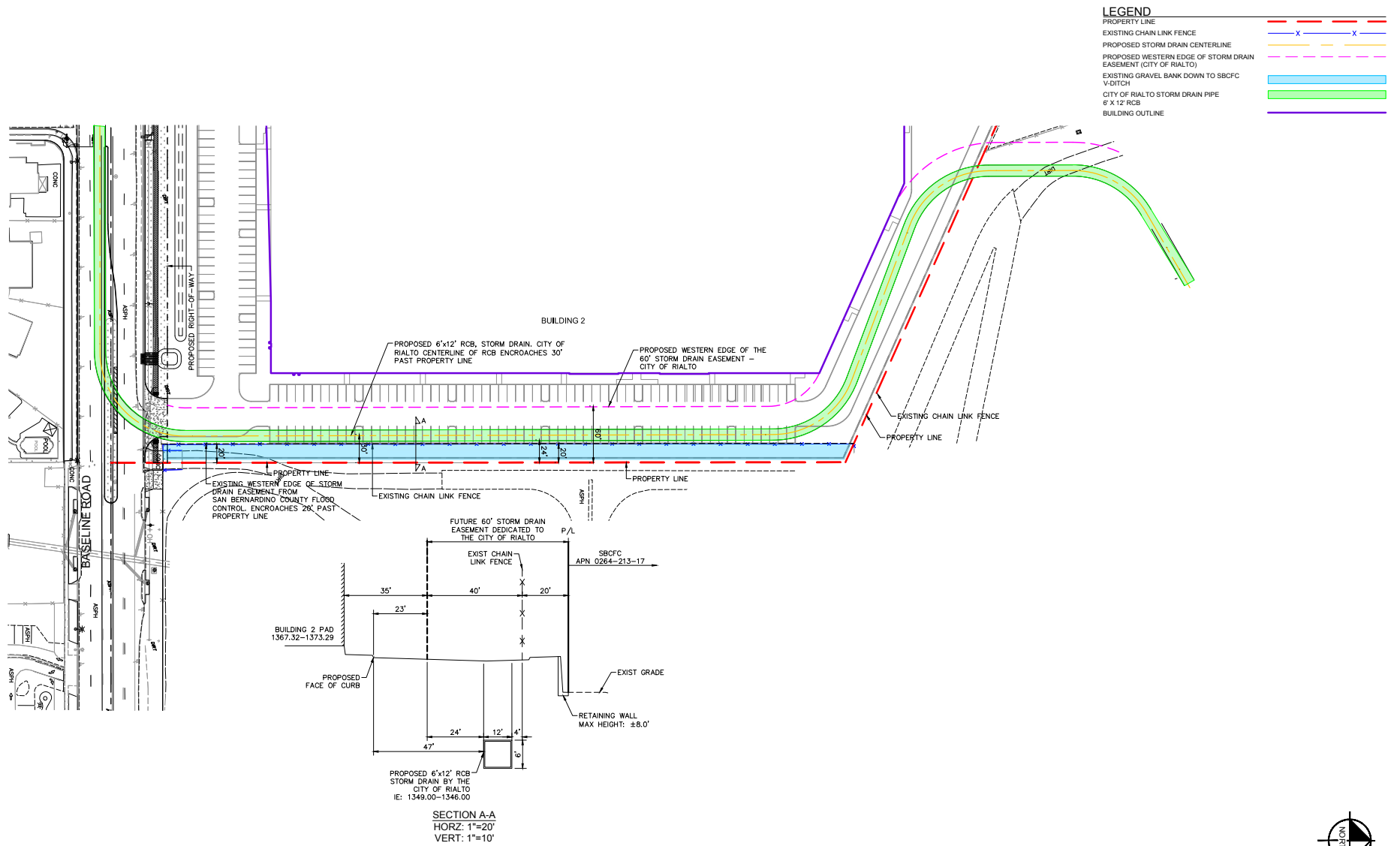


FIGURE 4.9-3: Baseline Road Storm Drain
 Olive Avenue Development Project
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4.9.5 Project Impacts and Mitigation

Impact 4.9-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Level of Significance: Less than Significant Impact

Construction

Construction activities associated with the development of the proposed Project would be typical of those used in comparable office and warehouse developments. Grading and earthmoving activities conducted during the proposed Project's construction period may require the use of water for dust mitigation. Water from dust control and other liquids such as fuels, lubricants, and liquid wastes can create runoff that would temporarily affect water quality.

Construction activities for the lot, infrastructure and the storm drain system would require a NPDES Construction General Permit, obtained from the CalEPA, SWRCB⁶. Prior to the issuance of a Construction General Permit, an approved SWPPP would need to be prepared for the Project. The SWPPP would identify site-specific construction BMPs to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater runoff from the project site. BMPs are designed to control and prevent discharges of pollutants that can adversely impact the downstream surface water quality. Construction BMPs would include, but not be limited to, the following:

Minimization of disturbed areas to the portion of the project site necessary for construction;

- Stabilization of exposed or stockpiled soils and cleared or graded slopes;
- Establishment of permanent re-vegetation or landscaping as early as is feasible;
- Removal of sediment from surface runoff before it leaves the project site by silt fences or other similar devices around the site perimeter;
- Diversion of upstream runoff around disturbed areas of the project site;
- Protection of all storm drain inlets on-site or downstream of the project site to eliminate entry of sediment;
- Prevention of tracking soils and debris off-site through use of a gravel strip or wash facilities, which will be located at all construction exits from the project site;
- Proper storage, use, and disposal of construction materials, such as solvents, wood, and gypsum; and
- Continual inspection and maintenance of all BMPs through the duration of construction.

Operations

The City of Rialto requires a stormwater quality management plan (SWQMP) be prepared for any industrial/warehouse/commercial development of 100,000 sf or more. The SWQMP must be approved by

⁶ California Water Boards – State Water Resources Control Board. (2019). Construction Stormwater Program. Retrieved from: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html

the City Engineer prior to the issuance of any grading or building permit.⁷ The proposed Project's Preliminary Water Quality Management Plan (PWQMP) included as Appendix I, addresses post-construction water quality. This Project proposes to infiltrate stormwater in multiple below ground, gravel bottom chamber systems. Underground infiltration BMPs typically include a vault or chamber with an open bottom that is used to store runoff and infiltrate the runoff into the subsurface soils and aquifer. A number of vendors offer proprietary products that allow for similar or enhanced rates of infiltration and subsurface storage while offering durable prefabricated structures. There are many varieties of proprietary infiltration BMPs that can be used for roads and parking lots, parks and open spaces, single-family and multi-family residential, mixed-use, and commercial uses. The retention volume provided by underground infiltration is a function of the surface area infiltrating into underlying soils and the depth of water that is either percolated over the course of the storm or stored within the BMP for percolation into soils following the storm.⁸ The Project chambers are designed to capture runoff and infiltrate it into the ground. **Figure 4.9-4, Chamber System Example**, provides a visual representation of an underground chamber system. As shown in the PWQMP, the underground chamber system is sized for 100-year storm events during all phases of the Project. Stormwater from rough graded pads would be treated in desilting basins prior to being conveyed into the underground chambers. The Project would also include self-treating landscape areas throughout the Project. Routine inspection and maintenance of the underground chamber system are requirements of the City.

As identified in Standard Condition (SC) HYD-1, preparation, implementation, and participation with the Construction General Permit, including preparation of a SWPPP containing site-specific BMPs, would reduce Project construction effects on water quality to acceptable levels. Compliance with SC HYD-2 would require the Project provide a SWQMP specifically identifying BMPs that will be incorporated into the Project to control stormwater and non-stormwater pollutants during and after construction. Compliance with SC HYD-3 would require preparation of an Erosion Control Plan that identifies specific measures to control on-site and off-site erosion. Therefore, SC HYD-1 through SC HYD-3 are proposed to preclude the violation of water quality standards during and after construction. Therefore, impacts would be less than significant.

Mitigation Program

Standard Conditions

SC HYD-1 The Applicant or his/her designees shall obtain a General Permit for Stormwater Discharge Associated with Construction Activity (Construction Activity General Permit). The Applicant or his/her designees shall provide a copy of this permit to the City Public Works Department prior to the issuance of the first grading permit.

⁷ Rialto, California MC Section 12.60.260 (Ord. 1401 §1 (part), 2007)

⁸ California Water Quality Control Board, Santa Ana, Region 8 (2013). Santa Ana River Watershed Technical Guidance Document for WQMP. Retrieved from <http://cms.sbcounty.gov/Portals/50/Land/SantaAnaRiver-WQMP-Final-June2013.pdf?ver=2019-06-11-140312-780>



Source: Stormtech

FIGURE 4.9-4: Chamber System Example
Olive Avenue Development Project
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SC HYD-2 Prior to issuance of the first grading permit, the Applicant shall submit to the City Engineer for approval, a SWQMP specifically identifying BMPs that will be incorporated into the Project to control stormwater and non-stormwater pollutants during and after construction. To ensure compliance, a legal and fiduciary enforcement mechanism in the form of a Storm Water Quality Management Plan Agreement shall be executed with the City of Rialto. This agreement shall additionally be recorded in the office of the County Recorder for the County of San Bernardino.⁹ The SWQMP shall specify best management practices specific to the project site, which shall be integrated into the stormwater conveyance plan. The plan shall identify specific strategies, including the following.

- Site design features, including maximizing open space, preservation of natural drainages, and minimization of impervious surfaces.
- Source control features, including leveraging public outreach and education, use of appropriate landscaping, and covering trash storage areas.
- Treatment controls, including the use of underground chambers.

SC HYD-3 An Erosion Control Plan shall be prepared, and included with the Project's grading plan, and implemented for the Project that identifies specific measures to control on-site and off-site erosion from the time ground disturbing activities are initiated through completion of grading. The Erosion Control Plan shall include the following measures at a minimum:

- a) Specify the timing of grading and construction to minimize soil exposure to rainy periods experienced in Southern California; and
- b) An inspection and maintenance program shall be included to ensure that any erosion which does occur either on-site or off-site as a result of this Project will be corrected through a remediation or restoration program within a specified time frame.

Mitigation Measures

No mitigation is required.

Impact 4.9-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Level of Significance: No Impact

The project site is within the service area of the City of Rialto Water Services Department. The Project does not propose to use groundwater. Although the proposed Project would result in additional impervious surfaces on-site, the proposed Project would construct an underground chamber system which would detain, infiltrate, and treat water prior to discharging into the public storm drain system. The majority of sediment and debris carried by stormwater flows are captured in the underground chamber system using a pre-treatment unit. Flows then infiltrate through the gravel base of the chambers into the soil below. The pre-treatment and gravel filtration minimize pollutants from entering the aquifer, thereby minimizing impacts to groundwater management. Therefore, the proposed Project would not significantly

⁹ Rialto, California Municipal Code Section 12.60.260 (Ord. 1401 §1 (part), 2007).

impact local groundwater recharge or impede sustainable groundwater management of the basin. No impacts would occur and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.9-3i: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

Level of Significance: Less Than Significant Impact

Project construction would alter the site's existing drainage pattern because the site will change from a currently undeveloped to a developed site. The proposed drainage facilities have been sized to adequately treat runoff water from the project site, and the site does not include discharge to any streams or rivers. The Project would be required to prepare an erosion control plan and implement BMPs to minimize on-site and off-site erosion and siltation (SC HYD-3). Therefore, impacts would be less than significant.

Mitigation Program

Standard Conditions

Compliance with SC HYD-3 is required.

Mitigation Measures

No mitigation is required.

Impact 4.9-3ii: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Impact 4.9-3iii: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Impact 4.9-3iv: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

Level of Significance: Less than Significant Impact

The proposed Project would include the development of new buildings and hardscape that would increase the amount of surface runoff on the site compared to existing conditions. These proposed improvements may cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff.

Two options have been offered for the management of stormwater on the project site. The first option proposes that stormwater be captured by inlets and conveyed by storm drain pipe to four, on-site underground chamber systems for infiltration and detention. As depicted on **Figure 4.9-5, Underground Chamber Systems**, mitigated flows would be released through outlet structures at the two most southerly underground chamber systems. The outlet structure is designed to release an allowable discharge rate from the underground chamber system. The storm water releases to energy dissipation areas and flows through the public right-of-way via under sidewalk drains along Baseline Road at the southern extent of the project site. The proposed underground chambers would be sized to both infiltrate the entire design capture volume (DCV) and detain the delta 100-year design storm volume required to discharge flows at or below existing conditions. The chamber geometry achieves the required DCV through underground storage while also satisfying the volume requirements for peak attenuation.¹⁰ The probability of flooding of the project site is minimal¹¹. This design option implements 24 percent of the allowable discharge of 48.39 cfs from the Project.¹²

The second option proposes, similarly to the first option, that the 100-year stormwater event be captured, detained, and infiltrated through an underground storage chamber system. The chamber system infrastructure would be reduced by connecting the outlet structures to a proposed 42-inch storm drain line along Baseline Road. This 42-inch storm drain line would provide conveyance of stormwater between 24 percent and 100 percent of the allowable discharge of 48.39 cfs and connect to the existing storm drain facilities that drain into two existing basins, Cactus Basin 3 and Cactus Basin 2 as shown in **Figure 4.9-6, Outlet Alternative**. There are no plans to modify Cactus Basin 2 or Cactus Basin 3. The remainder of on-site runoff adjacent to Baseline Road would be captured within landscape drains and would flow across the public right-of-way via curb outlets.

Both options provide a post-developed flow condition that does not exceed the pre-developed condition. Compliance with SC HYD-2 is required. Due to the lack of proposed changes to flood paths, a less than significant impact would occur regarding flood flows.

Mitigation Program

Standard Conditions

Compliance with SC HYD-2 is required.

Mitigation Measures

No mitigation is required.

¹⁰ PWQMP Olive Grove Business Park. (2020). Preliminary Water Quality Management Plan For: Olive Avenue Development. Page 4-20. San Diego, CA: Kimley-Horn and Associates

¹¹ Preliminary Drainage Report. (2020). Olive Avenue Development Rialto, California, National Flood Hazard Layer FIRMette. Page 25. San Diego, CA: Kimley-Horn and Associates

¹² Preliminary Drainage Report. (2020). Olive Avenue Development Rialto, California. Page 3-1. San Diego, CA: Kimley-Horn and Associates

Impact 4.9-4 Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Level of Significance: Less than Significant Impact

The nearest body of water to the project site is the Lytle Creek Floodway, which is approximately two miles north of the site. No oceans, lakes, ponds, or partially closed standing body of water are found near the project site. Therefore, the proposed Project is not within a zone with risk of seiche or tsunami. Further, the SWQMP and SWPPP for the proposed Project would limit pollution rates from stormwater conveyance. The application of stormwater plans in the SWQMP and SWPPP as well as the minimal flood risk of the area would result in a less than significant environmental impact.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.9.6 Cumulative Impacts

The potential for hydrology and water quality impacts are the areas immediately upstream and downstream of the proposed project site. Additionally, the area to the west of the proposed Project is currently in development. This area is defined under the City of Rialto Renaissance Specific Plan. As development occurs, local surface and groundwater resources will be incrementally impacted as native soils are covered over, which will decrease percolation and increase runoff and urban pollutants. In addition, the cumulative projects, including the proposed Project, will be required to prepare SWPPPs, which will prevent construction-related pollutants from contaminating stormwater. Larger, future development projects, including the proposed Project, will be required to prepare SWQMPs.

4.9.7 Level of Significance After Mitigation

Compliance with the Mitigation Program set forth in this section would reduce potential impacts to a level considered less than significant. No mitigation is required.

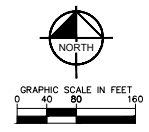
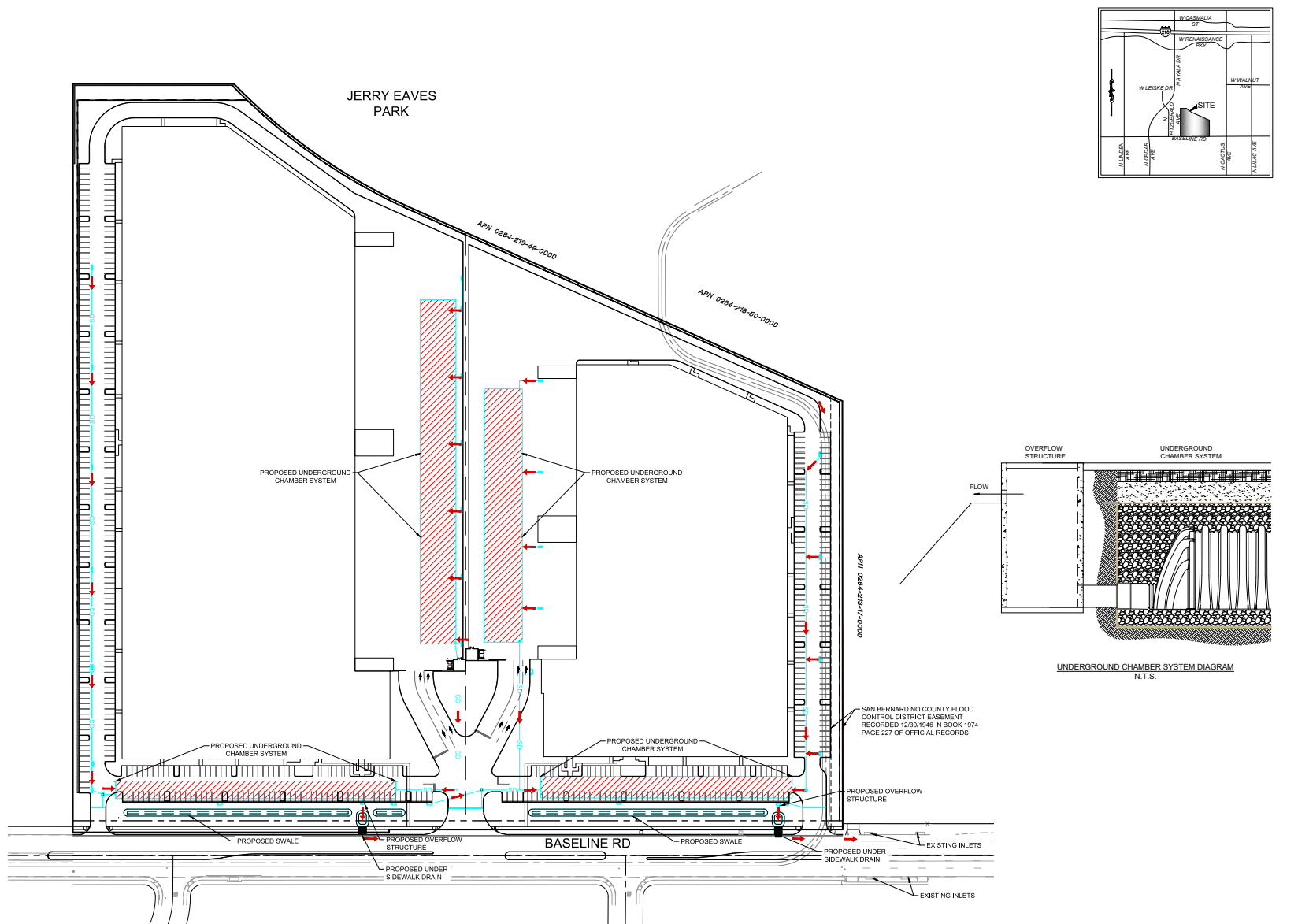


FIGURE 4.9-5: Underground Chamber Systems
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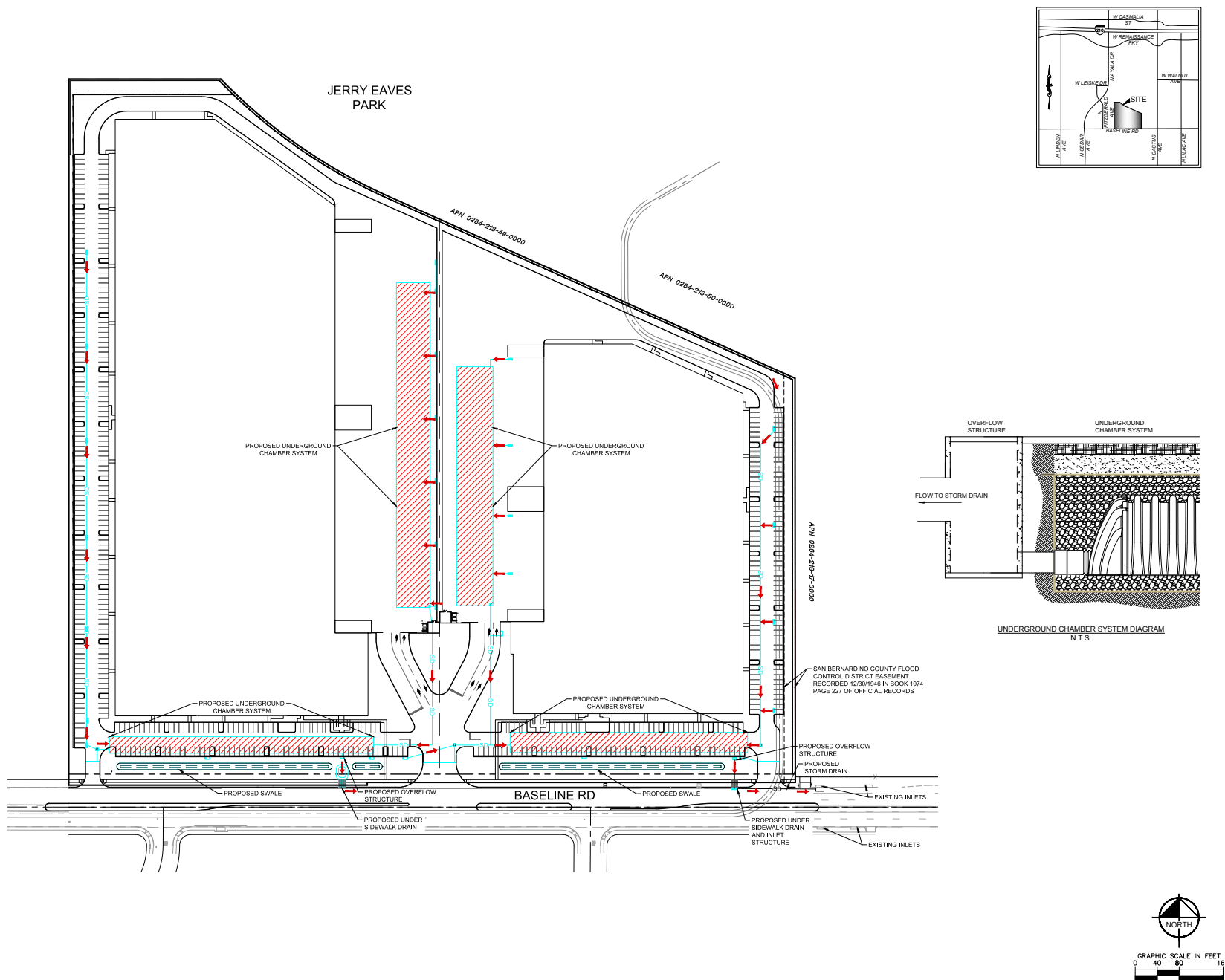
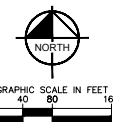


FIGURE 4.9-6: Outlet Alternative
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4.10 LAND USE AND PLANNING

This section describes the land use conditions for the project site and discusses potential land use impacts that could result from implementation of the proposed Project. The pre-development condition of the project site and surrounding area was used as the baseline which to compare potential impacts associated with the Project.

4.10.1 Regulatory Setting

Regional Regulations

Southern California Association of Governments

Southern California Association of Governments (SCAG) is a council of governments representing Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. SCAG is the federally recognized Metropolitan Planning Organization (MPO) for this region. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and State law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the Southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District (SCAQMD), Caltrans, and other agencies in preparing regional planning documents. SCAG has developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment, and the Regional Transportation Plan/Sustainability Communities Strategy.

Regional Comprehensive Plan

SCAG's 2008 Regional Comprehensive Plan (RCP) is a comprehensive, integrated policy plan that addresses regional issues related to growth management and development. The RCP provides a policy framework for preparing local plans and handling issues of regional significance, such as land use and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. The RCP advances regional planning by incorporating an integrated approach between SCAG, State and local governments, transportation commissions, resources agencies and conservation groups, the private sector, and the general public.

The Regional Housing Needs Assessment is discussed in Section 4.13, *Population and Housing*, and the Regional Transportation Plan/Sustainable Communities Strategy is discussed in Section 4.2, *Air Quality*, Section 4.5, *Energy*, Section 4.7, *Greenhouse Gas Emissions*, 4.12, *Population and Housing*, and Section 4.16, *Transportation*, of this EIR.

Regional Transportation Plan/Sustainable Communities Strategy

The Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Section 4.9.2 of the 2020-2045 RTP/SCS identifies ten goals that fall into four categories: economy, mobility, environment and healthy/complete communities.

As discussed previously and in Section 4.9.2 of the 2020-2045 RTP/SCS, the goals of the RTP/SCS fall into four core categories: economy, mobility, environment and healthy/complete communities. The Regional Housing Needs Assessment is discussed in Section 4.13, *Population and Housing*.

Local Regulations

City of Rialto General Plan 2010

The project site has a General Plan land use designation of Business Park. The General Plan is the comprehensive planning document governing development within the City, and contains goals, policies, and actions describing the community's vision for economic viability, livable neighborhoods, and environmental protection. The General Plan establishes policies for the orderly growth and development of the City of Rialto. Among other purposes, the General Plan identifies policies necessary to protect and enhance those features and services which contribute to the quality of life of the community in which it serves.

A general plan functions as a guide for the type of community that is desired for the future and provides the means to achieve it. The City of Rialto General Plan contains the following chapters related to the State mandated elements required for a General Plan: Managing Our Land Supply; Investing in Our Future; Making the Connections: the Circulation Chapter; Safety and Noise; Housing Element; Our Roots: Cultural and Historic Preservation; and Implementation Plan. The General Plan Land Use Plan Map visually represents the physical relationship of all portions of the text, including development densities.

Rialto Airport Specific Plan

The project site is zoned as Airport-Related Planned Industrial Development (I-AR) within the Rialto Airport Specific Plan. The Rialto Municipal Airport ceased operations in 2014 and the former airport property and much of the properties adjacent to the Rialto Municipal Airport that were suited to accommodate development were removed from the Rialto Airport Specific Plan and incorporated into the Renaissance Specific Plan, which was adopted by the City in 2010. Although the Rialto Municipal Airport is no longer operational, the City's Rialto Airport Specific Plan serves as the zoning ordinance for parcels in the Airport Specific Plan area that were not removed from the Airport Specific Plan, primarily located northwest, west, and east of the former Rialto Municipal Airport. The Airport Specific Plan provides a framework to guide future land use and development decisions in the Airport Specific Plan area. For projects within the Airport Specific Plan area, policies and standards in the Airport Specific Plan will take precedence over more general policies and standards applied throughout the rest of the City.

The I-AR zone is identified as an Industrial land use in Table 1 of the Specific Plan, which describes the I-AR zone as devoted to Airport-Related Industrial uses. Other industrial uses identified in the Specific Plan include the Planned Industrial Development (I-PID) zone, which is intended for light industrial and industrial/business park uses, as well as General Manufacturing (I-GM) zone, which was designated for existing handlers of hazardous materials.

City of Rialto Municipal Code

Title 18 of the Rialto Municipal Code functions as the City's Zoning Ordinance, which identifies the permitted land uses on all parcels in the City through assigned land use designations and associated land use regulations and development standards.

4.10.2 Environmental Setting

Existing and Surrounding Land Uses

The project site is approximately 31.60 gross acres located directly north of Baseline Road, approximately 325 feet east of Fitzgerald Avenue, directly south of Jerry Eaves Park, and approximately 0.25 mile west of Cactus Avenue. The project site is currently undeveloped. Adjacent properties include Jerry Eaves Park to the north, a San Bernardino County Flood Control District (SBCFCD) basin to the north and east, single-family residential uses to the south of Baseline Road, and industrial uses to the west. A portion of the project site is located on an SBCFCD easement. The Project would require a flood control permit from SBCFCD for potential improvements located within the SBCFCD easement area.

General Plan and Zoning Designations

The project site has a General Plan designation of Business Park and a zoning designation of Airport-Related Planned Industrial Development (I-AR) as set forth in the Rialto Airport Specific Plan (Specific Plan). Table 8 of the Specific Plan identifies permitted uses within the I-AR zone, including storage warehousing, as well as wholesaling and warehousing, when conducted within a permanent building.¹ The overall FAR for the Project would be 0.50. With the division of the property into two parcels, the FAR for the Building 1 parcel would be 0.54 and the FAR for the Building 2 parcel would be 0.45.

4.10.3 Methodology

The pre-development conditions of the project site and surrounding area was used as the baseline which to compare potential impacts associated with the Project. The analysis of the project site is based on the conditions of the site when the Notice of Preparation (NOP) was published. The proposed Project is evaluated against the significance criteria below, as the basis for determining the level of impacts related to land use and planning. This analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts. Where significant impacts remain, feasible mitigation measures are recommended, where warranted, to avoid or lessen the Project's significant adverse impacts.

4.10.4 Thresholds of Significance

The following significance criteria for land use and planning were derived from the Environmental Checklist in the State CEQA Guidelines, Appendix G. An impact of a project could be considered significant and may require mitigation if it meets one of the following criteria:

- Physically divide an established community
- Cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

¹ City of Rialto (1997). *Rialto Airport Specific Plan*. Table 8.

4.10.5 Project Impacts and Mitigation

Impact 4.10-1: Would the project physically divide an established community?

Level of Significance: No Impact

The Project could have a significant environmental impact if it were sufficiently large or otherwise configured in such a way as to create a physical barrier or other physical division within an established community. For example, the construction of a highway through an existing community could constrain travel from one side of the community to another, as well as the cohesiveness of that community.

As proposed, the Project would develop two industrial warehouse buildings with three points of access from Baseline Road. As described above, the project site is bordered by Jerry Eaves Park to the north, a SBCFCD basin to the north and east, single-family residential uses to the south of Baseline Road, and industrial uses to the west. The project site does not currently provide any connection to existing neighborhoods in the general area, nor does it provide connectivity or accessibility to other neighboring uses. As such, neither the residential development to the south, the park to the north, or other existing or planned communities proximate to the project site would be physically divided by the proposed Project. The Project includes improvements to Baseline Road but does not include the construction or alteration of roadways that would disrupt adjacent residential uses. The Project does not propose features such as a highway or above-ground infrastructure that preclude or impede movement through the project site, such that a permanent disruption in the physical arrangement of the surrounding community or isolation of that community would occur. Therefore, the proposed Project would not physically divide an established community and no impact would occur.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.10-2: Would the project cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Regional Comprehensive Plan Analysis

The RCP aims to successfully integrate land and transportation planning and achieve land use and housing sustainability by implementing Compass Blueprint and 2% Strategy. Adopted goals related to implementation of the Compass Blueprint and 2% Strategy are contained primarily in the Land Use and Housing chapter of the RCP and are addressed below:

- Focusing growth in existing and emerging centers and along major transportation corridors.
- Creating significant areas of mixed-use development and walkable, “people-scaled” communities.

- Providing new housing opportunities, with building types and locations that respond to the region's changing demographics.
- Targeting growth in housing, employment and commercial development within walking distance of existing and planned transit stations.
- Injecting new life into under-used areas by creating vibrant new business districts, redeveloping old buildings and building new businesses and housing on vacant lots.
- Preserving existing, stable, single-family neighborhoods.
- Protecting important open space, environmentally sensitive areas and agricultural lands from development.

Consistent with the RCP and discussed above, the project site is located within walking distance of two bus stops. The project site is located adjacent to bus stops along Baseline Road including a bus stop near Fitzgerald Avenue that is approximately 950 feet from the center of the project site frontage and a bus stop near Glenwood Avenue that is approximately 500 feet from the center of the project site frontage. Additionally, the Project would not require expansion of existing infrastructure and would be located adjacent to a planned multi-use trail. Further, the Project would include new sidewalk along Baseline Road and construction of a pedestrian crosswalk providing a pedestrian connection to residential uses located to the south of the project site. Therefore, the Project is consistent with applicable goals of the RCP.

Regional Transportation Plan/Sustainable Communities Strategy Analysis

Project relevant RTP/SCS policies for land use and planning are addressed below.

1. Encourage regional economic prosperity and global competitiveness
4. Increase person and goods movement and travel choices within the transportation system
6. Support healthy and equitable communities
7. Adapt to a changing climate and support an integrated regional development pattern and transportation network
10. Promote conservation of natural and agricultural lands and restoration of habitats

Consistent with Goal 1, implementation of the Project would result in the development of a campus-oriented industrial development. Additionally, consistent with Goals 4, 6, and 7, the Project would include Transportation Demand Management (TDM) strategies to reduce single-occupant auto travel and encourage alternate means of transportation. Project TDM strategies include pedestrian network improvements, traffic calming measures, implementation of a low-stress bicycle network, and implementation of ride-share programs. As previously noted, there are two bus stops along Baseline Road near the project site. Additionally, bicycle facilities are to the north and east of the project site. The Project would construct pedestrian sidewalks along the project site frontage on Baseline Road and a pedestrian crosswalk to allow for safer pedestrian access to the north side of Baseline Road from residential uses to the south. Goal 10 is not applicable to the Project on a direct or indirect basis because the project site does not include any agricultural uses or biological resources. Therefore, the Project is consistent with applicable goals of the 2020-2045 RTP/SCS.

The RTP/SCS is discussed further in Section 4.2, *Air Quality*, Section 4.5, *Energy*, Section 4.7, *Greenhouse Gas Emissions*, 4.12, *Population and Housing*, and Section 4.16, *Transportation*, of this EIR.

General Plan Consistency Analysis

Project relevant General Plan policies for land use and planning are addressed below.

- Goal 2-8** Preserve and improve established residential neighborhoods in Rialto.
- Policy 2-8.4** Discourage extreme changes in scale between adjacent structures (i.e., multi-story building walls immediately adjacent to single-unit residences). Encourage appropriate setbacks and other architectural features that provide a gradual change in scale.
- Goal 2-9** Protect residential, schools, parks, and other sensitive land uses from the impacts associated with industrial and trucking-related land uses, as well as commercial and retail areas.
- Policy 2-9.1** Require mitigation and utilize other techniques to protect residential development and other sensitive land uses near industrial land uses or within identified health risk areas from excessive noise, hazardous materials and waste releases, toxic air pollutant concentrations, and other impacts.
- Policy 2-9.2** Require all industrial development to front on an improved street with appropriate front yard setbacks, landscaping, and facade and entrance treatments.
- Goal 2-19** Encourage neighborhood preservation, stabilization, and property maintenance.
- Policy 2-19.1** Require that new construction, additions, renovations, and infill developments be sensitive to neighborhood context and building form and scale.
- Goal 2-22** Promote commercial and/or industrial development that is well designed, people-oriented, environmentally sustainable, sensitive to the needs of the visitor or resident, and functionally efficient for its purpose.
- Policy 2-22.2** Encourage architecture that disaggregates massive buildings into smaller parts with greater human scale.
- Policy 2-22.3** Require that landscape plantings be incorporated into commercial and industrial projects to define and emphasize entrances, inclusive of those areas along the front of a building facing a parking lot.
- Policy 2-22.5** Require developments to provide pedestrian and vehicle connections and pathways between parking lots at the rear and front of buildings.
- Policy 2-22.6** Require delivery areas to be separated from pedestrian areas.
- Policy 2-22.7** Require outdoor storage areas, where permitted, to be screened from public view.
- Policy 2-22.8** Insist that full architectural treatments and details be provided on all facades visible to the street of development projects.

The City's General Plan land use policies for development of established residential neighborhoods discourage extreme changes in scale between adjacent structures and encourage appropriate setbacks and other architectural features that provide a gradual change in scale (see Goal 2-8 and Policy 2-8.4).

Residential uses are located south of Baseline Road. The Airport Specific Plan EIR (SCH No. 96071027) addressed the potential incompatibility by requiring mitigation (see Mitigation Measure LU-1) that requires developments along the perimeter of the Specific Plan project area boundaries to adhere to the Specific Plan design guidelines which relate to orientation and buffering of non-residential uses when adjacent to residential uses. Further, the City requires implementation of the streetscape programs and landscape buffer treatments when adjacent to residential uses. As shown in Table 4.10-1, *Specific Plan Consistency*, below, the proposed Project would adhere to all design requirements identified in the Specific Plan.

Goal 2-9 and Policies 2-9.1 and 2-9.2 address protection of residential, schools, parks, and other sensitive land uses from potential impacts associated with industrial and trucking-related land uses by requiring mitigation and other techniques to protect residential development and other sensitive land uses near industrial land uses or within identified health risk areas from excessive noise, hazardous materials and waste releases, toxic air pollutant concentrations, and other impacts. As discussed in Section 4.2, *Air Quality*, Mitigation Measure AQ-4 and AQ-5 would minimize health risks to nearby sensitive land uses by requiring that trucks turn off engines when not in use and that the fleet of trucks servicing the project site meet emissions standards of a 2010 vehicle model are replaced with the newest available model when replacement trucks are required. Policy 2-9.2 requires all industrial development to front on an improved street with appropriate front setbacks, landscaping, and facade and entrance treatments. As discussed above, the Project is located on Baseline Road and would comply with all required setback, landscaping, and facade and entrance treatments. As shown on the conceptual site plan (see Section 3.0, Project Description: Figure 3-3), and discussed above, the Project would provide required landscaping along Baseline Road and would provide associated improvements including the continuation of a bike lane and the addition of a sidewalk and landscaped parkway.

Goal 2-19 and Policy 2-19.1 encourage neighborhood preservation, stabilization, and property maintenance by requiring that new construction, additions, renovations, and infill developments be sensitive to neighborhood context and building form and scale. Both buildings would have a maximum height of 46.5 feet from ground floor, which is less than the 75-foot maximum height allowed by the Specific Plan. Further, the actual footprint of the buildings have purposely been placed approximately 105 feet from the front property line versus the required minimum 30-foot setback from the front property line as identified in Table 9 of the Specific Plan. The distance from the closest residential building (across Baseline Road) to the front of the proposed industrial building would be approximately 225 feet, thus providing an additional buffer from the residential homes across Baseline Road over what is required by the City. The Project is proposing 30 feet of landscaping at the front of the project site (along Baseline Road) between the automobile parking and the back of curb at the property line. The City requirement is 20 feet of average depth, thus the Project provides for additional landscape buffering beyond what is required under the City's guidelines. In accordance with City's Major Arterial street designation requirements, the Project would provide 10 feet of landscaping from the back of sidewalk along Baseline Road and would construct a landscape median for Baseline Road. Maintenance of off-site landscaping would be incorporated into the City of Rialto Light, Landscape, and Maintenance District.

Goal 2-22 is intended to promote commercial and industrial developments that are well designed, people-oriented, environmentally sustainable, sensitive to the needs of the visitor or resident, and functionally efficient for its purpose. In accordance with Policy 2-22.2, the Project would comply by developing two buildings on two parcels with facades that would utilize color variation, glazing, and

vertical articulation to allow for variation in mass and scale. Furthermore, consistent with Policy 2-22.3, the Project would provide 30 feet of landscaping depth along Baseline Road beyond the minimum 20 feet of depth requirement. Additionally, the Project would include enhanced landscape plantings along the building frontage and enhanced landscape screening, including Afghan Pines and California Peppers, along the north side of the property adjacent to Jerry Eaves Park (see Section 3.0, Figures 3-5a and 3-5b). Consistent with Policies 2-22.5 and 2-22.6, the Project would include a new sidewalk along the Baseline Road frontage and the construction and installation of a new signalized intersection for the residents at Idyllwild Avenue and Baseline Road allowing for pedestrian access along Baseline Road heading east and west. As part of the new proposed signalized intersection, the Project would construct a new cross-walk from the residential uses on the south side of Baseline Road to connect to the new sidewalk on the north side of Baseline Road. Additionally, the Project would construct two ADA sidewalks connecting the two proposed buildings to the new sidewalk at the project site's frontage along Baseline Road.

Consistent with Policy 2-22.7, the entry to the office space for each building faces Baseline Road and dock loading areas for each building would be fully screened from Baseline Road and the residential uses across Baseline Road. The buildings have been designed to allow for multiple units in various increments based on tenant demand. These potential units would have separate points of entry, along the western building frontage for Building 1 and along the eastern building frontage for Building 2. To screen the truck docks from Baseline Road, a 10- to 12-foot tall concrete wall would be constructed at the entrance to the truck loading area. Further, the Project would also provide an 8-foot tall solid screen wall at the property line that is shared with Jerry Eaves Park to the north of the project site. This screen wall would run the length of the shared property line but would stop at the existing SBCFCD security fence, which would remain in place. Enhanced planting, including Desert Museum Palo Verde, Brisbane Box, and California Pepper, as an additional landscape buffer between the screening for the trucking uses and the property line, would be provided. The truck court screening would be approximately 255 feet from the property line along Baseline Road. Additionally, the Project would include three vehicular entries, one entry specifically designed for truck traffic and two other entries for automobile and employee entrances. Further, in accordance with Policy 2-22.6, pedestrian entrances to the buildings would be separate from delivery and loading areas. The Project would also include a new signalized intersection to specifically channel all truck traffic into one designated entry into the Project. These improvements would alleviate unnecessary U-turns, traffic congestion, and separate the truck entry into the project site from the other two automobile and emergency vehicle entries.

As discussed above, the Project would be consistent with applicable General Plan policies related to land use and planning. Therefore, the proposed Project would not result in a change in, or conflict with General Plan land use policies that would result in potentially significant impacts. Therefore, impacts associated with existing zoning policies would be less than significant.

Specific Plan Consistency Analysis

The proposed Project would develop a warehouse use, which is consistent with the allowed uses identified within the Specific Plan for the I-AR zone. The I-AR zone is identified as an Industrial land use in Table 1 of the Specific Plan, and warehousing is identified as a permitted use for the I-AR zone in Table 8 of the Specific Plan. As shown in Table 4.10-1, *Specific Plan Consistency*, the Project would comply with Section 5.5 of the Specific Plan, which describes the development regulations for industrial developments in the Specific Plan area. The Project would provide a front setback of approximately 105 feet along

Baseline Road, more than the required minimum 25-foot setback identified in Table 9 of the Specific Plan. Minimum side and rear setback requirements are 0 to 20 feet; however, the proposed Project would provide an approximately 93-foot setback on the east, an approximately 84-foot setback on the west, and an approximately 50-foot rear setback. Further, dock loading areas would be located on the north side of the buildings, sited behind the buildings as viewed from Baseline Road. As discussed above, the dock loading areas would also be screened from the view of Jerry Eaves Park, to the north with an 8-foot tall solid screen wall.

Table 4.10-1: Specific Plan Consistency		
Building 1	Required per I-AR Zone¹	Proposed Project
Automobile Parking	256 stalls ²	308 stalls
Truck Trailer Loading	7 docks ²	46 docks
Maximum Height	75 feet ³	46.5 feet
Floor Area Ratio	1.0 ⁴	0.54:1
Front Setbacks	30 feet	105 feet
Side Setbacks	0 to 20 feet	93 feet on the east; 84 feet on the west
Rear Setbacks	0 to 20 feet	50 feet
Landscape Minimum	10%	21.27%
Building 2	Required	Proposed
Automobile Parking	414 stalls ²	505 stalls
Truck Trailer Loading	5 docks ²	31 docks
Maximum Height	75 feet ³	46.5 feet
Floor Area Ratio	1.04	0.45:1
Front Setbacks	30 feet	105 feet
Side Setbacks	0 to 20 feet	93 feet on the east; 84 feet on the west
Rear Setbacks	0 to 20 feet	50 feet
Landscape Minimum	10%	14.17%
1. Standards are derived from the Rialto Airport Specific Plan unless otherwise noted. 2. Per Rialto Municipal Code Section 18.58.050. 3. Per Ordinance No. 1604, approved and adopted by the Rialto City Council on July 26, 2018. 4. Per Rialto General Plan, page 2-9.		

The Project would comply with Section 5.5.5 of the Specific Plan which identifies that front and street side yards should be landscaped and consist predominantly of drought tolerant, low maintenance plant materials. Approximately 4.06 acres (or approximately 13 percent) of the project site would be landscaped. For Building 1, approximately 2.3 acres (or approximately 12 percent) would be landscaped; For Building 2, approximately 1.8 acres (or approximately 14 percent) would be landscaped. The City of Rialto landscaping guidelines require ten percent site coverage.

Further, as discussed in Section 4.1, *Aesthetics*, the proposed Project would be consistent with the Design Guidelines for industrial uses identified in Section 6.2.5 of the Specific Plan. As discussed below, the Specific Plan requires signage and parking standards to comply with the regulations identified in the City's Municipal Code. The proposed Project would not result in a change in, or conflict with the Specific Plan in

such a way that would result in potentially significant impacts. The Project would be consistent with the zoning proposed for the property. Therefore, impacts associated with existing Specific Plan zoning policies would be less than significant.

Municipal Code Consistency Analysis

Title 18 of the Rialto Municipal Code functions as the City's Zoning Ordinance, which identifies the permitted land uses on all parcels in the City through assigned land use designations and associated land use regulations and development standards. The project site is designated I-AR within the Rialto Airport Specific Plan on the City's Zoning Map. As discussed above, the development guidelines for the I-AR zone are identified in the Rialto Airport Specific Plan.

In compliance with Section 5.5.3 of the Specific Plan, the proposed Project would provide signage in accordance with Section 18.102.060 of the City Zoning Ordinance. Section 5.5.4 of the Specific Plan also requires that parking be compliant with the City's Zoning Ordinance. The proposed Project would comply with the City's vehicle and truck trailer parking requirements as identified in Section 18.58 of the City's Zoning Ordinance (see Section 3.0, Table 3-2: *Automobile Parking*, and Table 3-3: *Truck Trailer Loading and Parking* of this Draft EIR). Further, in accordance with Section 18.61.09 of the Rialto Municipal Code, the Project would provide vertical articulation and enhanced entrances for the buildings.

In accordance with the City's Municipal Code, the proposed Project includes a Precise Plan of Design for the development of two warehouse buildings as well as a Tentative Parcel Map for the division of one existing parcel into two proposed parcels, along with the required City right-of-way dedication for Baseline Road, vacations and easements. The proposed Project also includes a Conditional Development Permit for the development of the warehouses, which is considered a conditionally permitted use in industrial zones within the City of Rialto.

The proposed Project is consistent with the pertinent land use planning and policy documents, including the General Plan, Specific Plan, and the Municipal Code. With the incorporation of Mitigation Measure LU-1, the proposed Project would have a less than significant impact on a plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

MM LU-1: The Project shall comply with Mitigation Measure 5.1-4 from the Airport Specific Plan EIR, which requires that developments along the perimeter of the [Specific Plan] project area boundaries adhere to the design guidelines contained in the Specific Plan which relate to orientation and buffering of non-residential uses when adjacent to residential uses. Further, the City shall require implementation of the streetscape programs and landscape buffer treatments when adjacent to residential uses.

4.10.6 Cumulative Impacts

The Project is consistent with applicable land use goals and policies. Although other changes in land use plans and regulations may have occurred with past and present projects in the area and may be necessary for individual future projects, such changes have been, and would be, required to demonstrate consistency with General Plan and other City policies such that no significant adverse cumulative impact has occurred or would occur from such changes. Given that the proposed Project would be consistent with the land use policies of the applicable plans, the Project would not combine with any past, present, or reasonably foreseeable future projects to cause a significant adverse cumulative land use impact based on a conflict with a plan or policy. Any associated physical impacts are covered in the individual topic sections. It is also anticipated that regional growth would be subject to review for consistency with adopted land use plans and policies by the County of San Bernardino, City of Rialto, and other cities in the County, in accordance with the requirements of CEQA, the State Zoning and Planning Law, and the State Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development. Therefore, no significant cumulative impacts associated plans and policies are anticipated. In addition, the contribution of the proposed Project to any such cumulative impacts would be less than significant because present and probable future projects are consistent with applicable plans, policies, and regulations. The Project would not contribute to any cumulative impacts associated with plan or policy inconsistency.

4.10.7 Level of Significance After Mitigation

No significant land use and planning resource impacts have been identified.

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4.11 NOISE

This section evaluates pre- and post-construction noise impacts associated with the implementation of the Project and describes the affected environment and regulatory setting for noise. The Acoustical Assessment is summarized in this section and is provided as Appendix J to this EIR.

4.11.1 Noise Criteria and Definitions

Sound. Sound is a vibratory disturbance created by a moving or vibrating source and that is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance and, in the extreme, hearing impairment. Excessive noise levels may also affect performance and learning processes through distraction, reduced accuracy and increase fatigue, annoyance and irritability, and the ability to concentrate.

Decibels and Frequency. In its most basic form, a continuous sound can be described by its frequency or wavelength (pitch) and its amplitude (loudness). Sound pressure levels are described in units called the decibel (dB). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used for earthquake magnitudes. Therefore, a doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the energy would result in a 3 dB decrease.

Groundborne vibration consists of oscillatory waves that propagate from the source through the ground to adjacent structures. The frequency of a vibrating object describes how rapidly it is oscillating. The number of cycles per second of oscillation is the vibration frequency, which is described in terms of hertz (Hz). The normal frequency range of most groundborne vibration that can be felt generally starts from a low frequency of less than 1 Hz to a high of about 200 Hz.

Perception of Noise. The human ear is not equally sensitive to all frequencies within the sound spectrum. To accommodate this phenomenon, the A-scale, which approximates the frequency response of the average young ear when listening to most ordinary everyday sounds, was devised. When people make relative judgments of the loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Therefore, the “A-weighted” noise scale is used for measurements and standards involving the human perception of noise. Noise levels using A-weighted measurements are written dB(A) or dBA.

Human perception of noise has no simple correlation with acoustical energy. The perception of noise is not linear in terms of dBA or in terms of acoustical energy. Two noise sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of a 3 dBA increase or decrease; that a change of 5 dBA is readily perceptible; and that an increase or decrease of 10 dBA sounds twice or half as loud, respectively.

As noise travels from the source to the receiver, noise changes both in level and frequency. The most obvious change is the decrease in noise as the distance from the source increases. The manner in which noise reduces with distance (noise attenuation) depends on a number of factors. Ground absorption,

atmospheric effects, and shielding (as by natural and man-made barriers) also affect the rate of noise attenuation.

Perception of Vibration. While people have varying sensitivities to vibrations at different frequencies, in general they are most sensitive to low-frequency vibration. Vibration in buildings caused by construction activities may be perceived as motion of building surfaces or rattling of windows, items on shelves, and pictures hanging on walls. Vibration of building components can also take the form of an audible low-frequency rumbling noise, which is referred to as groundborne noise. Groundborne noise is usually only a problem when the originating vibration spectrum is dominated by frequencies in the upper end of the range (60 to 200 Hz), or when the structure and the construction activity are connected by foundations or utilities, such as sewer and water pipes.

The primary concern from vibration is the ability to be intrusive and annoying to nearby residents and other vibration-sensitive land uses. Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source. High-frequency vibrations reduce much more rapidly than low frequencies, so that low frequencies tend to dominate the spectrum at greater distances from the source.

Noise and Vibration Rating Scales. Several rating scales exist to analyze effects of noise on a community. These scales include the equivalent noise level (L_{eq}), the community noise equivalent level (CNEL), and the day-night average sound level (L_{dn}). Average noise levels over a period of minutes or hours are usually expressed as dBA L_{eq} , which is the equivalent noise level for that period of time. The period of time averaging may be specified; for example, $L_{eq(3)}$ would be a three-hour average. When no period is specified, a one-hour average is assumed. It is important to understand that noise of short duration (i.e., a time period substantially less than the averaging period) is averaged into ambient noise during the period of interest. Therefore, a loud noise lasting many seconds or a few minutes may have minimal effect on the measured sound level averaged over a one-hour period.

To evaluate community noise impacts, a descriptor was developed that accounts for human sensitivity to nighttime noise. The descriptor is called the L_{dn} , which represents the 24-hour average sound level with a penalty for noise occurring at night. The L_{dn} computation divides the 24-hour day into two periods: daytime (7:00 AM to 10:00 PM) and nighttime (10:00 PM to 7:00 AM). The nighttime sound levels are assigned a 10 dBA “penalty” prior to averaging with daytime hourly sound levels. CNEL is similar to L_{dn} except that it separates a 24-hour day into 3 periods: daytime (7:00 AM to 7:00 PM), evening (7:00 PM to 10:00 PM), and nighttime (10:00 PM to 7:00 AM). The evening and nighttime sound levels are assigned a 5 and 10 dBA penalty respectively, prior to averaging with daytime hourly sound levels. Several statistical descriptors are also often used to describe noise, including L_{max} , L_{min} , and L_x . L_{max} and L_{min} are respectively the highest and lowest A-weighted sound levels that occur during a noise event. The L_x signifies the noise level that is exceeded X percent of the time; for example, L_{10} denotes the level that was exceeded 10 percent of the time.

Vibration levels are usually expressed as single-number measure of vibration magnitude, in terms of velocity or acceleration, which describes the severity of the vibration without the frequency variable. The peak particle velocity (ppv) is defined as the maximum instantaneous positive or negative peak of the vibration signal, usually measured in inches per second (in/sec). Since it is related to the stresses that are experienced by buildings, ppv is generally used to assess vibration to structures.

4.11.2 Regulatory Setting

Federal Regulations

Federal Transit Administration Noise and Vibration Guidance

The Federal Transit Administration (FTA) has published the Transit Noise and Vibration Impact Assessment Manual to provide guidance on procedures for assessing impacts at different stages of transit project development. The report covers both construction and operational noise impacts and describes a range of measures for controlling excessive noise and vibration. In general, the primary concern regarding vibration relates to potential damage from construction. The guidance document establishes criteria for evaluating the potential for damage for various structural categories from vibration.

State Regulations

California Government Code

California Government Code Section 65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of “normally acceptable,” “conditionally acceptable,” “normally unacceptable,” and “clearly unacceptable” noise levels for various land use types. Single-family homes are “normally acceptable” in exterior noise environments up to 60 CNEL and “conditionally acceptable” up to 70 CNEL. Multiple-family residential uses are “normally acceptable” up to 65 CNEL and “conditionally acceptable” up to 70 CNEL. Schools, libraries, and churches are “normally acceptable” up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

Title 24 – Building Code

The State’s noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new multi-family residential buildings, the acceptable interior noise limit for new construction is 45 dBA CNEL.

Regional and Local Regulations

Rialto General Plan 2010

The City of Rialto General Plan Safety and Noise Element specifies exterior noise guidelines for land uses. The City requires that new developments be designed to meet these guidelines¹. Noise compatibility can be achieved by avoiding the location of conflicting land uses adjacent to one another, incorporating buffers and noise control techniques including setbacks, landscaping, building transitions, site design, and building construction techniques. Selection of the appropriate noise control technique would vary

¹ City of Rialto, *General Plan* Chapter 5, 2010.

depending on the level of noise that needs to be reduced as well as the location and intended land use. General Plan policies that directly address reducing and avoiding noise or vibration impacts include the following:

- Goal 5-10** Minimize the impact of point source and ambient noise levels throughout the community.
- Policy 5-10.1** Revise the City’s noise ordinance to address ongoing noise issues by using quantitative noise limits where appropriate and establishing comprehensive noise control measures.
- Policy 5-10.2** Consider noise impacts as part of the development review process, particularly the location of parking, ingress/egress/loading, and refuse collection areas relative to surrounding residential development and other noise-sensitive land uses.
- Policy 5-10.3** Ensure that acceptable noise levels are maintained near schools, hospitals, and other noise-sensitive areas in accordance with the Rialto Municipal Code and noise standards contained in Exhibit 5-5 (Table 4.11-1 of this EIR).
- Policy 5-10.4** Limit the hours of operation at all noise generation sources that are adjacent to noise-sensitive areas.
- Policy 5-10.5** Require all exterior noise sources (construction operations, air compressors, pumps, fans and leaf blowers) to use available noise suppression devices and techniques to reduce exterior noise to acceptable levels that are compatible with adjacent land uses.
- Goal 5-11** Minimize the impacts of transportation-related noise.
- Policy 5-11.1** Work with responsible federal and state agencies to minimize the impact of transportation-related noise, including noise associated with freeways, major arterials, and Metrolink and other rail lines.
- Policy 5-11.2** Require development which is, or will be, affected by railroad noise to include appropriate measures to minimize adverse noise effects on residents and business persons.
- Policy 5-11.3** Require development of truck-intensive uses to minimize noise impacts on adjacent uses through appropriate site design.
- Policy 5-11.4** Develop a program for monitoring noise levels and investigating complaints.
- Policy 5-11.5** Provide education to the community at large about the importance of maintaining a healthy noise environment and identify ways residents can assist in noise abatement efforts.

The General Plan Safety and Noise Element establishes policies guarding against new noise or land use conflicts to minimize the impact of existing noise sources on the community. Table 4.11-1: *Rialto Noise Guidelines for Land Use Planning* presents the City’s exterior noise guidelines for land use planning. It should also be noted that the Safety and Noise Element mentions sound levels exceeding 40 to 45 dBA are generally considered to cause sleep interference within a residence. The General Plan also references Title 24 of the California Health and Safety Code, stipulating a maximum of 45 dBA for interior residential noise levels.

Table 4.11-1: Rialto Noise Guidelines for Land Use Planning				
Land Use Category	Community Noise Exposure (L_{dn} or CNEL, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
R2 - Residential 2, R6 - Residential 6	50 – 60	60 – 65	65 – 70	70 – 85
R12 - Residential 12	50 – 60	60 – 65	65 – 70	70 – 85
R21 - Residential 21, R45 - Residential 45	50 – 60	60 – 70	70 – 75	75 – 85
DMU - Downtown Mixed-Use	50 – 60	60 – 75	75 – 80	80 – 85
CC - Community Commercial	50 – 65	65 – 75	75 – 80	80 – 85
GC - General Commercial	50 – 65	65 – 75	75 – 80	80 – 85
BP - Business Park, O - Office	50 – 65	65 – 75	75 – 80	80 – 85
LI - Light Industrial	50 – 70	70 – 75	75 – 80	80 – 85
GI - General Industrial	50 – 75	75 – 85	NA	NA
P - Public Facility, P - School Facility	50 – 60	60 – 65	65 – 70	70 – 85
OSRC - Open Space - Recreation	50 – 75	NA	75 – 80	80 – 85
OSRS - Open Space - Resources	50 – 75	NA	75 – 80	80 – 85
NA = Not Applicable; dBA = Decibel Notes: Normally Acceptable – Specified land use is satisfactory, assuming buildings are of conventional construction. Conditionally Acceptable – New development should be undertaken only after detailed analysis of noise reduction requirements are made. Normally Unacceptable – New development should be discouraged, or a detailed analysis of noise reduction requirements must be made. Clearly Unacceptable – New development should generally not be undertaken. Source: City of Rialto, <i>General Plan</i> Chapter 5, 2010.				

City of Rialto Code of Ordinances

Compliance with the requirements of a noise ordinance is intended to control unnecessary, excessive, and annoying sounds from stationary, non-transportation noise sources. Noise ordinance requirements are not applicable to mobile noise sources such as heavy trucks traveling on public roadways; federal and State laws preempt control of mobile noise sources on public roads. The Rialto Municipal Code prohibits the production of excessive noise, and is applied to future development within the City to determine potential noise impacts.

Municipal Code Section 9.50.070 provides exemptions for construction noise. This Code section states that no person shall be engaged in any type of work relating to construction, alteration, repair, addition, movement, demolition, or improvement to any building or structure except within the hours provided in Table 4.11-2, *Permitted Hours of Construction Work*; exclusions are noted in the Municipal Code.

Table 4.11-2: Permitted Hours of Construction Work	
Days of Week	Time^{1,2}
October 1 through April 30	
Monday – Friday	7:00 AM to 5:30 PM
Saturday	8:00 AM to 5:00 PM
Sunday	No Permissible Hours
State Holidays	No Permissible Hours
May 1 through September 30	
Monday – Friday	6:00 AM to 7:00 PM
Saturday	8:00 AM to 5:00 PM
Sunday	No Permissible Hours
State Holidays	No Permissible Hours
Notes: For purposes of this section, the following exceptions shall apply: ¹ Emergency repair of existing installations, equipment, or appliances; and ² Such work that complies with the terms and conditions of a written early work permit issued by the city manager or his or her designee upon a showing of a sufficient need and justification for the permit due to hot or inclement weather, the use of an unusually long process material, or other circumstances of an unusual and compelling nature. Source: City of Rialto, <i>Code of Ordinances</i> , Section 9.50.070, 2018.	

Municipal Code Section 9.50.050 is relevant for operational noise. The section states:

“It is unlawful for any person to engage in the following activities other than between the hours of 7:00 AM and 8:00 PM in all zones.

- A. Operate or permit the use of powered model vehicles and planes;
- B. Load or unload any vehicle, or operate or permit the use of dollies, carts, forklifts, or other wheeled equipment that causes any impulsive sound, raucous or unnecessary noise within one thousand feet of a residence;
- C. Operate or permit the use of domestic power tools, or machinery or any other equipment or tool in any garage, workshop, house or any other structure;
- D. Operate or permit the use of gasoline or electric powered leaf blowers, such as commonly used by gardeners and other persons for cleaning lawns, yards, driveways, gutters and other property;
- E. Operate or permit the use of privately operated street/parking lot sweepers or vacuums, except that emergency work and/or work necessitated by unusual conditions may be performed with the written consent of the city manager;
- F. Operate or permit the use of pile driver, steam or gasoline shovel, pneumatic hammer, steam or electric hoist or other similar devices;
- G. Operate or permit the use of electrically operated compressor, fan, and other similar devices;
- H. Perform ground maintenance on golf course grounds and tennis courts contiguous to golf courses that creates a noise disturbance across a residential or commercial property line;

- I. Operate or permit the use of any motor vehicle with a gross vehicle weight rating in excess of ten thousand pounds, or of any auxiliary equipment attached to such a vehicle, including but not limited to refrigerated truck compressors, for a period longer than fifteen minutes in any hour while the vehicle is stationary and on a public right-of-way or public space except when movement of the vehicle is restricted by other traffic;
- J. Repair, rebuild, reconstruct or dismantle any motor vehicle or other mechanical equipment or devices in a manner so as to be plainly audible across property lines.”

Additionally, Section 9.50.060(O) of the RMC states that sounds generated in commercial and industrial zones that are necessary and incidental to the uses permitted therein are exempt from the Controlled Hours of Operation.

4.11.3 Environmental Setting

Existing Noise Sources

Mobile sources of noise, especially cars and trucks, are the most common and significant sources of noise in most communities. Other sources of noise are the various land uses (i.e., residential, commercial, institutional, and recreational and parks activities) throughout the City that generate stationary-source noise.

Mobile Sources

Existing roadway noise levels were calculated for the roadway segments in the project area using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes (Traffic Impact Analysis, 2019). The noise prediction model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels.² The average daily noise levels along roadway segments near the project site are identified in Table 4.11-3, *Existing Traffic Noise Levels*. Existing traffic-generated noise level on roadways near the project site range from 68.6 dBA CNEL³ to 71.1 dBA CNEL 100 feet from the centerline.

Stationary Sources

The primary sources of stationary noise near the project site are associated with the operations at the warehouse and industrial uses. The noise associated with these sources may represent a single-event noise occurrence or short-term noise. Other noises include dogs barking, residents talking, and general recreational noise.

² California Department of Transportation, *California Vehicle Noise Emission Levels*, 1987.

³ CNEL is 24-hour average noise level with a 5 dBA “weighting” during the hours of 7:00 PM to 10:00 PM and a 10 dBA “weighting” added to noise during the hours of 10:00 PM to 7:00 AM to account for noise sensitivity in the evening and nighttime, respectively.

Roadway Segment	ADT	dBA CNEL 100 Feet from Roadway Centerline
Ayala Drive, between Renaissance Parkway and Fitzgerald Avenue	23,506	71.1
Ayala Drive, between Fitzgerald Avenue to Baseline Road	19,876	70.4
Baseline Road, west of Ayala Drive	15,164	69.2
Baseline Road, between Ayala Drive and Fitzgerald Avenue	13,141	68.6
Baseline Road, between Idyllwild Avenue and Cactus Avenue	14,553	69.1

ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level
 Sources: *Traffic Impact Study*, Kimley-Horn, 2017. Refer to Appendix J for traffic noise modeling assumptions.

Noise Measurements

To quantify ambient noise levels in the area, nine short-term noise measurements were taken on March 3, 2020. The noise measurement sites were representative of typical existing noise exposure on and immediately adjacent to the project site. The 10-minute measurements were taken between 9:39 AM and 12:01 PM near potential sensitive receptors. Short-term L_{eq} measurements are considered representative of the noise levels throughout the day. The average noise levels and sources of noise measured at each location are listed in Table 4.11-4, *Existing Noise Measurements*.

Site	Location	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Time
1	Jerry Eaves Park	66.0	55.2	79.6	9:39 AM
2	Center of project site	50.8	46.4	59.6	10:07 AM
3	North central of project site	52.0	47.8	63.1	10:23 AM
4	Northwest of project site	56.8	49.4	65.3	10:40 AM
5	Southwest of project site	62.6	46.1	75.6	10:58 AM
6	South side of Baseline Rd, west of Idyllwild Ave	72.1	48.8	81.0	11:11 AM
7	Resident's backyard (house just west of Idyllwild), south side of Baseline Rd	70.6	44.2	76.8	11:26 AM
8	Resident's backyard (house north of cul-de-sac), south side of Baseline Rd	60.7	47.2	72.3	11:45 AM
9	South side of Baseline Rd, west of Glenwood Ave	72.9	49.9	85.0	12:01 PM

Source: Noise measurements taken by Kimley-Horn, March 3, 2020. See Appendix J for noise measurement results.

Sensitive Receptors

Noise exposure goals for various types of land uses reflect the varying noise sensitivities associated with those uses. Noise sensitive uses typically include residences, hospitals, schools, childcare facilities, and places of assembly. Vibration sensitive receivers are generally similar to noise-sensitive receivers but may also include businesses, such as research facilities and laboratories, that use vibration-sensitive equipment. Sensitive receptors near the project site are primarily single-family residences, parks, educational institutions, and senior facilities. Sensitive land uses closest to the project site are identified in Table 4.11-5, *Sensitive Receptors*.

Receptor Description	Distance and Direction from the Project Site
Single-Family Residential Community	90 feet to the south
Single-Family Residential Community	800 feet to the east
Jerry Eaves Park	870 feet to the north
Single-Family Residential Community	1,600 feet to the north
Winchester Senior Home II	1,500 feet to the northeast
La Petite Academy of Rialto	1,900 feet to the east
Helen L. Dollahan Elementary School	2,100 feet to the south
Flores Park	2,400 feet to the south
Camino Nuevo Church	2,500 feet to the southeast
Eisenhower Senior High School	3,000 feet to the east
Dunn Elementary School	4,000 feet to the southeast
Source: Google Earth	

4.11.4 Methodology

Construction

Construction noise levels were based on typical noise levels generated by construction equipment published by the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA). Construction noise is assessed in dBA L_{eq} . This unit is appropriate because L_{eq} can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period.

FTA’s quantitative 8-hour L_{eq} construction noise assessment methodology as described in the 2018 *Transit Noise and Vibration Impact Assessment Manual* was used to estimate construction noise at the nearest sensitive receptors. Following FTA methodology, when calculating construction noise, all equipment is assumed to operate at the center of the Project because equipment would operate throughout the project site and not at a fixed location for extended periods of time. Therefore, the distance used in the RCNM model was 605 feet to the residential uses to the south and 660 feet to the west of the project site.

Operations

The analysis of the Without Project and With Project noise environments is based on noise prediction modeling and empirical observations. Reference noise level data are used to estimate the Project operational noise impacts from stationary sources. Noise levels are collected from field noise measurements and other published sources from similar types of activities are used to estimate noise levels expected with the Project’s stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise level from stationary sources can vary throughout the day. Operational noise is evaluated based on the standards within the City’s Noise Ordinance and General Plan. The Without Project and With Project traffic noise levels in the project vicinity were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108).

Vibration

Groundborne vibration levels associated with construction-related activities for the Project were evaluated utilizing typical groundborne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential groundborne vibration impacts related to building/structure damage and interference with sensitive existing operations were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria.

For a building that is constructed with engineered timbers or reinforced concrete, the FTA guidelines show that a vibration level of up to 0.50 in/sec is considered safe and would not result in any vibration damage. The FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. Human annoyance is evaluated in vibration decibels (VdB) (the vibration velocity level in decibel scale) and occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. The FTA Transit Noise and Vibration Impact Assessment Manual identifies 75 VdB as the threshold for buildings where people normally sleep.

4.11.5 Thresholds of Significance

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a project normally will have a significant effect on the environment if it would:

- Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Generate excessive groundborne vibration or groundborne noise levels.

The City has determined that the proposed Project would not have a significant impact on the following threshold for the reasons stated below, and that no further analysis was required:

- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

There are no private airstrips located immediately adjacent to or near the project site. Therefore, the Project would not result in a safety hazard for people working or residing at the project site. Therefore, no impact would occur.

Thresholds

Construction Noise

The following thresholds of significance are set forth in the Rialto Code of Ordinances, which states that a project would normally have a significant impact on noise levels from construction if construction activities would occur outside the following hours:

- October 1 through April 30 - 7:00 AM to 5:30 PM Monday through Friday, 8:00 AM to 5:00 PM on Saturday. Construction activities are not permitted on Sundays and State holidays; and May 1 through September 30 - 6:00 AM to 7:00 PM Monday through Friday, 8:00 AM to 5:00 PM on Saturday. Construction activities are not permitted on Sundays and State holidays.

Operation Noise

The following threshold of significance is applied to operational noise impacts:

The project would cause ambient noise levels to increase by 5 dBA, CNEL or more and the resulting noise falls on a noise-sensitive land use within an area categorized as either “clearly compatible” or “normally compatible”; or cause ambient noise levels to increase by 3 dBA, CNEL or more and the resulting noise falls on a noise-sensitive land use within an area categorized as either “normally incompatible” or “clearly incompatible.”

Vibrations

The City currently does not have a significance threshold to assess vibration impacts. Therefore, FTA’s Transit Noise and Vibration Impact Assessment Manual are used to evaluate potential impacts.

- Any vibration that exceeds 75 VdB, the approximate threshold for annoyance
- A vibration level that exceeds 0.20 in/sec

4.11.6 Project Impacts and Mitigation

Impact 4.11-1: Would the project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Level of Significance: Less than Significant Impact

Construction

On-Site Construction Noise. Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. The nearest sensitive receptors are approximately 90 feet south of Baseline Road.

Construction activities would include site preparation, grading, building construction, paving, and architectural coating. Such activities would require graders, dozers, and tractors during site preparation and grading; cranes, forklifts, generators, tractors, and welders during building construction; pavers, rollers, mixers, tractors, and paving equipment during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed in Table 4.11-6, *Typical Construction Equipment Noise Levels*.

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 90 feet from Source¹
Air Compressor	80	75
Backhoe	80	75
Compactor	82	77
Concrete Mixer	85	80
Concrete Pump	82	77
Concrete Vibrator	76	71
Crane, Mobile	83	78
Dozer	85	80
Generator	82	77
Grader	85	80
Impact Wrench	85	80
Jack Hammer	88	83
Loader	80	75
Paver	85	80
Pneumatic Tool	85	80
Pump	77	72
Roller	85	80
Saw	76	71
Scraper	85	80
Shovel	82	80
Truck	84	79

¹ Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1 + 20\log(d_1/d_2)$
 dBA₂ = estimated noise level at receptor; dBA₁ = reference noise level; d₁ = reference distance; d₂ = receptor location distance
 Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

While the Rialto Municipal Code does not establish quantitative construction noise standards, this analysis conservatively uses the FTA’s threshold of 80 dBA (8-hour L_{eq}) for residential uses and 90 dBA (8-hour L_{eq}) for non-residential uses to evaluate construction noise impacts.⁴ The noise levels identified in Table 4.11-7, *Project Construction Noise Levels*, show estimated exterior construction noise without accounting for attenuation from existing physical barriers. The nearest noise-sensitive receptors are the residential uses south of Baseline Road.

⁴ Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2, Page 179, September 2018.

Construction Phase	Modeled Exterior Noise Level at Residential Uses South of Project Site (dBA Leq)¹	Modeled Exterior Noise Level at Industrial Uses West of Project Site (dBA Leq)¹	FTA 80 dBA Leq Residential Noise Threshold Exceeded?	FTA 85 dBA Leq Non-Residential Noise Threshold Exceeded?
Site Preparation	66.0	65.2	No	No
Grading	66.6	65.8	No	No
Construction/Paving/Painting	65.4	64.6	No	No

1. Following FTA methodology, all equipment is assumed to operate at the center of the project site because equipment would operate throughout the project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was 605 feet for the residential uses to the south of the construction zone and 660 feet for industrial uses to the west of the construction zone.

Source: Federal Highway Administration Roadway Construction Noise Emissions Model; refer to Appendix J, Noise Data.

Exterior noise levels could reach 66.6 dBA at the nearest residential uses to the south and 65.8 dBA at the nearest industrial uses to the west of the project site. As indicated in Table 4.11-7, Project construction noise levels would not exceed the FTA’s 80 dBA Leq threshold for residential uses or 85 dBA Leq threshold for non-residential uses. Construction equipment would operate throughout the project site and the associated noise levels would not occur at a fixed location for extended periods of time. Although some sensitive uses may be exposed to elevated noise levels during Project construction, heavy construction equipment would be in motion and construction noise would be acoustically dispersed throughout the project site (i.e., not concentrated in one area near sensitive uses).

While impacts would be considered less than significant, the Project would be subject to Standard Condition and Requirement (SC) NOI-1 which includes a list of requirements that must be met by the Applicant and contractor. These requirements include: all construction equipment equipped with mufflers; notification of property owners within 200 feet of the project boundary at least 15 days prior to construction; designation of a construction staff employee as a Noise Disturbance Coordinator; use of construction noise reduction methods where feasible; designation of construction haul routes to avoid noise-sensitive uses; placement of stationary construction equipment away from noise-sensitive receptors; and permitting construction to only occur during established allowable hours of construction (refer to Table 4.11-2). Compliance with SC NOI-1 would ensure that construction noise impacts remain less than significant.

Off-Site Construction Traffic Noise. Construction noise may be generated by passenger cars from worker trips and trucks to deliver materials and haul soil to and from the project site. Delivery trucks, haul trucks, and worker vehicles associated with the construction of the proposed Project would vary from day to day, with the highest volumes generally occurring during construction initiation. The Project’s off-site construction noise impact from haul trucks was analyzed by using the FHWA RD-77-108 model to quantify noise from the Project’s maximum estimated haul truck usage with existing traffic and roadway noise levels along the potential haul routes. The location of roadside sensitive receptors was also considered. As the Project would require haul trucks over the course of the construction period to accommodate the soil off haul necessary for construction. The addition of haul trucks would alter the fleet mix of haul route roadways. This effect was accounted for by adjusting the fleet mix (i.e., increasing the truck percentages) in the FHWA RD-77-108 model.

Table 4.11-8, *Construction Traffic Noise Levels*, provides the predicted noise levels at nearby roadway segments near the project site. As shown in Table 4.11-8, roadway noise levels would range from 68.6 dBA to 71.1 dBA under existing conditions and from 69.6 dBA to 71.7 dBA under existing conditions plus Project construction. The greatest change in noise levels would occur along Baseline Road (Ayala Drive to Fitzgerald Avenue). Construction traffic would result in an increase in ambient noise levels of up to 1.0 dBA. This increase in ambient noise levels is below the perceptible range (3.0 dBA). Therefore, a less than significant impact would occur.

Construction Phase	Modeled Exterior Noise Level at Residential Uses South of Project Site (dBA Leq)¹	Modeled Exterior Noise Level at Industrial Uses West of Project Site (dBA Leq)¹	FTA 80 dBA Leq Residential Noise Threshold Exceeded?	FTA 85 dBA Leq Non-Residential Noise Threshold Exceeded?
Site Preparation	66.0	65.2	No	No
Grading	66.6	65.8	No	No
Construction/Paving/Painting	65.4	64.6	No	No
1. Following FTA methodology, all equipment is assumed to operate at the center of the project site because equipment would operate throughout the project site and not at a fixed location for extended periods of time. Thus, the distance used in the RCNM model was 605 feet for the residential uses to the south of the construction zone and 660 feet for industrial uses to the west of the construction zone. Source: Federal Highway Administration Roadway Construction Noise Emissions Model; refer to Appendix J, Noise Data.				

Operations

Implementation of the proposed Project would create new sources of noise in the project vicinity. The major noise sources associated with the Project that would potentially impact existing and future nearby residences include the following:

- Mechanical equipment (i.e., trash compactors, air conditioners, etc.);
- Slow moving trucks on the project site, approaching and leaving the loading areas;
- Activities at the loading areas (i.e., maneuvering and idling trucks, equipment noise);
- Parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and
- Off-Site Traffic Noise.

As discussed previously, Section 9.50.050 of the Municipal Code identifies activities that are unlawful to engage in between the hours of 8:00 p.m. and 7:00 a.m. This includes the loading or unloading any vehicle, or operate or permit the use of dollies, carts, forklifts, or other wheeled equipment that causes any impulsive sound, raucous or unnecessary noise within one thousand feet of a residence. However, Municipal Code Section 9.50.060 notes that sounds generated in commercial and industrial zones that are necessary and incidental to the uses permitted therein are exempt from the provisions of the Municipal Code Chapter 9.50 (Noise Control) including Section 9.5.050 (Controlled Hours of Operation).

Additionally, all loading and unloading activities, including the operation of dollies, carts, and forklifts, would occur within the warehouse buildings while trucks are docked. Loading dock doors would also be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would

serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, interior loading and associated activities would be permissible during all hours of the day.

Mechanical Equipment. The project site is bordered by a roadway, recreational, residential, and commercial uses. The nearest sensitive receptors are residences 90 feet south of the project site. Potential stationary noise sources related to long-term operations would include mechanical equipment. Mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.⁵ Based on the site plan, the closest sensitive receptors are located approximately 220 feet from the nearest building. At this distance mechanical equipment noise would attenuate to 39.1 dBA. As shown in Table 4.11-4, existing noise levels near residential properties ranged from 60.7 dBA and 72.9 dBA. Operation of mechanical equipment would not increase ambient noise levels beyond existing noise levels. Therefore, the proposed Project would result in a less than significant impact related to stationary noise levels.

Truck and Loading Dock Noise. During loading and unloading activities, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. Loading or unloading activities would occur on the north, east, and west sides of the project site within the warehouse building. Driveways and access to the site would occur along Baseline Road. Typically, heavy truck operations generate a noise level of 68 dBA at a distance of 30 feet. At this distance, the closest residences are approximately 390 feet south of the nearest proposed loading areas. These closest residences would experience truck noise levels of approximately 45.7 dBA conservatively assuming no attenuation from the intervening warehouse buildings. As shown in Table 4.11-4, existing noise levels near residential properties range from 60.7 dBA and 72.9 dBA. The addition of truck and loading dock noise at these locations would be below ambient levels and would not result in a perceivable increase in existing noise levels. Loading dock doors would also be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, interior loading and associated activities would be permissible during all hours of the day. Noise levels associated with trucks and loading or unloading activities would not exceed the City's standards and impacts would be less than significant.

Parking Noise. Traffic in parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 60 to 63 dBA and may be an annoyance to adjacent noise-sensitive receptors. Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech. It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L_{eq} metric, which are averaged over the entire duration of a time period.

Actual noise levels over time resulting from parking lot activities would be far lower than the reference levels identified above. Parking lot noise would occur at the surface parking lot. It is also noted that parking

⁵ Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.

lot noise occurs at the adjacent properties. Parking lot noise would be consistent with the existing noise in the vicinity and would be partially masked by background noise from traffic along East Baseline Road and Ayala Drive. According to the site plan, sensitive receptors to the south would be located approximately 145 feet from the nearest parking area. Noise attenuation based strictly on distance and not taking into account intervening barriers or structures would reduce parking lot noise 53.8 dBA. Noise associated with parking lot activities is not anticipated to exceed the City’s noise standards during operation. Therefore, noise impacts from parking lots would be less than significant.

Table 4.11-9, *Operational Noise*, provides a summary of the operational noise levels discussed above. The table shows that operational noise levels would not exceed the lowest measured ambient level at the closest receptors and would not result in a perceptible increase (3 dBA). Project generated noise levels would also not cause an exceedance the City’s exterior land use compatibility standards and would comply with the RMC. As standard construction has an exterior to interior attenuation rate of 25 dBA⁶, the highest interior noise levels would be approximately 36.5 dBA and would not exceed the City’s 45 dBA interior standard of Title 24 of the California Health and Safety Code as referenced by the General Plan. Additionally, Section 9.50.060(O) of the RMC states that sounds generated in commercial and industrial zones that are necessary and incidental to the uses permitted therein are exempt from the Controlled Hours of Operation.

Noise Source	Reference Level (dBA)	Reference Distance (feet)	Distance to Receptor (feet)	Level at Receptor (dBA) ⁴	Ambient Level (dBA) ⁵	Combined Noise at Receptor (dBA)	Incremental Increase (dBA)	Significant?
Mechanical Equipment ¹	52	50	220	39.1	60.7	60.7	0.0	No
Truck and Loading Docks ²	68	30	390	45.7	60.7	60.8	0.1	No
Parking ³	63	50	145	53.8	60.7	61.5	0.8	No

1. Source for reference level: Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, July 6, 2010.
 2. Loading dock reference noise level measurements conducted by Kimley-Horn on December 18, 2018.
 3. Source for reference level: Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.
 4. Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1 + 20\text{Log}(d_1/d_2)$, where dBA_2 = estimated noise level at receptor; dBA_1 = reference noise level; d_1 = reference distance; d_2 = receptor location distance.
 5. Measured ambient noise levels ranged from 60.7 dBA and 72.9 dBA. The lowest measured level at the closest residential receptor is conservatively used for this evaluation.

Off-Site Traffic Noise. The proposed Project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise near existing and proposed land uses; the Project would generate approximately 1,139 daily trips. The Opening Year without and with the Project were also compared. As shown in Table 4.11-10, *Opening Year Traffic Noise Levels*, roadway noise levels would range from 68.6 dBA to 71.1 under 2021 Without Project conditions and from 68.8 dBA to 71.3 dBA under 2021 Plus Project conditions. The highest noise levels would occur along Ayala Drive between Renaissance Parkway and

⁶ U.S. EPA, *Protective Noise Levels*, 1979.

Fitzgerald Avenue. Project-generated traffic would result in a maximum increase of 0.2 dBA. As the noise level increase is below 3.0 dBA, impacts would be less than significant.

Roadway Segment	2021 Without Project		2021 With Project		Change	Significant Impacts
	ADT	dBA CNEL at 100 ft from Roadway Centerline	ADT	dBA CNEL at 100 ft from Roadway Centerline		
Ayala Dr, between Renaissance Parkway to Fitzgerald Ave	23,506	71.1	24,456	71.3	0.2	No
Ayala Dr, between Fitzgerald Ave to Baseline Rd	19,876	70.4	20,679	70.6	0.2	No
Baseline Rd, between West of Ayala Dr	15,164	69.2	15,777	69.4	0.2	No
Baseline Rd, between Ayala Dr to Fitzgerald Ave	13,141	68.6	13,672	68.8	0.2	No
Baseline Rd, between Idyllwild Ave to Cactus Ave	14,553	69.1	15,141	69.2	0.1	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level.
 Source: Based on traffic data within the *Traffic Impact Study*, prepared by Kimley-Horn, 2020. Refer to Appendix J for traffic noise modeling assumptions and results.

Mitigation Program

Standard Conditions

SC NOI-1 Prior to the issuance of the first grading permit issuance, the Applicant shall demonstrate, to the satisfaction of the City of Rialto Director of Public Works or City Engineer that the Project complies with the following:

- Construction contracts specify that all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and other state-required noise attenuation devices.
- Property owners and occupants located within 200 feet of the project boundary shall be sent a notice, at least 15 days prior to commencement of construction of each phase, regarding the construction schedule for the Project. A sign, legible at a distance of 50 feet shall also be posted at the construction site. All notices and signs shall be reviewed and approved by the City of Rialto Development Services Department, prior to mailing or posting and shall indicate the dates and duration of construction activities, as well as provide a contact name and a telephone number where residents can inquire about the construction process and register complaints.
- Prior to issuance of any Grading or Building Permit, the Contractor shall provide evidence that a construction staff member will be designated as a Noise Disturbance Coordinator and will be present on-site during construction activities. The Noise Disturbance Coordinator shall be responsible for responding to local complaints about construction noise. When a complaint is received, the Noise Disturbance

Coordinator shall notify the City within 24 hours of the complaint, determine the cause (e.g., starting too early, bad muffler, etc.), and implement reasonable measures to resolve the complaint as deemed acceptable by the Public Works Department. All notices sent to residential units around the construction site and all signs posted at the construction site shall include the contact name and the telephone number for the Noise Disturbance Coordinator.

- Prior to issuance of any Grading or Building Permit, the Project Applicant shall demonstrate to the satisfaction of the City Engineer that construction noise reduction methods shall be used where feasible. These reduction methods include shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied residential areas, and electric air compressors and similar power tools.
- Construction haul routes shall be designed to avoid noise-sensitive uses (e.g., residences, convalescent homes, etc.), to the extent feasible.
- During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- Construction activities shall not take place outside of the allowable hours specified by the City's Municipal Code Chapter 9.50, Noise Control (from October 1st to April 30th, allowable construction hours are between 7:00 AM and 5:30 PM on weekdays and between 8:00 AM and 5:00 PM on Saturdays and from May 1st to September 30th, allowable construction hours are between 6:00 AM and 7:00 PM on weekdays and between 8:00 AM and 5:00 PM on Saturdays; construction activities are not permitted on Sundays or legal holidays).

Mitigation Measures

No mitigation is required.

Impact 4.11-2: Would the project expose persons to or generate excessive ground borne vibration or ground borne noise levels?

Level of Significance: Less than Significant Impact

Once operational, the Project would not be a source of groundborne vibration. Increases in groundborne vibration levels attributable to the proposed Project would be primarily associated with short-term construction-related activities. Construction on the project site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks)

at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

Table 4.11-11, *Typical Construction Equipment Vibration Levels*, lists vibration levels at 25 feet for typical construction equipment. Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. Based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity.

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 90 Feet (in/sec)¹	Approximate VdB at 25 Feet	Approximate VdB at 90 Feet²
Large Bulldozer	0.089	0.013	87	70
Caisson Drilling	0.089	0.013	87	70
Loaded Trucks	0.076	0.011	86	69
Jackhammer	0.035	0.005	79	62
Small Bulldozer/Tractors	0.003	0.0004	58	41

¹ Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$ where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018., and D = the distance from the equipment to the receiver.

² Calculated using the following formula: $L_v(D) = L_v(25) - (30 \times \log_{10}(D/25))$

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.

The nearest sensitive receptors are the residential uses approximately 90 feet to the south of the project site boundary (south of Baseline Road). Using the calculation in the table, at 90 feet the vibration velocities from construction equipment would not exceed 0.016 in/sec PPV, which is below the FTA’s 0.20 PPV threshold. Table 4.11-11 also shows that construction VdB levels would not exceed 70 VdB at 90 feet and would be below the 75 VdB annoyance threshold). It can reasonably be assumed that at any further distance, the vibration levels would attenuate further. It is also acknowledged that construction activities would occur throughout the project site and would not be concentrated at the point closest to the nearest residential structure. Therefore, vibration impacts would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.11.7 Cumulative Noise Impacts

Cumulative Construction Noise

The Project's construction activities would not result in a substantial temporary increase in ambient noise levels. Construction noise would be periodic and temporary noise impacts that would cease upon completion of construction activities. The Project would contribute to other proximate construction Project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant following the City of Rialto Municipal Code and SC NOI-1.

Construction activities at other planned and approved projects near the project site would be required to comply with applicable City rules related to noise and would take place during daytime hours on the days permitted by the applicable Municipal Code, and projects requiring discretionary City approvals would be required to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Based on the fact that noise dissipates as it travels away from its source, noise impacts would be limited to the project site and vicinity. Therefore, Project construction would not result in a cumulatively considerable contribution to significant cumulative impacts, assuming such a cumulative impact existed.

Cumulative Operational Noise

Cumulative Off-Site Traffic Noise

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the proposed Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the traffic volumes for existing conditions and forecasted traffic volumes "Opening Year" without and with the proposed Project.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The following criteria is used to evaluate the combined and incremental effects of the cumulative noise increase.

- **Combined Effect.** The "Cumulative with Project" noise level would cause a significant cumulative impact if a 3.0 dB increase over existing conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project.
- **Incremental Effects.** The "Opening Year With Project" causes a 1.0 dBA increase in noise over the "Opening Year Without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and reduces as distance from the source

increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.

Table 4.11-12, *Opening Year Plus Project Conditions Predicted Traffic Noise Levels* identifies the traffic noise effects along roadway segments in the project area for “Existing,” “Opening Year Without Project,” and “Opening Year With Project,” conditions, including incremental and net cumulative impacts. The table shows the increase for combined effects and incremental effects; none of the segments meet the criteria for cumulative noise increase. The Project would not result in long-term mobile noise impacts based on project-generated traffic as well as cumulative and incremental noise levels. Therefore, the proposed Project, in combination with cumulative background traffic noise levels, would result in a less than significant cumulative impact. The Project’s contribution would not be cumulatively considerable.

Table 4.11-12: Opening Year Plus Project Conditions Predicted Traffic Noise Levels						
Roadway Segment	Existing	Opening Year Without Project	Opening Year With Project	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
				Difference In dBA Between Existing and Opening Year With Project	Difference In dBA Between Opening Year Without and With Project	
Slover Avenue						
Ayala Dr, between Renaissance Parkway to Fitzgerald Ave	71.1	71.1	71.3	0.2	0.2	No
Ayala Dr, between Fitzgerald Ave to Baseline Rd	70.4	70.4	70.6	0.2	0.2	No
Baseline Rd, between West of Ayala Dr	69.2	69.2	69.4	0.2	0.2	No
Baseline Rd, between Ayala Dr to Fitzgerald Ave	68.6	68.6	68.8	0.2	0.2	No
Baseline Rd, between Idyllwild Ave to Cactus Ave	69.1	69.1	69.2	0.1	0.1	No
ADT = average daily trips; dBA = A-weighted decibels; CNEL = Community Noise Equivalent Level; WB = westbound; EB = eastbound 1. Traffic noise levels are at 100 feet from the roadway centerline. The actual sound level at any receptor location is dependent upon such factors as the source-to-receptor distance and the presence of intervening structures, barriers, and topography. Source: Based on traffic data within the VMT Assessment & Local Access, Safety, and Circulation Study, prepared by Kimley-Horn, 2021. Refer to Appendix J for traffic noise modeling assumptions and results.						

Cumulative Stationary Noise

Stationary noise sources of the proposed Project would result in an incremental increase in non-transportation noise sources in the vicinity of the project site. However, as discussed above, operational noise caused by the proposed Project would be less than significant. Similar to the proposed Project, other planned and approved projects would be required to mitigate for stationary noise impacts at nearby sensitive receptors, if necessary. As stationary noise sources are generally localized, there is a limited potential for other projects to contribute to cumulative noise impacts.

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact, and even if there was such a significant cumulative impact, the Project would not make a cumulatively considerable contribution to significant cumulative operational noises.

Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the project site and vicinity. Therefore, cumulative operational noise impacts from related projects, in conjunction with Project specific noise impacts, would not be cumulatively significant.

Mitigation Program

Standard Conditions

SC NOI-1 is applicable.

Mitigation Measures

No mitigation is required.

4.11.8 Level of Significance After Mitigation

With the implementation of the Mitigation Program, significant noise impacts would be mitigated to a less than significant level.

4.12 POPULATION AND HOUSING

This section provides contextual background information on potential impacts on population growth and housing (either directly or indirectly) resulting from Project implementation within the City of Rialto. The analysis is based on data in the City of Rialto General Plan and available from the California Department of Finance (DOF) and Southern California Association of Governments (SCAG).

4.12.1 Regulatory Setting

State Regulations

California Housing Element Law

The Housing Element is one of the seven General Plan elements that are mandated by the State of California (California Government Code §§65580 to 65589.8). California State law requires that the Housing Element provides “an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing” (Government Code §65580).

State law requires that each city and county identify and analyze existing and forecasted housing needs within its jurisdiction and prepare goals, policies, and programs to further the development, improvement, and preservation of housing for all economic segments of the community, commensurate with local housing needs.

Regional and Local Regulations

Southern California Association of Governments

SCAG is a Joint Powers Agency established under Sections 6502 et seq. of the California Government Code. SCAG is designated as a Council of Governments (COG), a Regional Transportation Planning Agency (RTPA), and a Metropolitan Planning Organization (MPO) for the six-county region of San Bernardino, Los Angeles, Ventura, Orange, Riverside, and Imperial counties. The region encompasses a population exceeding 18 million persons in an area comprised of more than 38,000 square miles. As the designated MPO, SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local governments. Rialto is a member of the SCAG Regional Council District 8 which also includes the City of Fontana.

SCAG’s demographic data is developed to enable the proper planning of infrastructure and facilities to adequately meet the needs of anticipated growth in the region. In September 2020, SCAG adopted Connect SoCal, its 2020 - 2045 *Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS). Major themes in the RTP/SCS include integrating strategies for land use and transportation; striving for sustainability; protecting and preserving existing transportation infrastructure; increase capacity through improved systems managements; providing more transportation choices; leveraging technology; responding to demographic and housing market changes; supporting commerce, economic growth and opportunity; promoting the links between public health, environmental protection and economic opportunity; and incorporating the principles of social equity and environmental justice into the plan.

Growth forecasts contained in the RTP/SCS for San Bernardino County and the City are used as the basis of analysis for housing, population and employment forecasts in this section.

Regional Housing Needs Assessment

The Regional Housing Needs Assessment (RHNA) is an assessment process performed periodically as part of General Plan Housing Element updates at the local level. The RHNA process begins with the California Department of Housing and Community Development’s projection of future statewide housing growth need, and the apportionment of this need to regional Council of Governments (COGs) throughout the State. SCAG is the COG responsible for developing “fair share” allocation methodology to distribute the region’s assigned share of statewide need to cities and counties in the region.¹ California Government Code Section 65583 sets forth the specific content requirements of a jurisdiction’s Housing Element. Included in these requirements are obligations on the part of local jurisdictions to provide their “fair share” of regional housing needs (its RHNA allocation) at all income levels. Regional growth needs are defined as the number of units that would have to be added in each jurisdiction to accommodate the forecasted number of households, as well as the number of units that need to be added to compensate for anticipated demolitions and changes to achieve an ideal vacancy rate. SCAG defines a “household” as an occupied dwelling unit.

The current RHNA 6th Cycle planning period is 2021-2029. The housing construction need is determined for four broad household income categories: very low (households making less than 50 percent of area median income), low (50 to 80 percent of area median income), moderate (80 to 120 percent of area median income), and above moderate (more than 120 percent of area median income). The intent of the future needs allocation by income groups is to relieve the undue concentrations of very low-income and low-income households in a single jurisdiction and to help allocate resources in a fair and equitable manner.² For the 2021-2029 planning period, the City of Rialto is required to meet with the RHNA number of 8,272 housing units. The Housing Element is required to identify potential candidate housing sites by income category to meet the City’s RHNA allocation.

Rialto General Plan 2010

Project relevant General Plan policies for population and housing are addressed below. Where inconsistencies exist, if any, they are addressed in the respective impact analysis.

- | | |
|----------------------|---|
| Goal-DEV 2-21 | Ensure high-quality planned developments in Rialto. |
| Goal-HOU 2-21 | Maintain and improve the quality of existing housing and neighborhoods in Rialto. |
| Policy 6-1.5 | Preserve the existing character and quality of established single-family neighborhoods and communities. |

4.12.2 Environmental Setting

Existing Regional and Local Population

Table 4.12-1, *Population Projections for San Bernardino County and the City of Rialto*, identifies the increase of population growth. According the DOF’s Cities, Counties, and State Population Estimates with Annual Percent Change (2021) data and SCAG’s 2020 – 2045 RTP/SCS, San Bernardino County currently

¹ 5th Cycle Regional Housing Needs Assessment Allocation Methodology. <https://scag.ca.gov/sites/main/files/file-attachments/rhnafinalallocationmethodology110311.pdf?1602185834>.

² Ibid.

has a population of approximately 2,175,909 residents (see Table 4.12-1). The City of Rialto has a population of approximately 102,568 residents (see Table 4.12-1).

Location	2016 Population ¹	2021 Population ²	2035 Population ³	2040 Population ³	2045 Population ⁴	Projected population increase (2021-2045)	% Change
San Bernardino County	2,122,579	2,175,909	2,637,400	2,731,300	2,815,000	639,091	29%
City of Rialto	102,640	102,568	111,400	112,000	139,100	36,532	36%

1. Department of Finance, (2021). *Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2021*. Retrieved from: <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>.
2. Department of Finance, (2021). *Population and Housing Estimates for Cities, Counties, and the State, January 1, 2020-2021*. Retrieved from: <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-1/>.
3. 2016-2040 RTP/SCS Final Growth Forecast by Jurisdiction. Retrieved from: https://scag.ca.gov/sites/main/files/file-attachments/2016_2040rtpscs_finalgrowthforecastbyjurisdiction.pdf?1605576071.
4. SCAG Connect SoCal: Demographics and Growth Forecast Technical Report, September 3, 2020.

Existing Regional and Local Housing

According to the DOF’s City/County Population and Housing Estimates data, San Bernardino County and the City of Rialto have not seen a significant change in housing vacancy and population household numbers. Table 4.12-2, *Housing for San Bernardino County and the City of Rialto*, identifies the total housing units (Total/Occupied) plus vacancy rate and person per household.

Location	Total Units		Occupied Units		Vacancy Rate		Persons/ Household	
	2016	2021	2016	2021	2016	2021	2016	2021
San Bernardino County	711,781	730,516	629,119	649,259	11.6%	11.1%	3.31	3.30
City of Rialto	27,471	27,619	25,671	25,810	6.6%	6.5%	3.98	3.96

1. Source: Department of Finance, (2021). *Population and Housing Estimates for Cities, Counties, and the State, January 1, 2011-2021, with 2010 Benchmark*. Retrieved from: <https://dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>.

City of Rialto

SCAG determines total housing needs for each community in Southern California based on three general factors: (1) the number of housing units needed to accommodate future population and employment growth; (2) the number of additional units needed to allow for housing vacancies; and (3) the number of very low, low, moderate, and above moderate-income units needed in the community. Additional factors used to determine the RHNA include tenure, the average rate of units needed to replace housing units demolished, and other factors. Based on DOF data (2021), the City has 27,619 housing units with an average of 3.96 persons per household. The vacancy rate was 6.5 percent (see Table 4.12-2). There is no existing residential development on the project site.

Existing Regional and Local Employment

Table 4.12-3, *Labor Force Data for San Bernardino County and the City of Rialto*, identifies the total labor force and employment and unemployment rates for the County and the City for 2016 and 2019. Because

of COVID-19, statistical information for 2020 was not used which resulted in decreased employment for both the County and City. According to the State of California Employment Development Department (EDD), between 2016 and 2019, the labor force and the number of employed persons increased in both the County and the City of Rialto.

Location	Labor Force		Employment		Unemployment		Employment Change
	2016	2019	2016	2019	2016	2019	
San Bernardino County	930,100	967,700	876,400	930,700	53,700	37,000	6.2%
City of Rialto	43,900	44,900	40,900	42,900	2,900	2,000	4.9%

Source: California Employment Development Department (2021). Labor Force and Unemployment Rate For Cities and Counties. Retrieved from: <https://www.labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html>

Jobs to Housing Balance

The economic analysis conducted for SCAG’s RTP/SCS shows the following regional employment growth:

- Job growth from building, operating and maintaining the RTP infrastructure projects, averaging over 188,000 jobs per year;
- Increases in economic competitiveness and efficiency from completion of the projects and operations, averaging over 351,000 jobs per year; and
- Amenities and infrastructure system operations that contribute to employment, averaging an additional 47,000 jobs per year.

In terms of the jobs housing balance, the SCAG Rialto 2019 Local Profiles Report identified that 7.6 percent of Rialto residents work within the City, while 92.4 percent commute to places of employment outside the City. The RTP/SCS aims to balance the region’s future mobility and housing needs with economic, environmental and public health goals. Consistent with the strategies identified in the RTP/SCS, the increased job opportunities in the City resulting from implementation of the Project would minimize commutes for employees living within the City.

4.12.3 Methodology

The proposed Project is evaluated against the significance criteria below, as the basis for determining the impact’s level of significance concerning population and housing. In addition, this analysis considers the existing regulatory framework (i.e., laws and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project’s potentially significant environmental impacts.

4.12.4 Thresholds of Significance

State CEQA Guidelines Appendix G has been used as significance criteria in this section. An impact of a project could be considered significant and may require mitigation if it meets one of the following criteria:

- Would Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure.
- Would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

4.12.5 Project Impacts and Mitigation

Impact 4.12-1: Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure?)

Level of Significance: Less than Significant Impact

The project site is consistent with the Business Park General Plan land use designation and Airport-Related Development (I-AR) Specific Plan zoning designation. The Project proposes two speculative warehouse buildings that would result in the estimate of 560 employees. As discussed above, approximately 92.4 percent of Rialto residents travel outside of the City for work. As the population trends upward (Table 4.12-1), residents within the City would be able to fill those positions. Because there is a surplus of homes in the City, the Project would not require the construction of additional residential units that could induce substantial unplanned population growth not analyzed with the City's General Plan Housing Element. It is also reasonable to assume that many employees may already reside in the City and local region.

The Project would include off-site improvements to Baseline Road to provide three driveways for vehicle ingress/egress. However, these improvements would allow for access to the project site and would not provide an extension of roadway or infrastructure that would directly or indirectly induce unplanned population growth on or near the project site. Additionally, the Project does not include development of any housing. Therefore, the Project would not induce substantial unplanned population. Impacts would be less than significant and mitigation is not required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.12-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Level of Significance: No Impact

The project site is undeveloped; there is no housing on the site. Therefore, construction and operations of the Project would not create an impact that would displace a substantial amount of people or housing from the area.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.12.6 Cumulative Impacts

Potential cumulative population and housing impacts are assessed relative to the Airport Specific Plan, General Plan, and regional plans, including SCAG's Connect SoCal 2020-2045 RTP/SCS population, housing, and employment projections. SCAG's regional growth projections reflect recent and past trends, key demographic and economic assumptions and include local and regional policies. Local jurisdictions participate in the growth forecast development process.

Cumulative impacts would occur if development on the project site, together with other cumulative projects would induce substantial unplanned population growth or displace substantial numbers of existing people or housing. As discussed above, the Project is consistent with the Business Park General Plan land use designation and Airport-Related Development (I-AR) Specific Plan zoning designation and therefore does not conflict with the City's General Plan Goal-DEV 2-21, Goal-HOU 2-21, Policy 6-1.5, and the City's Housing Element. Further, the proposed Project would not result in significant direct or indirect permanent or temporary impacts related to population or housing because the Project is consistent with the City's land use and zoning designation, there is an existing housing surplus in the City, and the off-site improvements that would be implemented as a part of the Project would not extend roadways or infrastructure that would directly or indirectly induce unplanned population growth on or near the project site. Other projects under development (see Appendix K) would also be subject to project-level review and project-specific measures would be required, as needed, to reduce significant impacts. Therefore, the proposed Project would not result in incremental significant effects to population or housing that could be compounded or increased when considered together with similar effects from other cumulative present and reasonably foreseeable probable future projects. Given the Project's consistency, as well as the potential for other projects identified in Appendix K to be generally consistent with the City's population and housing policies, the Project would not result in significant population and housing impacts, and therefore, taken with past, present, and reasonably foreseeable future projects, Project impacts are not considered cumulatively considerable and no mitigation is required.

4.12.7 Level of Significance After Mitigation

No significant population and housing resource impacts have been identified.

4.13 PUBLIC SERVICES

4.13.1 Introduction

This section describes existing public services for the project area and identifies and addresses potential Project impacts related to fire and police protection services provided by the City of Rialto.

4.13.2 Regulatory Setting

Federal Regulations

Federal Emergency Management Act (FEMA)

In March 2003, FEMA became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

Federal Fire Safety Act (FFSA)

The 1992 FFSA is different from other laws affecting fire safety as the law applies to federal operations, and there is no requirement for local action unless a private building owner leases space to the federal government. The FFSA requires federal agencies to provide sprinkler protection in any building, whether owned or leased by the federal government, that has at least 25 federal employees during the course of their employment.

Occupational Safety and Health Administration (OSHA)

OSHA's mission is to "assure safe and healthy working conditions for working men and women by setting and enforcing standards and by providing training, outreach, education and assistance." The agency is also charged with enforcing a variety of whistleblower statutes and regulations.

OSHA: Emergency Action Plan. Developments are required under OSHA standards to prepare an emergency action plan (EAP) kept in the workplace that provides procedures for reporting a fire or other emergency, emergency evacuation, including type of evacuation and exit route assignments, and to be followed by all employees. Employers are required to have and maintain an employee alarm system, provide training, and review the emergency action plan with each employee covered by the plan.

OSHA: Fire Prevention Plan. Developments are required under OSHA standards to prepare a fire prevention plan that at minimum must include procedures to control accumulations of flammable and combustible waste materials, and for regular maintenance of safeguards installed on heat-producing equipment to prevent the accidental ignition of combustible materials. Furthermore, the fire prevention plan must contain the names and/or job titles of employees responsible for maintaining equipment to prevent or control sources of ignition or fires, and for the control of fuel source hazards.

State Regulations

California Public Resources Code 4290 and 4291

These regulations, which implement minimum fire safety standards related to defensible space, apply to the perimeters and access to all commercial, industrial, and residential building construction with a SRA (approved after January 1, 1991), and within lands classified and designated as very high FHSZ (after July 1, 2021). The person(s) who control, lease, maintain, operate, or own said building in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable materials is required to preserve a defensible space of 100 feet from the perimeter of the building. The regulations shall include the following:

1. Road standards for fire equipment access.
2. Standards for signs identifying streets, roads, and buildings.
3. Minimum private water supply reserves for emergency fire use.
4. Fuel breaks and greenbelts.

These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

California Fire Code

The California Code of Regulations (CCR) Title 24, Part 9 (California Fire Code) contains regulations for the construction and maintenance of buildings, the use of premises, and the management of Wildland-Urban Interface areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2019 (effective January 1, 2020). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings and the surrounding premises. The proposed Project would be subject to applicable regulations of the California Fire Code.

Emergency Mutual Aid Agreements

The Emergency Mutual Aid Agreements (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers, the Disaster Field Office, and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMMA, local and State emergency managers have responded in support of each other under a variety of plans and procedures. San Bernardino County, including the City of Rialto, is in Region VI, which also includes San Diego, Imperial, Inyo, Mono, and Riverside counties.

Regional and Local Regulations

Rialto General Plan 2010: Safety and Noise

The City of Rialto developed and adopted the General Plan to include goals, policies and actions that, when implemented, provide the vision and framework for the physical development of the City. This Chapter of the General Plan describes hazards that exist in Rialto and the measures that the City is taking to address them.

- Goal 5-3** Increase the City's fire protection capabilities, and implement fire prevention regulations and standards that minimize potential fire hazards and fire losses.
- Policy 5-3.1** Provide for fire personnel, equipment, and fire stations to have adequate and appropriate resources to meet the needs and serve all areas of Rialto.
- Policy 5-3.3** Require that development be phased in relation to the City's ability to provide an adequate level of fire protection, as per the City standards.
- Policy 5-3.4** Require that all site plans, subdivision plans, and building plans be reviewed by the Fire Department to ensure compliance with appropriate fire regulations.
- Policy 5-3.7** Add service level capability and infrastructure to meet increasing demand of new development.
- Goal 5-7** Maintain a high level of emergency response capability.
- Goal 5-8** Provide effective and comprehensive policing services that meet the safety needs of Rialto.
- Policy 5-8.1** Provide timely responses to emergency and non-emergency call for service 24 hours a day, per the City standards.
- Policy 5-8.3** Continue to encourage design concepts that inhibit and discourage criminal behavior such as Crime Prevention Through Environmental Design (CPTED) techniques.

City of Rialto Municipal Code

The California Mitigation Fee Act (California Government Code, §§66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. A development impact fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project.

The City has adopted development impact fee programs for various public facilities, which are outlined in the City's Municipal Code. Title 3 of City's Municipal Code establishes every fee that every person or development must comply with if applicable regarding utility, community and recreation center impacts, library, animal center impacts, police impacts, park in-lieu/park impacts, and fire protection fees, etc.

The purpose and intent of the Title 17 Zoning Code is to set standards and guidelines for the City to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue

concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.

The City of Rialto Fire Code is described in Chapter 15.28 of the City's Municipal Code. As discussed in Chapter 15.28 and identified in Ordinance 1491, the City has adopted and amended the California Fire Code as permitted by Health and Safety Code Section 17958 and Government Code 50022. The City's Fire Code identifies methods for calculating required fire flow, hydrant placement and other requirements considered in building and site design. The Rialto Fire Department reviews Plot Plans for proposed development projects to ensure compliance with the City's Fire Code.

Emergency Response

Procedures for mitigating emergency events, such as such wildfires, floods, windstorms, hazardous materials releases, civil disturbance, and earthquakes are outlined in the City's Standard Emergency Management System (SEMS) Multi-Hazard Functional Plan (MHFP). The MHFP incorporates and coordinates all the facilities and personnel of the City into an efficient organization capable of responding to any emergency.

4.13.3 Environmental Setting

Fire Protection

Fire Hazard Severity Zones (FHSZs) are mapped by the California Department of Forestry and Fire Protection (CAL FIRE) as set forth in PRC 4201-4204 and Government Code 51175-89. FHSZs are categorized as fire protection within a Federal Responsibility Area under the jurisdiction of a federal agency, a State Responsibility Area (SRA) under the jurisdiction of CAL FIRE, or within a Local Responsibility Area under the jurisdiction of a local agency. CAL FIRE is responsible for fire protection within SRAs, found in 56 counties in California, and provides a variety of emergency services in 36 counties.

CAL FIRE defines a SRA as land that is not federally owned, not incorporated, does not exceed a housing density of three units per acre, contains wildland vegetation as opposed to agriculture or ornamentals, and has watershed value and/or has range/forage value (this effectively eliminates most desert lands). Where local fire protection agencies, such as the Rialto Fire Department, are responsible for wildfire protection, the land is classified as a Local Responsibility Area (LRA). The project site and adjacent areas are classified as a Non-VHFHSZ (non-very high FHSZ).

The Rialto Fire Department provides fire protection services for City of Rialto. The Fire Department provides services for over 100,000 residents in a 22-square-mile area and is led by a Fire Chief, Division Fire Chief, four Battalion Chiefs, an Emergency Medical Services Coordinator, and an Assistant Fire Marshall. The Rialto Fire Department deploys from five fire stations staffed 24 hours per day by career firefighters, non-safety ambulance operators and one administrative office. Daily emergency medical service and fire/rescue staffing consists of one Battalion Chief, four engine companies, one truck company, and four paramedic ambulances. The closest fire stations to the project site are Station 203, located at 1550 N. Ayala Drive, approximately 0.25 mile north of the project site and Station 202, located at 1700 N. Riverside Avenue, approximately 1.15 miles east of the project site. The project site is currently served by 4 fire hydrants which connect to a 12-inch water line in Baseline Road.

Administration. Fire Department Administration provides oversight to all department operations including project development, budgeting, development of policy and protocol, personnel development, and strategic planning to ensure highly effective fire and life safety services. Fire Administration is staffed by the Fire Chief with an Executive Assistant, a Division Chief of Operations, Administrative Battalion Chief, and one office specialist.

Rialto Fire Prevention Division. The Fire Prevention Division engages in community risk reduction services through code compliance, plan review, public education, inspection, emergency preparedness and targeted risk-specific programs.

Ambulance Operator Program. The Rialto Fire Department has provided ambulance transportation services since 1971 using a model of deployment that includes staffing of ambulances with firefighters that are cross-trained as Paramedics and Emergency Medical Technicians. Based on service demand and cost of deployment, the current ambulance staffing model is being retooled to include single function, paramedic and Ambulance Operators to staff City-owned ambulances.

Rialto Fire Department Emergency Medical Service. The Emergency Medical Service is responsible for the planning, compliance, review and oversight for the provisions of clinical medical care provided by the Rialto Fire Department. The Fire Department staffs one paramedic for all fire engines, trucks, and ambulances; all other positions are staffed by Emergency Medical Technicians.

Incident Response

Fire service deployment is about the speed and weight of the response. Speed refers to initial response (first due) of all-risk intervention resources (engines, ladder trucks, and squads) strategically deployed across a jurisdiction for response to emergencies within a time interval to facilitate desired outcomes. Weight refers to multiple-unit Effective Response Force (commonly referred to as a First Alarm) responses to more serious emergencies, such as building fires, multiple-patient medical emergencies, vehicle collisions with extrication required, or technician rescue incidents. In these situations, a sufficient number of firefighters must be assembled within a reasonable time interval to safely control the emergency and prevent it escalating into a more serious event. The Rialto Fire Department responded to 12,519 incidents in 2020. The average response time for fire calls was 8.30 minutes, the average response time for emergency medical service calls was 8.01 minutes, and the average response time for all calls was 8.13 minutes.^{1 2}

Law Enforcement Protection

The Rialto Police Department provides law enforcement and police protection services throughout the City. The Police Department headquarters at 128 North Willow Avenue is located approximately 1.75 miles southeast of the project site. With 176 employees, the Police Department is a full-service law enforcement agency that is charged with the enforcement of local, state, and federal laws, and with providing 24-hour protection. Operations within the Rialto Police Department are organized within

¹ Correspondence provided by Kerri Rodriguez, Assistant Fire Marshall. September 2021.

² The Rialto Fire Department does not have publicly available response time standards or service ratios.

divisions — Operations, Support Services, and Professional Standards — with bureaus, teams and units, and programs within each division³.

The Rialto Police Department participates in the California Law Enforcement Mutual Aid Plan administrated by the Governor’s Office of Emergency Services (Cal OES). The law enforcement mutual aid system is an ongoing cooperative effort among law enforcement agencies to ensure an effective and organized response to a wide range of emergencies. Under the Law Enforcement Mutual Aid Plan, the City of Rialto can both provide and request law enforcement resources to and from neighboring jurisdictions. There are seven mutual aid regions in the State and each region is comprised of multiple Operational Areas and has a Regional Law Enforcement Mutual Aid Coordinator. The City is located in mutual aid Region VI, which includes the counties of San Bernardino, Mono, Inyo, Riverside, imperial, and San Diego.

4.13.4 Methodology

The City of Rialto Fire Department and Police Department were contacted to determine if the proposed Project would significantly impact the departments’ ability to provide fire protection and law enforcement services. The following analysis is based on information provided by the Fire Department and the Police Department.

4.13.5 Thresholds of Significance

The following significance criteria for public services were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact would be considered significant and would require mitigation if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.
- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection.

4.13.6 Project Impacts and Mitigation

Impact 4.13-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

Level of Significance: Less than Significant Impact

³ The Rialto Police Department does not have publicly available response time standards or service ratios.

Construction

Impacts related to fire protection services are assessed by the Rialto Fire Department on a project-by-project basis. A project's land use, fire-protection-related needs, and the project site recommended response distance and time and fire safety requirements, as well as project design features that would reduce the demand for fire protection services, are taken into consideration. The Project does not include or require construction of any new or physically altered fire station facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Further, the Project would not cause any direct or indirect significant impacts resulting from the construction/reconstruction of emergency access roads as construction would not require road closures, but would result in temporary partial lane closures during specific construction phases such as connection to utilities in Baseline Road. Construction of the buildings would not create a temporary incremental increased demand for fire protection services because the project site is currently served by the Rialto Fire Department. Further, the project site is located in a Non-Very High Fire Hazard Severity Zone⁴. Prior to commencement of construction activities, the Project plans would be reviewed by applicable local agencies to ensure compliance with the City's Municipal Code and General Plan as well as all applicable emergency response and fire safety requirements of the Rialto Fire Department and the California Fire Code. Although the Project has the potential to affect fire protection services by adding construction traffic to the circulation network and requiring occasional partial lane closures on Baseline Road, these impacts would be temporary in nature. Further, the Project is required to pay all required impact fees as adopted by City Ordinance No. 1532. Therefore, compliance with the mentioned codes and regulations, and the temporary nature of potential impacts, would ensure that Project construction would result in less than significant impacts to performance objectives for fire protection services.

Operations

The proposed warehouse buildings would have fire sprinklers and would comply with applicable uniform building and fire codes that must be continually enforced through a proactive inspection program. As discussed previously, the City's Fire Code identifies standards for building and site design and fire protection and notification systems such as fire flow requirements, building standards, hydrant placement and other requirements considered in building and site design. It also contains regulations relating to construction, maintenance, and use of buildings including fire department access, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire safety requirements for new and existing buildings and the surrounding premises.

The proposed Project would include 23 fire hydrants serving the project site. The fire hydrants would be placed incrementally around the project site. The fire hydrants are served by 10-inch fire water mains and connect to an off-site 12-inch water main. A 26-foot fire lane extends along the perimeter of the project site to allow for emergency access. In accordance with the City's entitlement process, the Rialto Fire Department has reviewed of the Plot Plan to ensure compliance with the City's Fire Code.

⁴ Cal FIRE. 2008. Rialto Very High Fire Hazard Severity Zones in Local Responsibility Areas as Recommended by Cal FIRE. <https://osfm.fire.ca.gov/media/5950/rialto.pdf> (accessed February 4, 2021).

Although future tenants are not known, the health and safety coordinator or inspector must regularly enforce OSHA standards and set emergency exits to ensure the safety of the assumed employees of the buildings.

Development of the proposed Project would incrementally increase the demand for fire protection services; however, the proposed Project is not expected to substantially increase service demand such that a new or physically altered facility would need to be constructed of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Further, development impact fees are paid on a project-by-project basis to ensure a proportionate fair share is contributed toward facilities, equipment, and personnel that would be needed overtime to accommodate the additional demand from the proposed Project. Therefore, upon payment of fees, impacts would be considered less than significant and no mitigation is required.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.13-2: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

Level of Significance: Less than Significant Impact

Construction

Impacts to police protection services are assessed on the ability of police personnel to adequately serve the existing and future population, including residents, workers, and daytime and nighttime visitors and the Police Department's ability to meet the additional demand for protection services with the proposed Project. The project site is in a developed area and is adjacent to existing industrial, park, and residential uses, as well as a San Bernardino County Flood Control District basin.

During development, construction may require services from the Police Department in the cases of trespassing, theft, or vandalism. Construction would occur during the hours defined in the construction permit, most likely during off-peak periods, and would not require road closures, but would result in temporary partial lane closures during specific construction phases such as connection to utilities in Baseline Road. Prior to commencement of construction activities, Project plans would be reviewed by the City to ensure compliance with the City's Municipal Code and General Plan as well as all applicable regulations associated with site signage, lighting, perimeter control, and other crime safety preventative measures. Standard Conditions (SC) PS-1 and PS-2 related to site security and building and site safety design recommendations would be required. SC PS-1 requires that all development plans including the proposed Project be evaluated by the City of Rialto Police Department to ensure that public safety design

measures be incorporated into the project plans. SC PS-2 requires that the Applicant contract with a security service to provide security during construction and may include additional security measures, such as the installation of temporary fencing. With implementation of these Standard Conditions, impacts to police protection would be less than significant.

Operations

Development of the proposed Project would incrementally increase the demand for police protection services. Project implementation would result in an increase in employment opportunities resulting in an estimated 560 new employees to the site and area. Because the project site is in a developed area of the City that is adequately served and the proposed Project does not include residential uses, the proposed Project is not expected to substantially increase service demand such that a new police station would need to be constructed. It is not anticipated that the addition of the Project would substantially alter the ability of the Rialto Police Department to provide police protection services. Therefore, a substantial increase in population, property, or calls for service requiring substantial increase in police patrol is not anticipated.

The Project is required to pay all required impact fees as adopted by City Ordinance No. 1532. Accordingly, development impact fees are paid on a project-by-project basis to ensure a proportionate fair share is contributed toward facilities, equipment, and personnel that would be needed over time to accommodate the additional demand from the proposed Project. Given the Project does not propose any residential uses and is required to pay fees, impacts on service demand and response times for police would be less than significant.

Mitigation Program

Standard Conditions and Requirements

SC PS-1 Prior to issuance of building permits, the City of Rialto Police Department shall review development plans for the incorporation of defensible space concepts to reduce demands on police services. Public safety planning recommendations shall be incorporated into the Project plans. The Applicant shall prepare a list of project features and design components that demonstrate responsiveness to defensible space design concepts. The Police Department shall review and approve all defensible space design features incorporated into the Project prior to initiating the building plan check process.

SC PS-2 Prior to the issuance of the first grading permit and/or action that would permit site disturbance, the Applicant shall provide evidence to the City of Rialto Police Department that a construction security service or equivalent service shall be established at the construction site along with other measures, as identified by the Police Department and the Public Works Department, to be instituted during the grading and construction phase of the Project.

Mitigation Measures

No mitigation is required.

4.13.7 Cumulative Impacts

The Project assumes the provision of fire protection services is based on a combination of existing fire services and the use of mutual aid agreement. Additionally, all present and reasonably foreseeable future projects would be required to pay development fees. As previously addressed, development impact fees are paid on a project-by-project basis to ensure a proportionate fair share is contributed toward facilities, equipment, and personnel that would be needed over time to accommodate the additional demand caused by development. The payment of fees and compliance with applicable regulatory requirements would preclude the Project's cumulative contribution to fire protection impacts.

The Police Department's operating budget is primarily generated through tax revenues and fees collected from penalties and requested services, and development fees. Increased property and sales tax from cumulative projects would increase the City's General Fund in rough proportion to population increases, providing funding for any improvements necessary to maintain adequate police protection facilities, equipment, and/or personnel. Consequently, although the cumulative demand for police services would incrementally increase over time, the addition of new officers and equipment to serve the demand is not likely to result in any significant adverse cumulative impacts associated with the construction of new facilities or the alteration of existing facilities. Moreover, should any new or altered facilities be required in the future, these facilities would be subject to separate CEQA review. The proposed Project would not cumulatively contribute to an impact to police protection services.

4.13.8 Level of Significance After Mitigation

No significant impact would occur.

4.14 TRANSPORTATION

4.14.1 Introduction

This section summarizes the findings of the Traffic Impact Study prepared by Kimley-Horn and Associates, Inc. (Kimley-Horn, 2021) to evaluate the potential traffic impacts associated with the proposed Project. This study has been prepared in accordance with CEQA requirements to evaluate potential transportation impacts based on vehicle miles traveled (VMT). For informational purposes, a Level of Service (LOS) analysis was conducted for the Project. The Traffic Impact Study is included in its entirety as Appendix K of this EIR.

4.14.2 Regulatory Setting

Federal Regulations

Manual on Uniform Traffic Control Devices

The Federal Highway Administration's (FHWA) Manual on Uniform Traffic Control Devices (MUTCD) is contained in the Code of Federal Regulations (CFR, Title 23, Part 655, Subpart F). The FHWA requires that the most recent MUTCD be adopted by individual states as their legal state standard for traffic-control devices within two years of the update. The MUTCD identifies the standards that should be used to install and maintain traffic-control devices on all public streets, highways, bikeways, and private roads that are open to public traffic. The City of Rialto uses the MUTCD for determining the necessary traffic-control devices (e.g., signs, barricades, gates, warning signs, object markers, guide signs, pavement and curb markings, traffic-control signs, pedestrian control signs, in-roadway lights, and flagger control) on public streets, highways, bikeways, and school areas in the City, including temporary traffic-control devices in and near construction work areas.

State Regulations

Sustainable Communities Strategies: Senate Bill 375 – Land Use Planning

Senate Bill (SB) 375 provides for a planning process to coordinate land use planning and Regional Transportation Plans (RTPs) and funding priorities in order to help California meet the greenhouse gas (GHG) reduction goals established in Assembly Bill (AB) 32. SB 375 requires that RTPs developed by metropolitan planning organizations (MPO) (e.g., Southern California Association of Governments [SCAG]) incorporate a "sustainable communities strategy" in their RTPs that will achieve GHG emission reduction targets set by the California Air Resources Board (CARB). SB 375 also includes provisions for streamlined CEQA review for some infill projects, such as Transit-Oriented Developments (TODs).

Senate Bill 743 – Update to the CEQA Guidelines for Transportation Impacts

The Steinberg Act (SB 743) (also known as the Environmental Act) was enacted in 2013 to shift the focus of transportation analysis from driver delay to reducing GHG emissions, creating multimodal networks, and promoting mixed land uses. SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide alternative level of service metrics for transportation impact evaluations. In January 2019, the Natural Resources Agency finalized updates to the CEQA Guidelines including the incorporation of the SB 743 modifications. The CEQA Guidelines shift traffic analysis from

delay and operations to vehicle miles traveled (VMT) when evaluating transportation impacts under CEQA. VMT refers to the amount and distance of automobile travel attributable to a project.

Measurements of transportation impacts may include VMT, VMT per capita, automobile trip generation rates, or automobile trips generated. According to SB 743, projects should aim to reduce VMT and mitigate potential VMT impacts through the implementation of transportation demand management (TDM) strategies. By July 1, 2020, all CEQA lead agencies were required to analyze a project's transportation impacts using VMT.

Regional and Local Regulations

Regional Transportation Plan/Sustainable Communities Strategy

On September 3, 2020, the SCAG Regional Council adopted Connect SoCal, the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy. This RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental and public health goals. Connect SoCal embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of San Bernardino, Imperial, Los Angeles, Orange, Riverside, and Ventura. The SCAG region strives toward sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by State law to lower regional GHG emissions.

San Bernardino County Congestion Management Program

The San Bernardino County Transportation Authority (SBCTA) is San Bernardino's congestion management agency. SBCTA prepares, monitors and periodically updates the County Congestion Management Program (CMP) to meet federal Congestion Management Process requirement and the County's Measure I Program. The San Bernardino County CMP defines a network of state highways and arterials, level of service standards and related procedures; the process for mitigation of impacts of new development on the transportation system' and technical justification for the approach.

Measure I Strategic Plan

Measure I authorizes a half-cent sales tax in San Bernardino County until March 2040 for use exclusively on transportation improvement and traffic management programs. Measure I includes language mandating development to pay its fair share for transportation improvements in San Bernardino County. The Measure I Strategic Plan is the official guide for the allocation and administration of the combination of local transportation sales tax, State and federal transportation revenues, and private fair-share contributions to regional transportation facilities to fund the Measure I 2010–2040 transportation programs. The Strategic Plan identifies funding categories and allocations and planned transportation improvement projects in the County for freeways, major and local arterials, bus and rail transit, and traffic management systems. The City has adopted a Development Impact Fee (DIF) program that is consistent with Measure I requirements.

Rialto General Plan 2010: Circulation Element

The General Plan Circulation Element governs the long-term mobility system in the City. The Circulation Element includes goals and policies that are closely correlated with the Land Use Element and are

intended to provide the best possible balance between the City's future growth and land use development, roadway size, traffic service levels, and community character.

- Goal 4-1** Provide transportation improvements to reduce traffic congestion associated with regional and local trip increases.
- Policy 4-1.17** Require new streets and improvements to connect to established streets.
- Policy 4-1.20** Design City streets so that signalized intersections operate at Level of Service (LOS) D or better during the morning and evening peak hours, and require new development to mitigate traffic impacts that degrade LOS below that level. The one exception will be Riverside Avenue south of the Metrolink tracks all the way to the City's southern border, which can operate at LOS E.
- Policy 4-1.21** Design City streets so that unsignalized intersections operate with no vehicular movement having an average delay greater than 120 seconds during the morning and evening peak hours, and require new development to mitigate traffic impacts that increase delay above that level.
- Goal 4-2** Protect residential neighborhoods from through traffic impacts.
- Policy 4-2.1** Locate new development and their access points in such a way that traffic is not encouraged to utilize local residential streets for access to the development and its parking.
- Policy 4-2.2** Discourage non-local traffic from using neighborhood streets.
- Policy 4-2.3** Minimize new residential driveways on Arterial Roadways.
- Goal 4-5** Ensure the provision of adequate, convenient, and safe parking for all land uses.
- Goal 4-6** Provide for all residents and businesses to have equal access to reliable and convenient public transit services.
- Policy 4-6.3** Require major developments to include bus turnouts, bus shelters, and other transit facilities as appropriate.
- Policy 4-8.5** Require major developments to include bicycle storage facilities, including bicycle racks and lockers.
- Policy 4-9.1** Install sidewalks where they are missing, and make improvements to existing sidewalks for accessibility purposes. Priority should be given to needed sidewalk improvement near schools and activity centers. Provide wider sidewalks in areas with higher pedestrian volumes.
- Policy 4-9.2** Require sidewalks and parkways on all streets in new development.
- Policy 4-9.4** Accommodate pedestrians and bicyclists — in addition to automobiles — when considering new development projects.
- Policy 4-9.6** Encourage new development to provide pedestrian paths through projects, with outlets to adjacent collectors, secondaries, and arterial roadways.
- Policy 4-9.7** Require ADA compliance on all new or modified handicap ramps.
- Goal 4-10** Provide a circulation system that supports Rialto's position as a logistics hub.
- Policy 4-10.1** Designate and enforce truck routes for use by commercial trucking as part of the project approval process.

- Policy 4-10.3** Develop appropriate noise mitigation along truck routes to minimize noise impacts on nearby sensitive land uses.
- Policy 4-10.4** Encourage the development of adequate on-site loading areas to minimize interference of truck loading activities with efficient traffic circulation on adjacent roadways.

Rialto Active Transportation Plan

The Rialto Active Transportation Plan (January 2020) recommends actions meant to support and increase bicycling and walking in Rialto and to enhance non-motorized travel infrastructure and create options to support the existing population. The Active Transportation Plan includes an inventory of existing bike and pedestrian infrastructure, identifies deficiencies, develops and prioritizes improvements, and produces materials for future grant applications for implementation. The Rialto Active Transportation Plan shows Ayala Drive and Cactus Avenue as existing Class II Bike lanes, Baseline Road as a proposed Class II/III bike lane/route, and identifies the Cactus Avenue Trail, portions of which are proposed to the north and east of the project site, as a priority project. With respect to the Safe Routes to School program, there are no proposed improvements proximate to the project site.

4.14.3 Environmental Setting

Existing Transportation System

Roadway Characteristics

Regional access to the site is provided primarily by State Route 210 (SR-210), approximately one mile north of the project site. In addition, Interstate 215 (I-215) is approximately five miles to the east, I-15 is approximately seven miles to the west of the site, and I-10 is approximately four miles to the south of the site. The proposed development would take access to the surrounding street system from Baseline Road.

Ayala Drive is a four-lane north-south roadway located west of the project site. Ayala Drive is designated as a Major Arterial and truck route in the General Plan Circulation Element. The posted speed limit along Ayala Drive is 45 miles per hour (MPH). Ayala Drive has an existing raised median between Baseline Road and Renaissance Parkway.

Alder Avenue is a four-lane roadway approximately 1.5 miles west of the project site. Alder Avenue is designated as a Major Arterial with four travel lanes, a bike lane in each direction, and a raised center median. Alder Avenue is a designated truck route from Baseline Road to Casa Grande. Alder Avenue currently does not go through to Casa Grande, with a gap between Bohnert Avenue and Summit Avenue. The posted speed limit along Alder Avenue is 50 MPH.

Baseline Road is a four-lane east-west roadway, designated as a Major Arterial and a truck route, in the General Plan Circulation Element. It has four travel lanes and a two-way left-turn median lane between Cactus Avenue and Linden Avenue; the median lane is planned to be converted to a raised median. The posted speed limit along Baseline Road is 45 MPH.

Renaissance Parkway is a four-lane roadway with bike lanes between Citrus Avenue and Arrowhead Avenue, where it enters a residential neighborhood and transitions to a two-lane facility. Renaissance Parkway is designated by the City of Rialto Renaissance Specific Plan as a Major Arterial west of Ayala Drive and a Secondary Arterial between Ayala Drive and the Renaissance Specific Plan boundaries. In the

General Plan, it is designated as a Major Arterial between the Renaissance Specific Plan boundaries and Cactus Avenue, and a Collector Street east of Cactus Avenue. Near the project site, four-lane segments of Renaissance Parkway have a raised center median. Renaissance Parkway is designated as a truck route in the Circulation Element. The posted speed limit along Renaissance Parkway is 45 MPH.

Fitzgerald Avenue is a two-lane local roadway located approximately 400 feet west of the project site. The roadway terminates at Baseline Road and forms a two-way stop-controlled intersection with Ayala Drive. There is on-street parking available on both sides of Fitzgerald Avenue.

Cactus Avenue is a four-lane roadway with a two-way left-turn median lane located approximately 2,000 feet east of the project site. The roadway is designated as a Major Arterial. The posted speed limit is 40 MPH north of Baseline Road and 45 MPH south of Baseline Road.

Transit Services

Transit service near the project site is provided by OmniTrans, which serves various cities in San Bernardino County. Two bus stops are near the project site along Baseline Road. The bus stop on the north side of Baseline Road near Fitzgerald Avenue is approximately 260 feet east of the eastern boundary for project site and the bus stop near Jackson Street is across from the project site on the south side of Baseline Road. The following OmniTrans bus route serves the area.

OmniTrans Route 10 operates between the cities of Fontana and San Bernardino through Rialto along Baseline Road. Route 10 operates on weekdays from 5:10 AM to 8:15 PM with approximately 30-minute to 1-hour headways (the time between bus arrivals), on Saturdays from 6:20 AM to 7:00 PM with approximately 1-hour headways, and on Sundays from 7:20 AM to 6:00 PM with approximately 1-hour headways. There are bus stops for those traveling westbound adjacent to the Property and with the new signalized intersection, there will be a pedestrian crosswalk to the bus stops on the south side of Baseline Road, for the OmniTrans route going eastbound.

Bicycle And Pedestrian Facilities

The Rialto Active Transportation Plan (January 2020) recommends actions meant to support and increase bicycling and walking in Rialto and to enhance non-motorized travel infrastructure and create options to support the existing population. The Active Transportation Plan includes an inventory of existing bike and pedestrian infrastructure, identifies deficiencies, develops and prioritizes improvements, and produces materials for future grant applications for implementation of improvements.

The Rialto Active Transportation Plan shows Ayala Drive and Cactus Avenue as existing Class II Bike lanes and Baseline Road as a proposed Class II/III bike lane/route. Baseline Road does not contain any current bicycle facilities. Pedestrian sidewalks are located on the south side of Baseline Road. The Rialto Active Transportation Plan also identifies the Cactus Avenue Trail as a priority project. As shown in Figure 5-15 of the Active Transportation Plan, the Cactus Avenue Trail is proposed within the boundaries of Jerry Eves Park, to the north of the project site, and the San Bernardino County Flood Control District basin to the north and east of the project site.

4.14.4 Methodology

The Project is evaluated against the significance criteria/thresholds below, as the basis for determining the impact's level of significance concerning transportation. In addition to the design characteristics of

future development, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

This analysis of impacts on transportation examines the Project's temporary (i.e., construction) and permanent (i.e., operational) effects-based significance criteria/threshold's application, outlined above. For each criterion, the analyses address both temporary (construction) and operational impacts, as applicable. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

4.14.5 Thresholds of Significance

The following significance criteria are from State CEQA Guidelines Appendix G. The Project would result in a significant impact related to transportation if it would:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities;
- Conflict or be inconsistent with CEQA Guidelines Section 15064.3(b);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); or
- Result in inadequate emergency access.

4.14.6 Project Impacts and Mitigation

Impact 4.14-1: Would the project, conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Level of Significance: Less than Significant Impact

Please refer to Section 4.7, *Greenhouse Gas Emissions*, and Section 4.9, *Land Use and Planning*, which includes an evaluation of the Project's consistency with SCAG's Connect SoCal: 2020-2045 RTP/SCS and the City's General Plan, respectively. The project site is within the Southern California Association of Governments (SCAG) MPO region. The Connect SoCal 2020-2045 RTP/SCS addresses regional challenges in several ways. A key, formative step is to develop a Regional Growth Forecast in collaboration with local jurisdictions, which helps SCAG identify opportunities and barriers to development. The plan forecasts the number of people, households and jobs (at the jurisdictional level) expected throughout SCAG's 191 cities and in unincorporated areas by 2045. This information is typically a component of the City's General Plan, and if available, the City's traffic analysis model.

Growth assumed in the City of Rialto General Plan 2010 and its corresponding traffic modeling would be the information supplied to SCAG. The proposed Project is consistent with the General Plan and zoning assumptions. Therefore, since the proposed Project was accounted for in the City's growth forecast, the Project would be consistent with the RTP/SCS. The analysis finds that the Project is consistent with the applicable goal and policies of the 2020-2045 RTP/SCS and the General Plan. The Project's circulation plan would be consistent with the General Plan pertaining to transit, bicycle and pedestrian facilities. Impacts would be less than significant impact.

The project site is currently undeveloped and does not have any authorized roadway, pedestrian, bicycle, or public transit improvements or vehicular access. Vehicular access to the project site would be provided from three driveways on Baseline Road. The western driveway (Driveway 1) and eastern driveway (Driveway 3) would have right-in right-out access control and would be dedicated to passenger and emergency vehicles. The middle driveway (Driveway 2) would form a signalized, full-access intersection with Baseline Road; this intersection would be signalized as a part of the Project. Trucks would only enter and exit the project site at Driveway 2 and would travel to/from the west to use truck routes on Ayala Avenue and Alder Avenue. Trucks would access the project site from the west and would not continue east on Baseline Road in the vicinity of Eisenhower Senior High School.

As part of the Project, a raised center median would be constructed on Baseline Road near the project site. As a result, vehicles turning left into and out of Glenwood Avenue and Idyllwild Avenue, which serve existing residential areas, would re-route to accomplish these movements. With the construction of the center median, vehicles currently making a northbound left-turn from Glenwood Avenue onto Baseline Road would now make a northbound right turn onto Baseline Road and an eastbound U-turn at Driveway 2.

As a part of the Project, a pedestrian sidewalk would be constructed along the project site frontage on Baseline Road.

As previously addressed, the Rialto Active Transportation Plan shows Ayala Drive and Cactus Avenue as existing Class II Bike lanes and Baseline Road as a proposed Class II/III bike lane/route. Baseline Road does not contain any current bicycle facilities. The Rialto Active Transportation Plan also identifies the Cactus Avenue Trail as a priority project. As shown in Figure 5-15 of the Active Transportation Plan, the Cactus Avenue Trail is proposed within the boundaries of Jerry Eves Park, to the north of the project site, and the San Bernardino County Flood Control District basin to the north and east of the project site. The proposed Project would not inhibit or interfere with the planned Cactus Avenue Trail. The Project would not interfere with existing bicycle facilities, and new bicycle facilities provided by the Project would continue to promote alternative modes of transportation.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.14-2: Would the proposed project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Level of Significance: Significant and Unavoidable Impact

Trip Generation

Trip generation estimates for the proposed Project were developed using the Institute of Transportation Engineers (ITE) *Trip Generation Manual* (10th Edition) publication and assumes the ITE Land Use 150: Warehousing trip generation rate. Passenger vehicle and truck mix rates for warehouse projects are provided in the City of Rialto *Traffic Impact Analysis Report Guidelines and Requirements*. These rates are

based on the South Coast Air Quality Management District’s (SCAQMD) recommendations for traffic impact studies. The guidelines specify a minimum truck rate of 40 percent of all project traffic. These vehicle classification splits were applied to the daily and peak hour trip generation to develop an estimate of truck volumes by number of axles (2-axle, 3-axle, and 4+-axle trucks) that would be associated with the proposed Project.

Trip generation estimates for the proposed Project are shown on Table 4.14-1, *Project Trip Generation*. The Project is estimated to generate 1,980 PCE daily trips, with 193 morning peak hour PCE trips and 215 evening peak hour PCE trips. Trip distribution assumptions for the project site were developed based on proposed site uses, access points, and the routes to and from the freeway system for the warehouse trucks. Separate distribution patterns were assumed for passenger car trips and truck trips.

Table 4.14-1: Project Trip Generation										
Trip Generation Rates¹										
ITE Land Use		ITE Code	Unit	Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Warehousing		150	KSF	1,740	0.131	0.039	0.170	0.051	0.139	0.190
Project Trip Generation										
Project Land Use		Quantity	Unit	Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Warehousing		679,607	KSF	1,183	89	27	116	35	94	129
Passenger Vehicles	60.00%			710	53	16	69	21	56	77
Trucks	40.00%			473	36	11	47	14	38	52
Project Trips - Passenger Car Equivalents (PCE)										
Vehicle Type	Vehicle Mix ²	Daily Vehicles	PCE Factor	Daily	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
Passenger Vehicles	60.0%	710	1.0	710	53	16	69	21	56	77
2-Axle Trucks	0.8%	9	1.5	14	1	0	1	0	1	1
3-Axle Trucks	11.2%	132	2.0	264	20	6	26	8	21	29
4+ Axle Trucks	28.0%	331	3.0	993	75	23	98	29	79	108
Total Truck PCE Trips				1,271	96	29	125	37	101	138
Total Project PCE Trips				1,981	149	45	194	58	157	215
PCE = Passenger Car Equivalent; KSF = Thousand Square Feet 1. Source: Institute of Transportation Engineers (ITE) <i>Trip Generation Manual</i> , 10th Edition 2. Source: City of Rialto Traffic Impact Analysis Report Guidelines and Requirements, December, 2013										

Screening Criteria

SB 743 requires the Governor’s Office of Planning and Research (OPR) to establish recommendations for identifying and mitigating transportation impacts within CEQA. Generally, SB 743 moves away from using delay-based level of service (LOS) as the primary metric for identifying a project’s significant impact to instead use VMT. The final Technical Advisory released by OPR in December 2018 provides guidance on evaluating transportation impacts and VMT and is the guidance on which this VMT analysis is based on.

Prior to undertaking a full VMT analysis, OPR’s Technical Advisory advises that lead agencies conduct a screening process “to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study.” OPR provides details on appropriate screening thresholds that can be used to identify when a proposed land use project is anticipated to result in a less than significant impact without conducting a more detailed level analysis. Screening thresholds are broken into the following three steps:

1. Transit Priority Area (TPA) Screening
2. Low VMT Area Screening
3. Land Use Type Screening

A land use project needs only meet one of the above screening thresholds to be presumed to result in no significant impact under CEQA pursuant to SB 743.

Transit Priority Area (TPA) Screening

As described in the OPR Guidelines, projects located within one-half mile from an existing major transit stop or within one-half of a mile from an existing stop along a high-quality transit corridor can be screened out. Based on San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool, the project site is not located in a Transit Priority Area (TPA). The TPA screening criteria is not met.

Low VMT Area Screening

The project site is not located in a Low VMT (15 percent below County Average) zone based on the SBCTA VMT Screening tool, as shown in Table 4.14-2, *SBCT VMT Screening Tool Results*. As such, the Low VMT Area screening threshold is not met.

Table 4.14-2: SBCT VMT Screening Tool Results				
Threshold Option	Threshold	Project	% Above Threshold	Potentially Significant?
PA VMT per Worker	14.5	15.1	4.14%	Yes

Land Use Type Screening

The OPR and SBCTA VMT guidelines identify that project types falling under the screening criteria includes the following:

- Local-serving retail less than 50,000 sf
- K-12 schools
- Local-serving K-12 schools
- Local parks
- Daycare centers
- Local serving gas stations
- Local serving banks
- Local serving hotels (e.g., non-destination hotels)
- Student housing projects on or adjacent college campuses

- Local-serving assembly uses, Community Institutions
- Local serving community colleges
- Affordable or supportive housing, Assisted living facilities, Senior housing
- Projects generating less than 110 daily vehicle trips

The Land Use Type Screening criteria is not met for the proposed Project (Table 4.14-1). Because the Project does not satisfy VMT screening criteria, a VMT analysis has been conducted for the Project.

VMT Thresholds

Under OPR’s Technical Advisory recommendations, lead agencies have the discretion to set or apply their own thresholds of significance or rely on thresholds recommended by other agencies. The City of Rialto is in the process of adopting VMT guidelines and thresholds. At the direction of the City, this analysis assumes a VMT threshold set to 15 percent below the baseline County of San Bernardino Home Based Work (HBW) VMT per Employee, consistent with the OPR guidance and the SBCTA VMT guidelines.

For purposes of this VMT assessment the Project’s home-based work (HBW) VMT per Employee has been compared to 15 percent below countywide average VMT, based on data provided by SBCTA. Table 4.14-3, *VMT Impact Thresholds*, shows the calculated VMT thresholds for HBW VMT per Employee:

Threshold Option	Countywide Average	Threshold (15% below)
HBW VMT per Employee	17.1	14.5

If a significant impact is identified, feasible mitigation measures are identified based on substantial evidence from the California Air Pollution Control Officers Association’s (CAPCOA) Comprehensive Report for Quantifying Greenhouse Gas Mitigation Measures. The CAPCOA document provides 54 travel demand management (TDM) strategies associated with the reductions of VMT and GHG emissions and is an appropriate resource for this type of analysis.

VMT Analysis

For a warehouse facility, the analysis considers the major trip purposes of the site in terms of trip length and frequency. Three types of trips were considered: (1) employee commute trips; (2) other trips related to business functions and/or its employees and (3) truck trips.

Employee commute trips. These are the primary automobile trips associated with employment generating uses. This facility is expected to provide additional jobs and some related trips to the area. The efficiency of VMT associated with employee commute trips has been assessed based on SBTAM.

Other trips. These are often the smallest number and shortest distance of trips for a facility like this and include a broad range of trip types, such as off-site employee lunches, maintenance teams for on-site infrastructure, office supply deliveries, etc. As such, their impact to the overall VMT of the site is likely minimal. The limited number of vehicular trips associated with these activities would not be impactful to the local transportation system and are secondary to the other two trip types discussed.

Truck trips related to shipping activities. State CEQA Guidelines Section 15064.3(a) states “For the purposes of this section ‘vehicle miles traveled’ refers to the amount and distance of automobile travel attributable to a project.” The OPR’s 2018 Technical Advisory indicates that, although heavy vehicle traffic can be included for analysis convenience, the analysis requirements are specific to passenger-vehicles and light-duty trucks. While it may be appropriate to consider heavy vehicle traffic if directed by the lead agency, it is generally understood that interstate commerce and related heavy vehicle traffic are regulated by the federal government as it relates to commerce.

Irrespective of this and considering that the end-user of this facility is unknown at this time (so the nature of the business enterprise and its probable origins and destinations are unknown), it is reasonable to assume that the ultimate end user would select this location, at least in part, as to how it affects transportation costs. Most often businesses who have shipping as a significant part of their operations are sensitive to transportation costs and their relative proximity to customers and suppliers. Accordingly, it is reasonable to assume that industrial warehouse buildings are often located in a manner to reduce VMT given that it is in the interest of the business. It is also recognized that the Project would generate Heavy Duty Truck (HDT) traffic and has been considered in this VMT assessment. For consistency with other CEQA technical studies, HDT VMT identified in this analysis is reflected in other applicable EIR technical studies (e.g., air quality, GHG emissions).

Project VMT

The calculation of VMT has two components – the total number of trips generated and the average trip length of each vehicle. SBTAM is a useful tool to estimate VMT as it considers interaction between different land uses based on socioeconomic data such as population, households and employment. Project VMT was calculated using the most current version of SBTAM. Adjustments in socioeconomic data (households, population, and employment) were made to the appropriate traffic analysis zone (TAZ) within the SBTAM model to reflect the Project’s proposed land use.

Project Home-Based Work (HBW) VMT per Employee

The home-based work (HBW) VMT per Employee is the HBW attraction VMT divided by the number of employees derived from the SBTAM model. The HBW VMT per Employee is used to measure efficiency of VMT generated by employment-based uses. The Project HBW VMT per Employee calculated based on SBTAM is 17.04.

Heavy Truck VMT

Consistent with the air quality and GHG emissions analyses, the average trip length for heavy trucks were based on the data provided in *Forecasting Metropolitan Commercial and Freight Travel* (NCHRP Synthesis 384, Transportation Research Board, 2008) document. The document cites average internal trip lengths of 5.92 miles for light trucks, 13.06 miles for medium trucks, and 24.11 miles for heavy trucks. As a conservative measure, a trip length of 25 miles has been used for all trucks multiplied by the daily truck trips (473) estimated in this Traffic Impact Study based on Institute of Transportation Engineer (ITE) trip rates, resulting in a heavy truck daily VMT of 11,825.

As shown in Table 4.14-4, *Roadway Segments: Opening Year 2022 - Existing Plus Growth Plus Project*, the Project’s HBW VMT per Employee would not meet the 15 percent below countywide average threshold. As such, the Project’s transportation impact is potentially significant based on the OPR recommended

thresholds. Mitigation Measure AQ-2 in Section 4.2, Air Quality, of this EIR requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage transit.

Table 4.14-4: Roadway Segments: Opening Year 2022 - Existing Plus Growth Plus Project				
Threshold Option	Threshold	Project	Change in VMT	Potentially Significant?
HBW VMT Employee	14.5	17.04	+2.54 (14.9%)	Yes

Mitigation Program

Standard Conditions

The proposed Project is subject to the City’s citywide traffic impact fee program, the Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange, and the Congestion Management Program (CMP) Appendix G. To the extent that an improvement is included in an existing fee program, the Project’s payment of impact fees can be used to offset the costs of implementing the improvement. In addition, if the Project is required construct a needed improvement in advance of the City’s receipt of full funding, the improvement may be subject to a reimbursement agreement, to allow the Project to recoup costs from future development.

SC TRA-1 Alder Avenue at SR-210 Westbound Ramps. The Applicant shall contribute on a fair-share basis to costs associated with the addition of a northbound left-turn lane, add a second westbound left-turn lane, and add a southbound right-turn lane. These improvements would be consistent with recommendations set forth in the *Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange (May 2017)*.

SC TRA-2 Alder Avenue at SR-210 Eastbound Ramps. The Applicant shall contribute on a fair-share basis to the costs associated with a second eastbound right-turn lane and conversion of the existing left/through/right lane into a left/through only. These improvements would be consistent with recommendations set forth in the *Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange (May 2017)*.

SC TRA-3 Alder Avenue at Renaissance Parkway. The Applicant shall contribute on a fair-share basis to the costs associated with restriping the southbound approach to add a second southbound left-turn lane. This improvement would be consistent with recommendations set forth in the *Draft Feasibility Study Report for the Alder Avenue and SR-210 Interchange (May 2017)*.

SCTRA-4 Ayala Drive at Fitzgerald Avenue. The Applicant shall contribute on a fair-share basis to signalization of the intersection of Ayala Drive at Fitzgerald Avenue. This improvement is consistent with recommendations set forth in the *Traffic Impact Study for the City of Rialto Renaissance Specific Plan Amendment (LSA, September 2016)*.

SC TRA -5 Fitzgerald Avenue at Baseline Road. The Applicant shall contribute on a fair-share basis to signalization of the intersection of Fitzgerald Avenue at Baseline Road. This improvement is consistent with recommendations set forth in the *Traffic Impact Study for the City of Rialto Renaissance Specific Plan Amendment (LSA, September 2016)*.

Mitigation Measures

MM AQ-2 in Section 4.2, Air Quality, is applicable. This mitigation measure requires the preparation of a TDM program for the Project, which would include but not be limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options;
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site;
- Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day;
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service ; and
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.

As previously addressed, the Rialto Active Transportation Plan shows Ayala Drive and Cactus Avenue as existing Class II Bike lanes and Baseline Road as a proposed Class II/III bike lane/route. Baseline Road does not contain any current bicycle facilities. On-site bicycle facilities would be provided as a part of Project.

The Rialto Active Transportation Plan also identifies the Cactus Avenue Trail as a priority project. The trail is proposed within the boundaries of Jerry Eves Park immediately north of the project site.

Pedestrian sidewalks are located on the south side of Baseline Road. The Project would construct pedestrian sidewalks along the project site frontage on Baseline Road.

The project site is accessible by transit via OmniTrans Bus Route 10, which has stops on Baseline Road within 250 feet of the project site.

The effectiveness of the above-noted TDM measures would be dependent on the ultimate building tenant(s), which are unknown at this time. Beyond Project design and tenancy considerations, land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context of the Project is characteristically suburban, which reduces the range of feasible TDM measures and their potential effectiveness. For projects located within a suburban context, a ten percent reduction in VMT is achievable when combining multiple mitigation strategies.

The Project's transportation impact based on VMT is potentially significant based on the OPR recommended thresholds. As the reduction of VMT impacts below thresholds cannot be assured, Project's VMT impact is therefore considered significant and unavoidable.

Impact 4.14-3: Would the proposed project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Level of Significance: Less than Significant Impact

The proposed Project would not introduce incompatible uses to area roadways. The project site driveways and Project improvements would be designed so that adequate sight distance for drivers entering and exiting the project site is maintained. The line of sight – a straight line between the driver’s eye and oncoming vehicles on the adjacent roadway – defines the “limited use area.” The limited use area for each driveway would be kept clear of visual obstructions, including Project signs, structures, and obstructive landscaping, in order to maintain adequate sight distance. The Project would be designed in compliance with all applicable State building codes and would meet City standards for design, including sight distance at all intersections.

A traffic signal warrant analysis was conducted for the unsignalized intersections of Ayala Drive at Fitzgerald Avenue, Ayala Drive at Baseline Road, and Driveway 2 at Baseline Road. The warrants were conducted using the California Manual on Uniform Traffic Control Devices (MUTCD). The installation of traffic signals at these locations to improve future year intersection operations is consistent with the Traffic Impact Study for the City of Rialto Renaissance Specific Plan Amendment. An operational analysis was also conducted for the proposed new signal at Driveway 2 and Idyllwild, to evaluate signal proximity with the future signal at Fitzgerald Avenue and Baseline and the existing signal at Ayala Drive and Baseline Road. The operational analysis assumes the Project buildout conditions and includes diverted residential trips from Glenwood Avenue through the local roads due to the proposed raised median restricting northbound left-turn movements, forcing vehicles to use the new signalized intersection at Idyllwild Avenue. The analysis determined that all three new traffic signals would operate at optimum level of service. Therefore, impacts would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

Impact 4.14-4: Would the proposed project result in inadequate emergency access?

Level of Significance: Less than Significant Impact

Vehicular access to the project site would be provided from three driveways on Baseline Road. Emergency vehicles could access the project site through any of the three driveways. Project traffic would not result in substantial delays and congestions that would affect the circulation of emergency vehicles in the study area. All-access roads would meet requirements for fire access roads in the California Fire Code (CCR Title 24 Part 9). Adequate emergency access would be provided, and therefore impacts would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation is required.

4.14.7 Cumulative Impacts

For cumulative conditions, a project that is below the VMT impact thresholds and does not have a VMT impact under baseline conditions would also not have a cumulative impact as long as it is aligned with long-term State environmental goals, such as reducing GHG emissions, and relevant plans, such as the SCAG RTP/SCS. The geographic context for the analysis of cumulative traffic impacts includes traffic volumes resulting from buildout of the City of Rialto. In addition, cumulative impacts are based on the future traffic volumes estimated by SCAG, which includes population and socioeconomic projections. Based on the VMT analysis for the proposed Project, the Project's contribution of traffic would be cumulatively considerable because the feasibility of implementation of TDM measures is uncertain. The proposed Project is consistent with the General Plan and is accounted for in the growth allocated by the General Plan and analyzed in the General Plan EIR. Based on VMT thresholds of significance, the Project's contribution would be cumulatively considerable.

4.14.8 Level of Significance After Mitigation

Potential Impacts related to hazards due to a geometric design feature or inadequate emergency access would be less than significant and potential conflicts with a program, plan, ordinance or policy addressing the circulation system would be mitigated to a less than significant level. The Project's transportation impact based on VMT is potentially significant based on the OPR recommended thresholds, thus the Project would contribute to a significant and unavoidable impact.

Should the City of Rialto approve the Project, the City would be required to cite their findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations in accordance with CEQA Guidelines Section 15093.

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4.15 TRIBAL CULTURAL RESOURCES

4.15.1 Introduction

This section provides contextual background information on tribal cultural resources on or near the project site. The extent to which implementation of the proposed Project could impact existing tribal cultural resources is evaluated. This section also provides the results of Assembly Bill 52 (AB 52) tribal consultation.

According to the Governor's Office of Planning and Research, a tribal cultural resource is a site feature, place, cultural landscape, sacred place or object which is of cultural value to a California Native American tribe and is either [1] on or eligible for the California Historic Register or a local historic register; or [2] the lead agency at its discretion, chooses to treat the resource as a tribal cultural resource.

The analysis in this section was conducted in compliance with the California Public Resources Code (PRC) Section 5024.1 and Section 21074 to identify tribal, archaeological and historic resources in the project area and evaluate potential impacts that could result from implementation of the Project. Baseline conditions and impact analyses are based on ASM Affiliates, *Cultural Resource Study Findings Memo* (ASM Affiliates, 2019), which is included in Appendix D of this EIR. The analysis also includes information obtained during consultations with Native American tribal representatives.

4.15.2 Regulatory Setting

State Regulations

Senate Bill 18

Senate Bill (SB) 18 (California Government Code §65352.3) requires local governments to consult with Native American tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to the adoption and amendment of general plans and specific plans. The consultation process requires (1) that local governments send the State Native American Heritage Commission (NAHC) information on a proposed project and request contact information for local Native American tribes; (2) that local governments then send information on the project to the tribes that the NAHC has identified and notify them of the opportunity to consult; (3) that the tribes have 90 days to respond on whether they want to consult or not, and (4) that consultation begins if requested by a tribe and there is no statutory limit on the duration of the consultation. If issues arise and consensus on mitigation cannot be reached, SB 18 allows a finding to be made that the suggested mitigation is infeasible. SB 18 is not applicable to the proposed Project.

California Assembly Bill 52

On July 1, 2015, California AB 52 of 2014 was enacted and expanded CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes 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" (PRC §21084.2).

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before an EIR can be released. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated

with the geographic area of the proposed project if: (1) the California Native American tribe requested to the Lead Agency, in writing, to be informed by the Lead Agency through formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with the tribe, and (2) the California Native American tribe responds, in writing, within 30 days of receipt of the formal notification, and requests the consultation.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the Lead Agency. Consultation may include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the Project’s impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe.

The parties must consult in good faith, and consultation is deemed concluded when either the parties agree on measures to mitigate or avoid a significant effect on a tribal cultural resource (if such a significant effect exists) or when a party concludes that mutual agreement cannot be reached.

Health and Safety Code Sections 7050.5 and 7052

State Health and Safety Code (HSC) Section 7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the San Bernardino County Coroner must be notified. HSC Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

More precisely, if human remains are encountered, Section 7050.5 states that:

- a) “Every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in Section 5097.99 of the Public Resources Code. The provisions of this subdivision shall not apply to any person carrying out an agreement developed pursuant to subdivision (l) of Section 5097.94 of the Public Resources Code or to any person authorized to implement Section 5097.98 of the Public Resources Code.
- b) In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with Section 27460) of Part 3 of Division 2 of Title 3 of the Government Code, that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative, in the manner provided in Section 5097.98 of the Public Resources Code. The Coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the Coroner of the discovery or recognition of the human remains.
- c) If the Coroner determines that the remains are not subject to his or her authority and if the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.”

Regional and Local Regulations

Rialto General Plan 2010: Our Roots: Cultural and Historic Resources Element

Relevant General Plan policies for tribal cultural resources are identified below. Where inconsistencies exist, if any, they are addressed in the respective impact analysis below.

- Goal-CUL 7-1** Preserve Rialto’s significant historical resources as a source of community identity, stability, aesthetic character, and social value.
- Policy 7-1.1** Protect the architectural, historical, agricultural, open space, environmental, and archaeological resources in Rialto.
- Policy 7-1.2** Identify, through appropriate research and surveys, the historical resources in Rialto through documentation and photography.
- Goal-CUL 7-3** Identify, document, and protect significant archaeological resources in Rialto.
- Policy 7-3.1** Require archaeological surveys during the development review process for all projects in archaeologically sensitive areas where no previous surveys are recorded.
- Policy 7-3.2** Avoid impacts to potentially significant prehistoric and historical archaeological resources and sites containing Native American human remains consistent with State law.

City of Rialto Municipal Code

Chapter 2.20 of the Municipal Code establishes the Historical Preservation Commission. The commission is authorized to make recommendations, decisions and determinations concerning the designation, preservation, protection, enhancement, and perpetuation of these historical, and cultural resources which contribute to the culture and aesthetic values of the City. Government Code Section 37361 empowers cities to adopt regulations and incentives for the protection, enhancement, perpetuation and use of such places, buildings, structures and other objects. The adoption of reasonable and fair regulations is necessary as a means of recognition, documentation, preservation and maintenance of resources of cultural, aesthetic, or historical significance. Such regulation serves as a means to integrate the preservation of resources and the extraction of relevant data from such resources into public and private land management and development process, and to identify as early as possible and resolve conflicts between the preservation of cultural resources and alternative land uses. Chapter 2.20 is intended to carry out the goals and policies of the General Plan.

4.15.3 Environmental Setting

Natural Setting

The project site lies in the central portion of Rialto. Elevations range from approximately 1,390 feet above msl at the northwestern corner to 1,360 feet above msl at the southeastern corner. The City is largely urbanized and surrounded by other developed cities; the setting surrounding the project site is primarily business, industrial, warehouses, and residential.

Prehistoric Setting

Refer to Section 4.4, *Cultural Resources*, regarding the ethnography of Native American tribes in the vicinity of the project site. For information regarding the cultural setting and archaeological and historical context, see Appendix D.

4.15.4 Methodology

NAHC Sacred Lands File Search

The NAHC was contacted on September 4, 2019 requesting a search their Sacred Lands File (SLF) to determine if there was any information relating to the potential presence of Native American cultural resources on the site. A response was received on September 23, 2019 indicating a tribal resource may be located on the project site suggesting that the Gabrieleño Band of Mission Indians – Kizh Nation be contacted for additional information. The San Manuel Band of Mission Indians responded that, while it was earlier believed that a village site may have once been located on the project site, the tribe has since determined that the village was likely located further east and the project site is located in an area of much less concern. Further, a list of 11 tribal contacts who may have also had an interest in the Project was provided with the NAHC response (refer to Appendix D).

AB 52 Tribal Consultation

In compliance with PRC Section 21080.3.1(b), the City of Rialto sent formal notification on December 15, 2020 to tribal representatives which may have interest in projects within the geographic area traditionally and culturally affiliated with the tribe(s) and have requested notifications of applicable development projects from the City. Formal notification letters were sent to representatives of the following California Native American tribes:

- San Manuel Band of Mission Indians
- Morongo Band of Mission Indians
- Gabrieleño-Tongva San Gabriel Band of Mission Indians
- Gabrieleño-Tongva Nation
- Gabrieleño-Tongva Nation
- Gabrieleño Band of Mission Indians

The Gabrieleno Band of Mission Indians – Kizh Nation (Kizh Nation) responded on December 22, 2020 requesting consultation to discuss the Project in further detail. Consultation was held with the Kizh Nation on February 12, 2021. The mitigation measures requested by the Kizh Nation as a result of that consultation have been included in this EIR and are further discussed below.

4.15.5 Thresholds of Significance

The following significance criteria for tribal cultural resources were derived from the Environmental Checklist in State CEQA Guidelines *Appendix G*. An impact would be considered significant and would require mitigation if it would:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
 - a) Listed or eligible for listing in the California Register of Historical Resources (CRHR), or in a local register of historical resources as defined in PRC §5020.1(k), or
 - b) A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

4.15.6 Project Impacts and Mitigation

This analysis of impacts on cultural resources examines the Project's construction and operational effects based on application of the significance criteria outlined above. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

Impact 4.15-1: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- (a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k) or:
- (b) A resource determined by the Lead Agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated

In compliance with PRC Section 21080.3.1(b), the City provided formal notification to California Native American tribal representatives that have previously requested notification from the City regarding projects within the geographic area traditionally and culturally affiliated with the tribe. Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on tribal cultural resources as defined in PRC Section 21074.

Correspondence to and from the tribal representatives is included in Appendix D. The City received correspondence from the Gabrieleño Band of Mission Indians – Kizh Nation requesting consultation to discuss the Project and surrounding location in further detail. As discussed above, consultation was held with the Kizh Nation on February 12, 2021.

The Kizh Nation identified measures to mitigate potential impacts to as-yet undiscovered tribal cultural resources. The mitigation measures include requirements for retaining a Native American Monitor/

Consultant (MM TCR-1), procedures in the event of an unanticipated discovery of tribal cultural resources, human remains, or grave goods (MM TCR-2), and procedures for discovery of burials, funerary remains, and grave goods (MM TCR-3). Following compliance with MMs TCR-1 through TCR-3, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource. With mitigation, impacts would be less than significant.

Mitigation Program

Standard Conditions

Please refer to Standard Condition (SC) CUL-1 in Section 4.4, *Cultural Resources*.

Mitigation Measures

MM TCR-1 Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

- a) The Project Applicant/lead agency shall retain a Native American monitor from (or approved by) the Gabrieleño Band of Mission Indians – Kizh Nation (the “Kizh” or the “Tribe”) - the direct lineal descendants of the project location. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project, at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” includes, but is not limited to, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- b) A copy of the executed monitoring agreement shall be provided to the lead agency prior to the earlier of the commencement of any ground-disturbing activity for the project, or the issuance of any permit necessary to commence a ground-disturbing activity.
- c) The Project Applicant/developer shall provide the Tribe with a minimum of 30 days advance written notice of the commencement of any project ground-disturbing activity so that the Tribe has sufficient time to secure and schedule a monitor for the project.
- d) The Project Applicant/developer shall hold at least one pre-construction sensitivity/educational meeting prior to the commencement of any ground-disturbing activities, where at a senior member of the Tribe will inform and educate the project’s construction and managerial crew and staff members (including any project subcontractors and consultants) about the TCR mitigation measures and compliance obligations, as well as places of significance located on the project site (if any), the appearance of potential TCRs, and other informational and operational guidance to aid in the project’s compliance with the TCR mitigation measures.
- e) The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground- disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited

to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the Project Applicant/lead agency upon written request.

- f) Native American monitoring for the project shall conclude upon the latter of the following: (1) written confirmation from a designated project point of contact to the Tribe that all ground-disturbing activities and all phases that may involve ground-disturbing activities on the project site and at any off-site project location are complete; or (2) written notice by the Tribe to the Project Applicant/lead agency that no future, planned construction activity and/or development/construction phase (known by the Tribe at that time) at the project site and at any off-site project location possesses the potential to impact TCRs.

MM TCR-2 Discovery of Tribal Cultural Resources, Human Remains, or Grave Goods

- a) Upon the discovery of a TCR, all construction activities in the immediate vicinity of the discovery (i.e., not less than the surrounding 50 feet) shall cease. The Tribe shall be immediately informed of the discovery, and a Kizh monitor and/or Kizh archaeologist will promptly report to the location of the discovery to evaluate the TCR and advise the project manager regarding the matter, protocol, and any mitigating requirements. No project construction activities shall resume in the surrounding 50 feet of the discovered TCR unless and until the Tribe has completed its assessment/evaluation/recovery of the discovered TCR and surveyed the surrounding area.
- b) The Tribe will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate in its sole discretion, and for any purpose the Tribe deems appropriate, including but not limited to, educational, cultural and/or historic purposes.
- c) If Native American human remains and/or grave goods are discovered or recognized on the project site or at any off-site project location, then all construction activities shall immediately cease. Native American "human remains" are defined to include "an inhumation or cremation, and in any state of decomposition or skeletal completeness." (PRC §5097.98 (d)(1).) Funerary objects, referred to as "associated grave goods," shall be treated in the same manner and with the same dignity and respect as human remains. (PRC §5097.98 (a), (d)(1) and (2).)
- d) Any discoveries of human skeletal material or human remains shall be immediately reported to the County Coroner (Health and Safety Code §7050.5(c); 14 Cal. Code Regs. §15064.5(e)(1)(B)), and all ground-disturbing project ground-disturbing activities on site and in any other area where the presence of human remains and/or grave goods are suspected to be present, shall immediately halt and remain halted until the coroner has determined the nature of the remains. (14 Cal. Code Regs. §15064.5(e).) If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.

- e) Thereafter, construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or grave goods, if the Tribe determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Tribal monitor and/or archaeologist deems necessary). (14 Cal. Code Regs. §15064.5(f).)
- f) Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or grave goods.
- g) Any historic archaeological material that is not Native American in origin (non-TCRs) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- h) Any discovery of human remains and/or grave goods discovered and/or recovered shall be kept confidential to prevent further disturbance.

MM TCR-3 Procedures for Burials, Funerary Remains, and Grave Goods

- a) As the Most Likely Descendant (MLD), the Koo-nas-gna Burial Policy shall be implemented for all discovered Native American human remains and/or grave goods. Tribal Traditions include, but are not limited to, the preparation of the soil for burial, the burial of funerary objects and/or the deceased, and the ceremonial burning of human remains.
- b) If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- c) The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated “grave goods” (aka, burial goods or funerary objects) are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, as well as other items made exclusively for burial purposes or to contain human remains. Cremations will either be removed in bulk or by means necessary to ensure complete recovery of all sacred materials.
- d) In the case where discovered human remains cannot be fully recovered (and documented) on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to divert the project while keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- e) In the event preservation in place is not possible despite good faith efforts by the Project Applicant/developer and/or landowner, before ground-disturbing activities

may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. The site of reburial/repatriation shall be agreed upon by the Tribe and the landowner, and shall be protected in perpetuity.

- f) Each occurrence of human remains and associated grave goods will be stored using opaque cloth bags. All human remains, grave goods, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on-site if possible. These items will be retained and shall be reburied within six months of recovery.
- g) The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

4.15.7 Cumulative Impacts

Although the Project, in conjunction with the effects of cumulative projects, may result in the disturbance of tribal cultural resources throughout the study area, standard conditions of approval and mitigation measures required for each project would reduce the impacts to less than significant levels. Despite the site-specific nature of the resources, mitigation required for the identification and protection of unknown or undocumented tribal cultural resources would reduce the potential for cumulative impacts. On a cumulative level, data recovered from a site, combined with data from other sites in the region, would allow for the examination and evaluation of the diversity of human activities in the region. As a result, development of the proposed Project would not contribute to a significant cumulative impact on tribal cultural resources.

4.15.8 Level of Significance After Mitigation

With implementation of the Mitigation Program set forth in this EIR, potential impacts to tribal cultural resources would be reduced to a level considered less than significant.

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4.16 UTILITIES AND SERVICE SYSTEMS

4.16.1 Introduction

This section examines the public utilities and service systems that would be used by the proposed Project and describes the potential impacts on those public systems due to the implementation of the Project. Specifically, this section addresses the following utilities: water, wastewater, and solid waste. Other utilities such as electricity and natural gas are discussed in Section 4.5, *Energy*. Stormwater is discussed in Section 4.9, *Hydrology and Water Quality*. The following utility and services are addressed in this section (the service provider is noted parenthetically):

- Domestic water supply and distribution (Rialto Water Services)
- Wastewater facilities (Rialto Water Services)
- Solid waste (Burrtec)

4.16.2 Water Supply

4.16.2a Regulatory Setting

Federal Safe Drinking Water Act

The Safe Drinking Water Act (SDWA, Health and Safety Code, §§116350–116405) is intended to protect public health by regulating the nation’s public drinking water supply. The Federal SDWA authorizes the U.S. Environmental Protection Agency (U.S. EPA) to set national standards for drinking water to protect against both naturally occurring and man-made contaminants.

California Safe Drinking Water Act

California enacted its own Safe Drinking Water Act, with the California Department of Health Services (DHS) granted primary enforcement responsibility. Title 22 of the California Code of Regulations (CCR) (Division 4, Chapter 15, “Domestic Water Quality and Monitoring Regulations”) established DHS authority and provides drinking water quality and monitoring requirements, which are equal to or more stringent than federal standards.

California Recycled Water Regulations

The regulation of recycled water is vested by State law in the State Water Resources Control Board (SWRCB) and the California Department of Public Health Services (DPH). DPH is responsible for the regulations concerning the use of recycled water. Title 17 (California Water Code, §§13500–13556) regulates the protection of the potable water supply through the control of cross-connections with potential contaminants, including recycled water. The established water quality standards and treatment reliability criteria for recycled water are codified in Title 22 of the California Water Code. The requirements of Title 22, as revised in 1978, 1990 and 2001, establish the quality and/or treatment processes required for a recycled effluent to be used for a non-potable application. In addition to recycled water uses and treatment requirements, Title 22 addresses sampling and analysis requirements at the treatment plant, preparation of an engineering report prior to production or use of recycled water, general treatment design requirements, reliability requirements, and alternative methods of treatment.

Urban Water Management Planning Act

The Urban Water Management Planning Act (UWMP Act) (California Water Code, Division 6, Part 2.6, §10610 et. seq.) was enacted in 1983. The UWMP Act applies to municipal water suppliers that serve more than 3,000 customers or provide more than 3,000 acre-feet per year (AFY) of water. The UWMP Act requires these suppliers to update their Urban Water Management Plan (UWMP) every five years to demonstrate an appropriate level of reliability in supplying anticipated short-term and long-term water demands during normal, dry, and multiple dry years.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) is the California agency focused on providing and ensuring clean sustainable water for all state residents. The SWRCB works alongside other federal programs like the Clean Water Act to regulate water sources and uses. The agency regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, stormwater, and other sources.

Assembly Bill 1668 and Senate Bill 606 – May 31, 2018

SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022. The two bills strengthen the State's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.¹

Senate Bill 610

Under SB 610, water assessments must be furnished to local governments for inclusion in any environmental documentation for certain projects (as defined in Water Code 10912 [a]) subject to the CEQA.²

Senate Bill 221

Under SB 221, approval by a city or county of certain residential subdivisions requires an affirmative written verification of sufficient water supply. SB 221 is intended to ensure that collaboration on finding the needed water supplies to serve a new large subdivision occurs before project construction begins.³

¹ State of California. *California Statutes Making Conservation a California Way of Life*. https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/california_statutes.html. Accessed December 17, 2020.

² California Department of Water Resources (CDWR). (2003). *Guidebook for Implementation of Senate Bill 1610 and Senate Bill 221 of 2001*. Page iii.

³ Ibid.

City of Rialto Urban Water Management Plan

Pursuant to the UWMP Act, the City of Rialto adopts the San Bernardino Valley Regional Urban Water Management Plan every five years. The current adopted plan is the 2020 Upper Santa Ana River Watershed Integrated Regional Urban Water Management Plan (IRUWMP).

Rialto General Plan 2010: Chapter 3, Investing In Our Future: Economic Development

The City's General Plan provides guidance to promote the City's goals for current and future development related to solid waste, recycling, and infrastructure, including water and wastewater systems. Relevant General Plan policies for infrastructure and waste handling are addressed below. Where inconsistencies exist, if any, they are addressed in the respective impact analysis below.

- Goal 3-8** Promote affordable and quality water service capable of adequately meeting normal and emergency water demands to all areas in Rialto.
- Policy 3-8.1** Require that all new development or expansion of existing facilities bear the cost of expanding the water system to handle the increased demands which they are expected to generate.
- Policy 3-8.4** Advocate regular evaluation of the entire water supply and distribution system to ensure its continued adequacy, reliability, and safety.
- Policy 3-8.5** Upgrade outdated and undersized water service facilities to prevent unnecessary system failures in the City's water system.
- Policy 3-8.6** Work with water agencies to aggressively recharge groundwater basins and prevent excessive water pumping when there are inadequate supplies.
- Policy 3-8.7** Develop new sources of water supply, including drilling additional water wells that are free from perchlorate, and expanding recycling water opportunities.
- Policy 3-8.8** Work with municipal water districts to explore new water conservation opportunities within Rialto.
- Policy 3-8.9** Conserve potable water and utilize reclaimed water for meeting landscaping and irrigation demands as much as possible.
- Policy 3-8.10** Support water conservation through requirements for landscaping with drought-tolerant plants and efficient irrigation for all new development and City projects.

4.16.2b Environmental Setting

As described in the 2020 IRUWMP, the City of Rialto municipal water system provides potable water to customers primarily within the City of Rialto and serves one-half of the City's population, or approximately 55,860 customers as of December 2020. The City's water supply sources consist of water from canyon surface flows on the east side of the San Gabriel Mountains, including the North Fork Lytle Creek, Middle Fork Lytle Creek and South Fork Lytle Creek, which is treated at the Oliver P. Roemer Water Filtration Plant. Groundwater sources to the City come from four different adjudicated groundwater basins: the Rialto Basin, Lytle Creek Basin, North Riverside Basin and the Bunker Hill Basin. The City also receives additional Bunker Hill groundwater delivered through a shared delivery system called the Baseline Feeder. Recycled water is also available from the City's Wastewater Treatment Plant.

The City distributes its water to its year 2020 12,265 service connections through a 162-mile network of distribution mains with pipelines sizes ranging from 2 to 48 inches. The water system consists of three pressure zones and three subzones that provide sufficient water pressure to customers. Table 4.16-1, *Water Supplies*, identifies the anticipated supplies for Rialto.

Water Supply	Totals	2025	2030	2035	2040	2045
Groundwater	Rialto-Colton	1,528	1,557	1,586	1,614	1,642
Groundwater	Riverside-Arlington	1,200	1,200	1,200	1,200	1,200
Groundwater	Lytle (part of SBB)	1,600	1,600	1,600	1,600	1,600
Purchased or Imported Water	State Water Project – Rialto Colton Groundwater Supplemental Supply	384	412	440	469	498
Surface Water	Lytle Creek	1,241	1,241	1,241	1,241	1,241
Groundwater	Bunker Hill (part of SBB)	2,580	3,227	3,875	4,270	4,665
Groundwater	Bunker Hill (via Baseline Feeder)	2,500	2,500	2,500	2,500	2,500
Recycled Water	Rialto WWTP	10	10	10	10	10
	Total	11,043	11,747	12,451	12,903	13,355

Source: 2020 San Bernardino Valley Regional Urban Water Management Plan; Page 5-20 Table 5-12. Accessed from: www.sbvmd.com/home/showpublisheddocument/9242/637614374631830000

Water for the proposed Project would be supplied by City of Rialto Water Services. There is an existing 12-inch water main running east-west in West Baseline Road along the project site frontage. Additionally, there is an existing 12-inch water main running north-south, that is east of the project site.⁴

The 2020 IRUWMP anticipates “adequate regional supplies for years 2025 to 2045 under multiple-dry year conditions, as summarized in Table 4.16-2, *Multiple Dry Year Water Supply and Demand*.⁵ The multiple-dry year period is reflected as the lowest annual runoff for a three year or more consecutive period. As shown in Table 4.16-2, the supply is sufficient to account for the demand during the same period. The City of Rialto also determined that water demands would not increase during single or multiple dry years.⁶

⁴ Source: <https://www.yourrialto.com/DocumentCenter/View/893/2015-Urban-Water-Management-Plan-PDF>. From Chapter 4, Comparison of Regional Supplies and Demands Page 107 of 380.

⁵ 2020 San Bernardino Valley Regional Urban Water Management Plan. Page 5-25. www.sbvmd.com/home/showpublisheddocument/9242/637614374631830000 (accessed September 20, 2021).

⁶ Ibid, pages 14-22.

Year	Totals	2025	2030	2035	2040	2045
First Year	Supply Totals	12,147	12,922	13,696	14,194	14,691
	Demand Totals	10,563	11,236	11,910	12,342	12,775
	Difference	1,584	1,685	1,786	1,851	1,916
Second Year	Supply Totals	12,147	12,922	13,696	14,194	14,691
	Demand Totals	10,563	11,236	11,910	12,342	12,775
	Difference	1,584	1,685	1,786	1,851	1,916
Third Year	Supply Totals	12,147	12,922	13,696	14,194	14,691
	Demand Totals	10,563	11,236	11,910	12,342	12,775
	Difference	1,584	1,685	1,786	1,851	1,916
Fourth Year	Supply Totals	12,147	12,922	13,696	14,194	14,691
	Demand Totals	10,563	11,236	11,910	12,342	12,775
	Difference	1,584	1,685	1,786	1,851	1,916
Fifth Year	Supply Totals	12,147	12,922	13,696	14,194	14,691
	Demand Totals	10,563	11,236	11,910	12,342	12,775
	Difference	1,584	1,685	1,786	1,851	1,916

Source: 2020 San Bernardino Valley Regional Urban Water Management Plan; Page 5-25 Table 5-16. Accessed from: www.sbvmd.com/home/showpublisheddocument/9242/637614374631830000

4.16.2c Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds and information concerning current service levels and the ability of the service providers to accommodate the increased demand created by the proposed Project.

Water Supply: The analysis of water supply is based on the change of water levels due to the Project’s projected water demand. This information used for this analysis includes the 2020 Integrated Regional Urban Water Management Plan and the 2015 Urban Water Management Plan.

Wastewater Capacity and Treatment Regulations: The wastewater analysis identifies the types of wastewater that is anticipated to be generated by Project implementation and wastewater treatment requirements related to wastewater. Impacts would be considered significant if the proposed Project would not comply or would conflict with existing applicable wastewater regulations resulting in a significant environmental impact. Refer to Section 4.9, *Hydrology and Water Quality*, for information regarding the Project’s impacts on drainage.

Energy System Capacity: This analysis addresses the Project’s potential energy usage, including electricity, natural gas, and transportation fuel. Energy consumption that would occur during both construction and operation of the proposed Project and specific analysis methodologies was assessed in Section 4.5, *Energy*. Energy calculations are provided in Appendix E of this EIR and are based on the same assumptions used in Section 4.2, *Air Quality*, and Section 4.7, *Greenhouse Gas Emissions* of this EIR.

Storm Drain Capacity: Impacts on stormwater drainage facilities include the general increase or decrease in stormwater and impact on existing drainage infrastructure that is anticipated to occur from buildout of

the proposed Project. As discussed above, issues related to stormwater drainage facilities are further addressed in Section 4.9, Hydrology and Water Quality.

4.16.2d Thresholds of Significance

The following significance criteria for water systems is from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact would be considered significant and would require mitigation if it would meet one of the following criteria:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (issues related to stormwater drainage facilities are addressed in Section 4.9, *Hydrology and Water Quality*).
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

4.16.2e Project Impacts and Mitigation

Impact 4.16-1: Require or result in the relocation or construction of new or expanded water, facilities, the construction or relocation of which could cause significant environmental effects?

Impact 4.16-2: Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Level of Significance: Less than Significant Impact

The Project would require the construction of new water service connection laterals that would connect to the existing water system in Baseline Road. The Project does not require infrastructure improvements for relocation to the existing public water system. Prior to the issuance of the final building permit, the City would determine the fees associated with connecting to the existing facilities. Payment of fees as required by the City are intended to offset incremental impacts to water facilities by helping fund capital improvements and expenditures. Therefore, impacts associated with the construction of water facilities would be less than significant.

The City of Rialto has indicated that it can provide adequate water supply to the Project⁷. In addition, the City's General Plan EIR evaluated water usage for the City. Given the zoning is not changing for the project site, water consumption for the project was accounted for and evaluated in the City's General Plan. Tables 4.16-1 and 4.16-2 show that the water supply is adequate and outpaces demand for the City during multiple dry years through the year 2045.⁸ Given that there is adequate water supplies available to serve the project during normal, dry and multiple dry years, impacts are less than significant.

⁷ Will Serve Domestic Water and Sewer Services for APN NUMBER 026421318-0-000 at Baseline Boulevard and Fitzgerald Avenue, Rialto, CA. October 29, 2019.

⁸ 2020 San Bernardino Valley Regional Urban Water Management Plan. Page 5-25.
www.sbvmd.com/home/showpublisheddocument/9242/637614374631830000 (accessed September 20, 2021).

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation measures are required.

4.16.2f Cumulative Impacts

Given the existing available water supply, the water supply needs of the Project—together with related projects—would not result in the need for new or expanded water entitlements that could result in significant environmental impacts. As described above, the City of Rialto has an existing water system that will serve the Project, and a project fire flow test was conducted to confirm the presence of capacity and pressure for the Project.⁹

As summarized in Table 4.16-2, *Multiple Dry Year Water Supply and Demand*, the 2020 IRUWMP identifies that there will be adequate regional water supplies for years 2025 to 2045 under multiple dry year conditions.¹⁰ Additionally, the City of Rialto determined that water demands would not increase during single or multiple dry years.¹¹ As such, the Project will have sufficient regional water supplies for the foreseeable future and supply would be less than a significant impact.

As with the proposed Project, any cumulative projects are required to conduct environmental review under CEQA and are approved by the City on a project-by-project basis. Since the proposed Project would not have a significant impact on the water supply and would have adequate water infrastructure improvements, the Project combined with related projects would not result in significant water supply and infrastructure impacts. Therefore, the Project would not require or result in the relocation or construction of new or expanded water facilities. Further, the Project would have sufficient water supplies to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years. No significant cumulative impact is anticipated with respect to water supply, and the Project's contribution is not considered cumulatively considerable.

4.16.2g Level of Significance After Mitigation

No significant impact would occur.

4.16.3 Wastewater

4.16.3a Regulatory Setting

Clean Water Act

The Clean Water Act (33 United States Code §§1251 et seq.) is the cornerstone of water quality protection in the United States. The statute employs a variety of regulatory and non-regulatory tools to sharply reduce direct pollutants discharges into waterways, finance municipal wastewater treatment facilities,

⁹ See fire flow test results in Appendix L.

¹⁰ 2020 San Bernardino Valley Regional Urban Water Management Plan. Page 5-25.
www.sbvwmwd.com/home/showpublisheddocument/9242/637614374631830000 (accessed September 20, 2021).

¹¹ Ibid, pages 14-22.

and manage polluted runoff. These tools are employed to achieve the broader goal of restoring and maintaining the chemical, physical, and biological integrity of the nation's waters so that they can support "the protection and propagation of fish, shellfish, and wildlife and recreation in and on the water."

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) permit program was established pursuant to the Clean Water Act to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant. In California, the federal requirements are administered by the State Water Resources Control Board (SWRCB) and individual NPDES permits are issued by the California Regional Water Quality Control Boards. The NPDES permit applicable to the project site is issued by the Santa Ana Regional Water Quality Control Board.

Regional and Local Regulations

Connections to the City's sewer system are generally regulated by Title 12 (Public Utilities) of the Municipal Code. Chapter 12.08 establishes requirements for connection to the sewer system and fees for waste deposit. The Chapter further regulates private sewer connections when connections to the public system are not feasible as well operation of private sewer systems.

Rialto General Plan 2010: Wastewater

- Goal 3-9** Upgrade and maintain an improved wastewater system with adequate plant efficiency and capacity to protect the health and safety of all Rialto residents, businesses, and institutions.
- Policy 3-9.1** Require that all new development or expansion of existing facilities bear the cost of expanding the wastewater disposal system to handle the increased loads which they are expected to generate.
- Policy 3-9.2** Evaluate the wastewater disposal system routinely to ensure its adequacy to meet changes in demand and changes in types of waste.

4.16.3b Environmental Setting

Wastewater within the City of Rialto is treated at the City of Rialto Wastewater Treatment Plant (WWTP). Located 501 East Santa Avenue in Rialto, the approximately 14-acre plant provides secondary and tertiary treatment processes with a maximum treatment capacity of 11.7 million gallons per day (mgd). It consists of five separate treatment facilities built between 1956 and 1998. The City processes over 2 billion gallons of wastewater per year at the WWTP. Processing of sewage can be accomplished in numerous ways through, mechanical, biological, and chemical treatment methods. Primary, secondary, and tertiary

treatment standards reflect the degree by which the sewage has been treated. Primary treatment includes the removal of relatively large objects such as trash, rags, cans, and gravel. Secondary treatment involves the removal of biological solids such as fat, grease, human waste, soaps, and other organic materials. Tertiary treatment further clarifies wastewater utilizing chemical washes, biological decomposition, and disinfection. Tertiary treatment involves the removal of nitrates, phosphorous, pathogens, and other microorganisms.

Tertiary treated water can be used as reclaimed water for irrigation and other uses that can rely on non-potable water. Reclaimed water is produced at the City's WWTP. However, there is no infrastructure for citywide use of recycled water for irrigation or other non-potable uses and there are no plans to install such infrastructure. The City's Utilities Division is responsible for maintaining over 150 miles of sewer mains. The collection method uses gravity flow through vitrified clay pipes that flow from northwest to southeast. There is an existing 21-inch and 24-inch vitrified clay sewer pipe running east-west in Baseline Road approximately 5 feet north of the roadway centerline, which flow west to east¹². The sewer pipe intersects an existing 24-inch sanitary at the intersection of Baseline Road and Cactus Avenue, and flows south to downstream City facilities.

4.16.3c Thresholds of Significance

The following significance criteria for utilities and service systems were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact would be considered significant and would require mitigation if it would meet one of the following criteria:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (issues related to stormwater drainage facilities are addressed in Section 4.9, *Hydrology and Water Quality*)
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments

4.16.3d Project Impacts and Mitigation

Impact 4.16-3: Require or result in the relocation or construction of new or expanded wastewater treatment facilities, the construction or relocation of which could cause significant environmental effects?

Impact 4.16-4: Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Level of Significance: Less than Significant Impact

¹² Design Drawing. City of Rialto Dept. of Public Works Engineering Div. "Base Line Road Sewer City Project #509 FROM CACTUS TO LINDEN – SHEET 5 of 6" (S 0325). September 1, 1978.

As discussed above, wastewater during construction and operations from the project site would be treated at the WWTP. An 8-inch lateral would be constructed and tied into the existing 21- to-24-inch vitrified clay sewer, ultimately conveying Project effluent to the Rialto WWTP.

The City indicated that sufficient capacity exists for sewer services and is capable of providing wastewater service to the Project.¹³ The General Plan noted that the design capacity of the Rialto WWTP exceeds 12 mgd¹⁴ and that, as of 2020, the City produces approximately 7 to 8 mgd of sewage; there is approximately 4 to 5 mgd capacity remaining.¹⁵ Because the Project is consistent with the land use designations for the project site, wastewater generation for the project was accounted for and evaluated in the City's General Plan. Therefore, the Project would not require expansion or relocation of a wastewater facility as there is sufficient capacity at the WWTP to serve the Project. Further, the Project is not required to provide off-site sewer improvements. Therefore, with application of fees to sustain the wastewater treatment system and considerable existing spare capacity within the wastewater facilities, the potential impact that the Project has on the current infrastructure would be less than significant.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

Mitigation Measures

No mitigation measures are required.

4.16.3e Cumulative Impacts

Given the existing available capacity of four to five mgd at the Rialto WWTP, the wastewater treatment needs of the Project—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded wastewater treatment facilities that could result in significant environmental impacts or that could cause the wastewater treatment to exceed the capacity of the wastewater treatment facilities. The cumulative utilities impact with respect to wastewater treatment capacity would be less than significant.

The wastewater treatment requirements issued by the RWQCB were developed to ensure that adequate levels of treatment would be provided for the wastewater flows emanating from all land uses within its service area. The City indicated that sufficient capacity exists for sewer services for the Project. Therefore, the Project would not require or result in the relocation or construction of new or expanded wastewater treatment facilities. Further, the Project would have adequate wastewater capacity to serve the project and reasonably foreseeable future development. No significant cumulative impact is anticipated with respect to wastewater capacity, and the Project's contribution is not cumulatively considerable.

¹³ Will Serve Domestic Water and Sewer Services for APN NUMBER 026421318-0-000 at Baseline Boulevard and Fitzgerald Avenue, Rialto, CA. October 29, 2019.

¹⁴ City of Rialto General Plan 2010. Page 3-11. <http://yourrialto.com/wp-content/uploads/2016/08/General-Plan-Update-2010.pdf>. Accessed December 17, 2020.

¹⁵ Rialto Water Services. 2020. <https://rialtowater.com/about-us/wastewater/> Accessed December 17, 2020.

4.16.3f Level of Significance After Mitigation

No significant impact would occur.

4.16.4 Solid Waste

4.16.4a Regulatory Setting

Solid Waste Disposal Measurement Act of 2008

The purpose of the Solid Waste Disposal Measurement Act of 2008 (SB 1016) is to make the process of goal measurement (as established by AB 939) simpler, timelier, and more accurate. SB 1016 builds on AB 939 compliance requirements by implementing a simplified measure of jurisdictions' performance. SB 1016 accomplishes this by changing to a disposal-based indicator—the per capita disposal rate—which uses only two factors: (1) a jurisdiction's population (or in some cases employment) and (2) its disposal, as reported by disposal facilities. Each year, Cal Recycle calculates each jurisdiction's per capita (per resident or per employee) disposal rates. If business is the dominant source of a jurisdiction's waste generation, CalRecycle may use the per employee disposal rate. Each year's disposal rate will be compared to that jurisdiction's 50 percent per capita disposal target. As such, jurisdictions will not be compared to other jurisdictions or the statewide average, but they will only be compared to their own 50 percent per capita disposal target. Among other benefits, per capita disposal is an indicator that allows for jurisdiction growth because, as residents or employees increase, report-year disposal tons can increase and still be consistent with the 50 percent per capita disposal target. A comparison of the reported annual per capita disposal rate to the 50 percent per capita disposal target will be useful for indicating progress or other changes over time.

Assembly Bill 341

AB 341, approved in October 2011, is intended to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in the state. It is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. This law requires California commercial businesses and public entities, that generate four or more cubic yards of commercial solid waste per week or is a multi-family residential dwelling with five or more units, to arrange for recycling services.

Each local jurisdiction is required to inform businesses about the recycling requirement and to keep track of the level of recycling within the business community. In addition, each jurisdiction is required to report to CalRecycle, the state agency that oversees recycling and solid waste, on progress in the business community.¹⁶

Assembly Bill 939

Assembly Bill 939, the California Integrated Waste Management Act of 1989, requires each city or county to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, that identifies how each jurisdiction will meet the mandatory state waste diversion goal of 50 percent by and

¹⁶ CLI. (2011). *Assembly Bill No. 341*. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201120120AB341 (accessed December 17, 2019).

after the year 2000. Subsequent legislation changed the reporting requirements and threshold, but restated source reduction as a priority.

Rialto Municipal Code Chapter 18.108, Regulation of Recycling Facilities

The requirements of Chapter 18.108 – Regulation of Recycling Facilities established guidelines and operating standards and procedures for the permitting of recycling facilities in the City. Recycling facilities may be located and operated in commercial and industrial zoning districts in conformance with Section 18.108.040.

Rialto General Plan 2010: Solid Waste and Recycling

- Goal 3-10** Minimize the volume of solid waste that enters local and regional landfills.
- Policy 3-10.1** Encourage additional recycling in all sectors of the community.
- Policy 3-10.2** Encourage the recycling of construction and demolition materials in an effort to divert these items from entering landfills.
- Policy 3-10.3** Continue to provide and improve flexible fees and schedules for solid waste collection and recycling programs.
- Policy 3-10.4** Continue to educate the community regarding the benefits of solid waste diversion and recycling, and maintain programs that make it easy for all residents and businesses to work toward City waste reduction objectives.
- Policy GHG-7** The City shall require all new development or major rehabilitation (additions of 25,000 square feet of office/retail commercial or 100,000 square feet of industrial floor area) projects to recycle and/or salvage at least 50 percent of nonhazardous construction and demolition debris. To implement this requirement, a construction waste management plan identifying materials to be diverted from disposal and whether the materials will be stored on-site or commingled shall be developed and implemented by the applicant for said development or rehabilitation. Excavated soil and land-clearing debris do not contribute to this credit. Calculation can be done by weight or volume but must be consistent throughout.

4.16.4b Environmental Setting

Burrtec Waste Industries provides trash collection and recycling services including hazardous waste disposal and recycling services to the City of Rialto. Burrtec transports solid waste to the San Bernardino County Department of Public Works Mid-Valley Sanitary Landfill located approximately three miles northwest of the project site. The Mid-Valley Sanitary Landfill has a total site capacity of 408 acres and is expected to reach capacity and closure in 2045.¹⁷ The maximum permitted throughput is 7,500 tons per day and the remaining capacity is 61,219,377 cubic yards. In the event that that the Mid-Valley Sanitary Landfill is closed due to high winds, wastes are transferred to the San Timoteo Landfill in Redlands. The El Sobrante Landfill, in the City of Corona also serves as a backup. The San Timoteo Landfill has a total site

¹⁷ California Department of Resources Recycling and Recovery (2021). SWIS Facility/Site Activity Details for Mid-Valley Sanitary Landfill (36-AA-0055). Retrieved from <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662> (accessed July 27, 2021).

capacity of 366 acres and is expected to reach capacity and closure in 2039.¹⁸ The maximum permitted throughput is 2,000 tons per day and the remaining capacity is 12,360,396 cubic yards. The El Sobrante Landfill has a total site capacity of 1,322 acres and is expected to reach capacity and closure in 2051. The maximum permitted throughput is 16,054 tons per day and the remaining capacity is 143,977,170 cubic yards.¹⁹

4.16.4c Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds and information concerning current service levels and the ability of the service providers to accommodate the increased demand created by the proposed Project.

Landfill Capacity: The analysis of the proposed Project's impact on landfill facilities is based on the anticipated generation of solid waste that would occur during construction and operation of the Project. The analysis identifies the projected amount of non-hazardous construction debris and operational solid waste that would be generated from implementation of the Project and the amount that would be disposed of in landfills after compliance with recycling/diversion requirements. The proposed Project impact's regarding solid waste would be significant if the Project's anticipated solid waste generation would substantially affect landfill capacity, such that additional or expanded landfill facilities would be required to accommodate the Project.

Solid Waste Regulations: The analysis of the proposed Project consists of the Project's conformance of applicable solid waste regulations related to the generation or disposal of solid waste. Impacts would be considered significant if the proposed Project would not comply with all applicable federal, state, or local statutes or regulations related to solid waste.

4.16.4d Thresholds of Significance

The following significance criteria for utilities and service systems were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

¹⁸ California Department of Resources Recycling and Recovery (2021). SWIS Facility/Site Activity Details for San Timoteo Sanitary Landfill (36-AA-0087). Retrieved from <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1906?siteID=2688> (accessed July 27, 2021).

¹⁹ California Department of Resources Recycling and Recovery (2021). SWIS Facility/Site Activity Details for El Sobrante Landfill (33-AA-0217). Retrieved from <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402> (accessed July 27, 2021).

4.16.4e Project Impacts and Mitigation

Impact 4.16-5: Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

Impact 4.16-6: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Level of Significance: Less than Significant Impact

Solid waste generated by the Project during construction and operations would be collected and handled by Burrtec and disposed of in the MVSL. The State requires that recycling occur during construction and operations of the Project. As discussed previously, this landfill has a maximum daily capacity of 7,500 tons per day. As of June 30, 2019, the Mid-Valley Sanitary Landfill is using approximately 40 percent of its capacity, with an estimated remaining capacity of 61,219,377 cubic yards.²⁰ Waste generation may vary greatly depending upon individual tenants; however, the project does not propose a land use or zone change, thus the uses allowed to operate on the project site would be consistent with the assumptions for solid waste use in the City's General Plan EIR. Further, the Project tenants will pay standard collection and processing fees established by the City's franchise agreement with Burrtec.

Therefore, given the substantial remaining capacity within the MVSL and the utilization of fees as a likely generator of capacity, impacts would be less than significant and would not generate solid waste in excess of State or local standards.

The Project would comply with applicable local, State and federal regulations regarding solid waste, including those of the City of Rialto. Municipal Code Section 18.108 provides policies and regulations regarding solid waste handling and recycling by both customers and collectors. In compliance with Policy GHG-7, the Project would provide a construction waste management plan identifying materials to be diverted from disposal and whether the materials will be stored on-site or commingled shall be developed and implemented by the Applicant for said development or rehabilitation. As further discussed in Section 4.7, *Greenhouse Gas Emissions*, the Project would comply with CalGreen requirements. In coordination with Burrtec Waste Management, the Project would comply with the City's various programs to increase recycling efforts.²¹ In addition, the City implements AB 939 source reduction and recycling measures such as providing residential and commercial recycling services and hosting electronic waste disposal fairs. These measures have reduced solid waste generation and have been found to be compliant with AB 939.²² Therefore, with compliance to federal, State and local management and reduction statutes, there would be a less than significant impact to solid standards, infrastructure, and reduction goals.

Mitigation Program

Standard Conditions

No standard conditions are applicable.

²⁰ CalRecycle://www2.calrecycle.ca.gov/swfacilities/Directory/36-AA-0055/ (accessed December 17, 2020).

²¹ Burrtec News. *Waste And Recycling Newsletter: Fall 2021*. <https://www.burrtec.com/locations/rialto/> (accessed September 20, 2021).

²² CalRecycle Enforcement. <https://www.calrecycle.ca.gov/lgcentral/enforcement> (accessed December 17, 2020).

Mitigation Measures

No mitigation measures are required.

4.16.4f Cumulative Impacts

Potential future projects in the area would increase solid waste generation and decrease available capacity of the County's landfills. However, as with the proposed Project, these projects have been, or would be, required to conduct environmental review. Additionally, the Mid-Valley Sanitary Landfill is using approximately 40 percent of its capacity and is projected to have sufficient capacity to serve current and future needs until its scheduled closure in 2045. The Project does not propose a change to land use or zoning; thus, the solid waste generation for construction and operations of a warehouse on this site were assumed in the City's General Plan EIR analysis. The Project would not result in a significant impact and combined with related projects would not result in significant impacts to solid waste standards, infrastructure, or reduction goals. Therefore, the Project would not Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Further, the Project would comply and it is expected that related projects as well will comply with federal, State, and local management and reduction statutes and regulations related to solid waste. Thus, no cumulative significant impacts are expected with respect to solid waste.

4.16.4g Level of Significance After Mitigation

No significant impact would occur.

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5.0 LONG-TERM IMPLICATIONS OF THE PROPOSED PROJECT

5.1 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2(b) of the CEQA Guidelines requires that the EIR describe any significant impacts, including those that can be mitigated but not reduced to less than significant levels. The environmental effects of the proposed Project are addressed in Sections 4.1 through 4.16 of this EIR. Implementation of the proposed Project would result in potentially significant impacts for the following topical issues: air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, transportation, and tribal cultural resources. Implementation of standard conditions and requirements (SCs, and mitigation measures (MMs) provided in Sections 4.1 through 4.16 would reduce these impacts to levels considered less than significant with the exception of traffic impacts.

- **Conflict or consistency with State CEQA Guidelines Section 15064.3(b).** The Project's transportation impact based on vehicle miles traveled (VMT) is potentially significant based on the OPR recommended thresholds. As the effectiveness of transportation demand management (TDM) measures and reduction of VMT impacts below thresholds cannot be assured, Project's VMT impact is therefore considered significant and unavoidable.

5.2 SIGNIFICANT IRREVERSIBLE EFFECTS

Section 15126.2(c) of the State CEQA Guidelines requires an EIR to discuss the significant irreversible environmental changes that would result from implementation of a project. Examples include: primary or secondary impacts of a project that would generally commit future generations to similar uses (e.g., highway improvements that would provide access to a previously inaccessible area); uses of nonrenewable resources during the initial and continued phases of the project (because a large commitment of such resources make removal or nonuse thereafter unlikely); and/or irreversible damage that could result from any potential environmental accidents associated with the project.

Implementation of the proposed Project would require the long-term commitment of natural resources and land. Development of the Project would result in the commitment of land resources with warehouse uses. The Project includes infrastructure to support the proposed land use. Construction and long-term operation of the Project would require the commitment and reduction of available nonrenewable and slowly renewable resources, including petroleum fuels and natural gas (for vehicle use, construction, lighting, heating, and cooling of structures) and lumber, sand/gravel, steel, copper, lead, and other metals (for use in building construction, piping, and roadway infrastructure). Other resources that are slow to renew and/or recover from environmental stressors would also be impacted by Project implementation; examples include air quality, through the combustion of fossil fuels and production of greenhouse gases and water supply, through the increased potable water demands for drinking, cleaning, landscaping, and general maintenance needs.

5.3 GROWTH-INDUCING EFFECTS

State CEQA Guidelines Section 15126.2(e) requires that EIRs include a discussion of ways in which a proposed project could induce growth. The State CEQA Guidelines identify a project as "growth-inducing" if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial

development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The proposed Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

A project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, the potential for growth inducement is not considered necessarily detrimental nor necessarily beneficial, and neither is it automatically considered to be of little significance to the environment.

Directly or Indirectly Foster Economic or Population Growth, or the Construction of Additional Housing

Population and Employment

According to the California Department of Finance (DOF) the estimated population of the City reached 111,344 persons in 2020.¹ The California Employment Development Department (EDD) calculated the City's workforce to be 44,600, with 38,000 of those persons employed and 6,600 unemployed.² Section 4.12, *Population and Housing*, determined that the Project could generate 560 employees. Because this is less than the 6,600 unemployed persons within the City as estimated by the EDD, the proposed Project would not necessarily spur a boost in population since the employees could be found within the City's existing residents. The proposed Project, at the time of its implementation, would likely only have an indirect effect on the City's population through the expansion of economic activity within the City.

Housing

The project site is undeveloped and the Project does not include the development of residential units. Further, the Project is consistent with both the General Plan designation and land use zoning for the project site. Therefore, the Project would not directly affect housing availability within the City.

¹ California Department of Finance. (2020). *Table 2:E-5 City/County Population and Housing Estimates, 1/1/2020*. Sacramento, CA: Department of Finance.

² California Employment Development Department. (2020). *Local Area Unemployment Statistics (LAUS)*. Retrieved from: <https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS/e6gw-gvii/data>

Remove Obstacles to Population Growth or Require The Construction of New or Expanded Facilities that Could Cause Significant Environmental Effects

The Project would not remove obstacles to growth through the construction or extension of major infrastructure facilities. Although the project site is undeveloped, it is bordered by existing uses and is planned for development in the City's General Plan and the Airport Specific Plan.

Existing utilities and service systems (i.e., water, wastewater, solid waste, and electricity) are available to provide services to the Project. While upgrades to the existing utilities may be necessary, major infrastructure is already present in the area. The utility improvements that are being implemented are distribution lines that would serve the land uses on site. The Project does not propose improvements that would extend services to areas that currently are not served or provide additional capacity in these infrastructure improvements, thereby facilitating new off-site development. There are no properties adjacent to the project site that would benefit by having the utilities extended. Therefore, the Project is not considered growth inducing with respect to removal of obstacles to growth or through the provision of infrastructure.

Encourage and Facilitate Other Activities That Could Significantly Affect the Environment, Either Individually or Cumulatively

Refer to Sections 4.1 through 4.16 of this EIR. The Project transportation impact based on VMT is potentially significant based on the OPR recommended thresholds. As the effectiveness of TDM measures and reduction of VMT impacts below thresholds cannot be assured, Project's VMT impact is therefore considered significant and unavoidable. However, this impact would not encourage other activities that could significantly affect the environment.

Implementation of the Project is anticipated to have a beneficial economic effect. During construction, design, engineering, and construction-related jobs would be created. These jobs would be span the planning to construction of the Project, lasting until the Project is completed and in use. This would be a direct but temporary growth-inducing impact of the Project. The Project would create employment positions.

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6.0 ALTERNATIVES

6.1 INTRODUCTION

CEQA Guidelines Section 15126.6(a) states that an EIR must “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any significant effects of the project and evaluate the comparative merits of the alternatives.” In selecting alternatives to the proposed Project, the City of Rialto, as Lead Agency, is to consider alternatives that could feasibly attain most of the basic objectives of the Project and avoid or substantially lessen one or more of the significant effects.

Alternatives to the proposed Project are to be evaluated based on their feasibility within the rule of reason as set by State CEQA Guidelines Section 15126.6(f). The rule states that “Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.” The selection of alternatives would also take into consideration based on “site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).”

6.2 PROJECT SUMMARY

As proposed, the Project would allow for the development of two industrial warehouse buildings on 31.08 net acres with associated surface parking and landscaping. The Project proposes 679,607 square feet (sf) of warehouse development in 2 buildings, 505 automobile parking stalls, and 122 trailer parking stalls (see Table 3-1 in Section 3.0, *Project Description*). APN 0264-213-18 is a single parcel which would be subdivided into two parcels to allow each industrial warehouse building to be on a separate parcel. The Project is described in further detail in Section 3.0, *Project Description*.

The proposed Project would also include parking stalls to serve both buildings along the perimeter of the site. The proposed trailer stalls would be located in the central portion of the project site between the two buildings.

The project site has a General Plan land use designation of General Industrial. The General Industrial designation allows for a broad range of heavy industrial activities requiring large areas of land with convenient access for trucks and rail.¹ The General Industrial designation permits manufacturing and distribution, as well as similar uses. The designation allows for a maximum Floor to Area Ratio (FAR) of 1.0. The overall FAR for the project site would be 0.50. With the division of the property into two parcels, the FAR for the Building 1 parcel would be 0.54 and the FAR for the Building 2 parcel would be 0.45. The Project is consistent with the General Plan designation for the site.

The project site is within the Rialto Airport Specific Plan area. The Specific Plan zoning designation for the project site is Airport Related Planned Industrial Development (I-AR). The I-AR zone is identified as an Industrial land use designation, which describes the I-AR zone as devoted to Airport-Related Industrial uses. Other industrial uses identified in the Specific Plan include the Planned Industrial Development (I-PID) zone, which is intended for light industrial and industrial/business park uses, as well as General

¹ City of Rialto (2010). *General Plan*. Page 2-10.

Manufacturing (I-GM) zone, which was designated for existing handlers of hazardous materials. The Project proposes warehouse uses which are identified as permitted uses within the I-AR zone².

6.3 CRITERIA FOR SELECTING ALTERNATIVES

Several criteria were used to select alternatives to the proposed Project, as described below.

Ability To Achieve Project Objectives

Section 15126.6(f) of the State CEQA Guidelines (14 CCR) states:

The range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.

For purposes of the alternative analysis, each alternative assessed in this EIR was evaluated to determine the extent to which it could attain the following objectives identified for the proposed Project:

- Objective 1: Develop the property consistent with the guidelines and policies of the City of Rialto General Plan and more specifically, the City of Rialto Airport Specific Plan.
- Objective 2: Create revenue-generating uses that provide reliable employment for the long term.
- Objective 3: Develop an industrial zoned site with new state-of-the-art buildings that respond to current market opportunities.
- Objective 4: Provide new buildings that are compatible to the nearby residential uses.
- Objective 5: Facilitate access of land via easement with approval of entitlements that would allow for the City to provide necessary storm water drainage solutions to prevent residential and street flooding in the immediate area.

Elimination/Reduction of Significant Impacts

Section 15126.6(b) of the State CEQA Guidelines (14 CCR) states that “Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code §21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly”.

Potentially significant environmental impacts that would result from the Project are evaluated in Sections 4.1 through 4.17 of this EIR. With implementation of the respective Standard Conditions and Requirements (SCs) and Mitigation Measures (MMs) identified for each topical issue, all significant impacts resulting from the Project would be reduced to a level considered less than significant with the exception of traffic impacts. The Project’s transportation impact based on vehicle miles traveled (VMT) is

² City of Rialto (1997). *Rialto Airport Specific Plan*. Table 8.

potentially significant based on the OPR recommended thresholds and are measured based on Home-based Work (HBW) VMT per Employee. As the effectiveness of transportation demand management (TDM) measures and reduction of VMT impacts below thresholds cannot be assured, Project's VMT impact is therefore considered significant and unavoidable.

Considered but Rejected

Section 15126.6(c) notes that the EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process. Reasons underlying the lead agency's determination may include factors such as failure to meet most of the basic project objectives, infeasibility, or inability to avoid significant environmental impacts. The City of Rialto, as the Lead Agency, did not identify additional alternatives for consideration.

Feasibility

Section 15126.6(f)(1) of the State CEQA Guidelines (14 CCR) states:

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). No one of these factors establishes a fixed limit on the scope of reasonable alternatives (Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553; see Save Our Residential Environment v. City of West Hollywood (1992) 9 Cal.App.4th 1745, 1753, fn. 1).

Each alternative was evaluated for its feasibility, its ability to attain the proposed Project's objectives, and its ability to reduce and/or eliminate significant impacts associated with the Project.

6.4 ALTERNATIVES FOR ANALYSIS

In accordance with Section 15126.6(a) of the State CEQA Guidelines, the discussion in this section of the EIR focuses on a reasonable range of alternatives. The analysis provides a comparison of the alternatives' varying environmental effects and their merits and/or disadvantages in relation to the proposed Project and to each other; their feasibility and ability to achieve Project objectives are also discussed. The environmentally superior alternative is identified as required by CEQA.

Three alternatives to the proposed Project have been identified.

- Alternative 1: No Development
- Alternative 2: Reduced Development Intensity
- Alternative 3: Business Park

The evaluation of each alternative uses the same thresholds of significance identified in Sections 4.1 through 4.16. Table 6-1, *Summary of Proposed Project and Alternative Impacts*, compares the alternative's anticipated environmental impacts with the implementation of mitigation, as required. Table 6-2, *Project Objectives Consistency Analysis*, summarizes each alternative's ability to achieve the Project objectives.

Topic	Proposed Project	Alternative 1	Alternative 2	Alternative 3
Aesthetics	LS	–	=	=
Air Quality	LS/M	–	–	–
Biological Resources	LS/M	–	=	=
Cultural Resources	LS/M	–	=	=
Energy	LS	–	–	–
Geology and Soils	LS/M	–	=	=
Greenhouse Gas Emissions	LS	–	–	–
Hazards and Hazardous Materials	LS/M	–	=	=
Hydrology and Water Quality	LS	–	=	=
Land Use and Planning	LS/M	–	=	=
Noise	LS/M	–	–	–
Population and Housing	LS	–	=	=
Public Services	LS	–	–	–
Transportation	SU	*	–	+
Tribal Cultural Resources	LS/M	–	=	=
Utilities and Services Systems	LS	–	=	=

LS = Less than Significant
 LS/M = Less than Significant with Mitigation/Standard Conditions
S/U = Significant Unavoidable Impact
 (–) The alternative would result in less of an impact than the proposed Project or no impact.
 (+) The alternative would result in greater impacts than the proposed Project.
 (=) The alternative would result in the same/similar impacts as the proposed Project.
 (*) The alternative would reduce/eliminate a significant and unavoidable impact.

Project Objective	Alternative 1: No Development	Alternative 2: Reduced Density	Alternative 3: Business Park
	Consistent?		
Develop the property consistent with the guidelines and policies of the City of Rialto General Plan and more specifically, the City of Rialto Airport Specific Plan.	No	Yes	Yes
Create revenue-generating uses that provide reliable employment for the long term.	No	Yes	Yes
Develop an industrial-zoned site with new state-of-the-art buildings that respond to current market opportunities.	No	Yes	No
Provide new buildings that are compatible to the nearby residential uses.	No	Yes	Yes
Facilitate access of land via easement with approval of entitlements that would allow for the City to provide necessary storm water drainage solutions to prevent residential and street flooding in the immediate area.	No	Yes	Yes

For the alternatives, it is assumed that relevant regulatory requirements, applicable project design features, and project-specific mitigation measures identified for the proposed Project would also be implemented with each alternative, and thus serve to reduce or avoid potential significant impacts similar to the proposed Project.

Alternative 1: No Development Alternative

State CEQA Guidelines Section 15126.6, requires an evaluation of the “No Project” alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. The No Development Alternative assumes that the proposed Project would not be developed, which means there would be no warehouse facilities, landscape improvements, or surface lot improvements developed on the project site. In its existing condition, the site would remain vacant and disturbed.

Section 15126.6(e)(3)(B) of the State CEQA Guidelines indicates that when the project is not a land use or regulatory plan, the “no project” alternative:

...is the circumstance under which the project does not proceed. Here the discussion would compare the environmental effects of the property remaining in its existing state against environmental effects which would occur if the project is approved. If disapproval of the project under consideration would result in predictable actions by others ... this “no project” consequence should be discussed.

Therefore, although this alternative assumes “No Development” (as required by CEQA), this is considered a speculative assumption as the land is assumed to remain in private ownership (as there are no offers to purchase the land for public open space use). It is more likely that, eventually, the land would be developed with some form of industrial development consistent with the City’s General Plan land use designation and Airport Specific Plan zoning designation.

Alternative 1: Impact Comparison to the Proposed Project

Aesthetics. Under the Alternative 1 scenario, no development would occur, and the project site would remain vacant. There would be no buildings on site and no related on-site improvements, including landscaping, would be provided. Neither the proposed Project or Alternative 1 would have shade or shadow impacts. Because Alternative 1 would not involve development of the project site, there would be no new sources of lighting.

This alternative would have no impact on aesthetics, whereas impacts associated with the proposed Project would be less than significant.

Agriculture and Forestry Resources. The project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the project site is covered by a Williamson Act Contract. Additionally, the area does not include forest resources, including timberlands, and is not zoned for agriculture. Therefore, both this alternative and the proposed Project would have no impact on agriculture and forestry resources.

Air Quality. With Alternative 1, because there would be no development, no air quality emissions would be generated. The proposed Project would generate emissions during construction and operational activities that require mitigation. Although Alternative 1 would not have any air quality impacts, all

significant air quality impacts associated with the proposed Project would be mitigated to a less than significant level.

Biological Resources. This alternative would have no impacts to biological resources, including potential impacts to the burrowing owl. Trees and other vegetation on the site that currently could be used for nesting by migratory birds protected under the Migratory Bird Treaty Act (MBTA) would remain because no existing vegetation would be removed. Although Alternative 1 would not have any biological resources impacts, all potentially significant impacts associated with the proposed Project would be mitigated to a less than significant level.

Cultural Resources. Under Alternative 1, the project site would remain in its current condition and would therefore prevent potential impacts to cultural resources. No construction or grading activities would occur. Therefore, the potential to discover and impact previously undisturbed cultural resources, including archaeological resources, would not occur. Although this alternative would have no impact on cultural resources, impacts associated with the proposed Project would be mitigated to a less than significant level.

Energy. The energy usage during construction associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips would not occur because no construction or development would occur. However, it is noted that the proposed Project implementation would not result in significant impacts concerning energy usage. Therefore, Alternative 1 would have no impact on energy, whereas the proposed Project would result in a less than significant impact.

Geology and Soils. No development would occur on the project site. Therefore, the potential to expose additional people or structures to adverse effects of seismic ground shaking, ground failure, landslides, expansive soils, or other unstable geologic hazards would not occur. No soil erosion or loss of topsoil would occur since the project site would remain in its existing conditions. Although this alternative would have no impact on soils and geology or paleontological resources, impacts associated with the proposed Project would be mitigated to less than significant level.

Greenhouse Gas Emissions. Under Alternative 1, there would be no construction activities or associated construction equipment operations or operational activities. Therefore, there would be no short-term greenhouse gas (GHG) emissions from construction activities or long-term GHG emissions from vehicles or the consumption of electricity, natural gas, and water associated with operations of the land uses assumed as a part of the proposed Project. Although this alternative would not generate additional GHG emissions, it should be noted that the Project's impact would be less than significant based on the significance criteria set forth in this EIR.

Hazards and Hazardous Materials. The project site is currently vacant and therefore does not generate, use, or transport any hazardous materials. The current uses on the project site do not generate any hazardous materials that could be accidentally released into the environment, and they do not create a safety hazard as it pertains to an Airport Land Use Compatibility Plan because the project site is not located within two miles of a public airport or public use airport. Although this alternative would eliminate significant hazards, the proposed Project's impacts would be mitigated to a less than significant level.

Hydrology and Water Quality. Alternative 1 assumes no development would occur on the project site. Because there would be no subsurface excavation, the potential to encounter groundwater would not occur. The existing on-site drainage pattern and runoff quantities would remain the same, and this alternative would not deplete groundwater supplies or interfere with groundwater recharge.

Site development would alter the site's existing drainage pattern because the site would change from a currently undeveloped to a developed site. However, the proposed drainage facilities would be sized to adequately treat runoff water from the project site, and the site does not include discharge to any streams or rivers. The proposed Project would be required to prepare an erosion control plan and implement Best Management Practices (BMPs) to minimize on-site and off-site erosion and siltation. Therefore, Alternative 1 would have no impact on hydrology and water quality, whereas the proposed Project's impacts would be mitigated to a less than significant level.

Land Use and Planning. Under Alternative 1, the project site would remain vacant. Neither Alternative 1 nor the proposed Project would physically divide an established community through the introduction of physical or community barriers, or cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted to avoid or mitigate an environmental effect. The proposed Project would comply with the design guidelines contained in the Airport Specific Plan which relate to orientation and buffering of non-residential uses when adjacent to residential uses (there are residences south of Baseline Road). The City also require the implementation of the streetscape programs and landscape buffer treatments when adjacent to residential uses. This alternative would have no impact on land use and planning because no development would occur. Compliance with the design guidelines in the Airport Specific Plan would mitigated potential impacts of the proposed Project to a less than significant level.

Noise. With Alternative 1, there would be no construction activities or associated construction equipment operations or development. Therefore, there would be no construction noise impacts. There would be no substantial temporary increase in noise levels or exposure of persons to or generation of noise levels in excess of standards. Therefore, this alternative would avoid construction and operational noise impacts associated with the proposed Project, whereas the proposed Project's noise impacts would be mitigated to a less than significant level.

Population and Housing. Alternative 1 would not create any new jobs; involve the development of additional housing; or cause increases in the residential population of the City. Therefore, there would be no impact associated with inducing substantial population growth. This alternative would maintain the site in its existing condition. The proposed Project would not induce substantial unplanned population or displace any existing housing.

Public Services. The public services evaluated in this EIR are fire protection and police protection. Because Alternative 1 would not involve new development, no impacts to public services would occur. Development of the proposed Project would incrementally increase the demand for fire and police protection services; however, the proposed Project is not expected to substantially increase service demand such that new or physically altered fire and police facilities would need to be constructed of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire and police protection. Therefore, this alternative would have no impact on public services. The proposed Project would have a less than significant level on police and fire service; no mitigation is required.

Transportation. A significant and unavoidable traffic impact would occur with the proposed Project. More specifically, the Project's transportation impact based on VMT is potentially significant based on the Office of Planning and Research (OPR) recommended thresholds. As the effectiveness of TDM measures and reduction of VMT impacts below thresholds cannot be assured, Project's VMT impact is therefore considered significant and unavoidable. Under Alternative 1, the Project site would remain vacant and would not generate any additional vehicle trips, compared to the 1,980 passenger car equivalent (PCE) trips that would be generated by the proposed Project (see Table 4.14-1, *Project Trip Generation*). While this alternative would have no transportation impacts, the proposed Project's vehicular traffic impact would be significant and unavoidable.

Tribal Cultural Resources. Tribal cultural resource impacts are primarily dependent upon the construction and operations footprint of each development, as well as depth of excavation. Alternative 1 would not involve any construction and excavation activities. Therefore, this alternative would have no impact on tribal cultural resources, whereas potential impacts associated with the proposed Project would be mitigated to a less than significant level.

Utilities and Service Systems. The EIR evaluated potential impacts on the following: water supply and facilities, wastewater infrastructure and facilities, and solid waste. Because Alternative 1 would not involve the development of industrial land uses or the generation of any new employees, no impacts would occur. Since this alternative would not provide new facilities or infrastructure, there would be no physical impacts associated with construction or operation of facilities or accelerated physical deterioration associated with increased usage of existing facilities. In addition, since there would be no development of industrial land uses or generation of new employees, demand for water, wastewater facilities, and or solid waste disposals would not be required. Although the proposed Project would increase the demand, a less than significant impact would occur and no mitigation is required.

Alternative 1: Conclusion

Alternative 1 would have no significant impacts when compared to the proposed Project because no development would occur. Significant unavoidable traffic impacts associated with the proposed Project would not occur. No mitigation would be required to reduce potential significant impacts to a less than significant level. All impact areas which were anticipated to cause a less than significant impact, less than significant with mitigation measures, or a significant and unavoidable impact due to implementation of the proposed Project would be eliminated under the No Project Alternative; see Table 6-1.

However, this alternative fails to meet the Project's basic objectives. The No Project Alternative would fail to provide expanded economic activity to the City and would also not provide additional employment opportunities. This would conflict with the City's goals of expanding its economic base and providing greater economic opportunity to the City's residents.

Alternative 2: Reduced Development Intensity Plan

The Reduced Development Intensity Plan Alternative would involve the development of one warehouse/parcel delivery service building with an ancillary office/retail space. The building would be one level with approximately 201,475 sf of development including 10,000 sf of office/retail uses. The office/retail component would include an office area for employees and a small area for visitors to pick up pre-ordered packages. The building would provide approximately 268 automobile parking spaces. Trailer parking would be provided, and an additional 879 van parking stalls would be located on the site. The FAR for

Alternative 2 would be 0.15. The proposed Project would have an overall FAR of 0.50. With the division of the property into two parcels with the proposed Project, the FAR for the Building 1 parcel would be 0.54 and the FAR for the Building 2 parcel would be 0.45. As identified in Table 6-3, *Alternative 2 and Proposed Project Comparison*, Alternative 2 is less total square footage than the proposed Project. The building height for Alternative 2 would range between 43 and 48 feet, similar to the proposed Project.

Development Standard	Alternative 2	Proposed Project		
		Building 1	Building 2	Total
Building Area	201,475	430,581	244,598	679,607

Alternative 2: Impact Comparison to the Proposed Project

Aesthetics. Under the Alternative 2 scenario, the building height would range between 43 and 48 feet, similar to the proposed Project. As a result of similar building heights, neither Alternative 2 nor the proposed Project would result in shade and shadow impacts. Further, although the building square footage would be less, Alternative 2’s remaining site area would be developed with parking lots and site landscaping. Therefore, both this alternative and the proposed Project would have a less than significant impact on aesthetics.

Agriculture and Forestry Resources. The project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the project site is covered by a Williamson Act Contract. Additionally, the area does not include forest resources, including timberlands, and is not zoned for agriculture. Therefore, both this alternative and the proposed Project would have no impact on agriculture and forestry resources.

Air Quality. Alternative 2 would have less building area and energy emissions than the proposed Project. Construction maximum daily emissions would be the same or similar to the Project, but the construction duration would be shorter. However, because the entire site would be graded, truck haul trips during construction would be similar. Therefore, Alternative 2 would reduce but not eliminate the less than significant with mitigation incorporated construction air quality impacts associated with the proposed Project.

Operational emissions associated with this alternative would also incrementally decrease. Alternative 2 would result in a reduction in overall VMT generated when compared to the proposed Project. The reduction in VMT is expected to be consistent with the percentage reduction in daily trip generation. Alternative 2 would not significantly reduce stationary emission sources from mechanical equipment (e.g., HVAC units) and landscaping equipment for site maintenance. Therefore, Alternative 2 would reduce but not eliminate the less than significant with mitigation incorporated operational air quality impacts associated with the proposed Project.

Biological Resources. Biological resources are primarily dependent upon the construction and operations footprint of each development. Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 2, there would be no change in the significance of potential impacts for

biological resources. Therefore, as with the proposed Project, this alternative would result in a less than significant with mitigation incorporated impact on biological resources.

Cultural Resources. Cultural resources are primarily dependent upon the construction and operations footprint of each development. Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 2, there would be no change in the significance of potential impacts for cultural resources. Therefore, as with the proposed Project, this alternative would result in a less than significant with mitigation incorporated impact on cultural resources.

Energy. The energy usage during construction associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips would be slightly less with Alternative 2 compared to the Project since less construction activities would occur. Both this alternative and the Project's implementation would result in less than significant impacts concerning energy usage. However, proportionately less energy usage would occur under this Alternative than under the Project, given this Alternative would construct 478,132 less sf of development.

Geology and Soils. Potential geological, soil, and paleontological resource impacts would be similar to the Project because it would be developed within the same footprint and under the same geologic unit and soil conditions. The potential for seismic ground shaking, fault rupture, liquefaction, or collapse would be the same or similar. Development under this alternative would also be required to comply with California Building Code standards and applicable construction and operational BMPs to reduce impacts related to geologic hazards. Overall, impacts associated with both Alternative 2 and the proposed Project would be mitigated to a less than significant level.

Greenhouse Gas Emissions. This alternative would have 478,132 less sf of development than the proposed Project and a shorter construction schedule. Both Alternative 2 and the proposed Project would result in direct emissions of GHGs from construction activities. The approximate quantity of daily GHG emissions generated by construction equipment would be the same or similar to the proposed Project but would occur over a shorter time period. Once construction is complete, the generation of these GHG emissions would cease. The SCAQMD recommends that construction emissions be amortized over a 30-year project lifetime. Therefore, projected GHGs from construction are quantified and amortized over 30 years. The amortized construction emissions are added to the annual average operational emissions.

Operational emission sources include energy, vehicles, waste, water, and wastewater. Amortized construction emissions are added to operational emissions to identify a project's annual carbon dioxide equivalent (CO₂e). The reduction in development square footage would result in fewer daily vehicle trips. This decrease would incrementally reduce vehicle trips and associated emissions. Like the proposed Project, Alternative 2 would not exceed the City's threshold of 10,000 MTCO₂e (million metric tons of carbon dioxide equivalents). Impacts associated with Alternative 2 and the proposed Project would be less than significant. However, proportionately less energy usage would occur under this Alternative than under the Project, given this Alternative would construct 478,132 less sf of development.

Hazards and Hazardous Materials. Impacts related to hazards and hazardous materials would be similar to the proposed Project. The project site is not on the Cortese list of hazardous materials sites and is not located in a designated fire hazard zone. Similar to the proposed Project, this alternative is not anticipated

to be exposed to airport hazards, affect aircraft operations, or create an airport safety hazard for Project employees. Overall, impacts would be similar and less than significant with mitigation under both scenarios.

Hydrology and Water Quality. The development footprint for Alternative 2 and the proposed Project would be the same. Therefore, under both development scenarios, the amount of pervious surface would decrease because of site development of buildings and parking lots. Construction and operational BMPs, including low impact development, detailed in the Project's Preliminary Water Quality Management Plan (WQMP) would also be implemented under this alternative to mitigate surface runoff and reduce water quality impacts to a less than significant level.

Land Use and Planning. As with the proposed Project, the Alternative 2 development scenario would not physically divide an established community through the introduction of either physical or community barriers and would not cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted to avoid or mitigate an environmental effect. Additionally, neither scenarios would introduce any roadways or infrastructure that would bisect or transect surrounding land uses. Therefore, both Alternative 2 and the proposed Project would have a less than significant impact with mitigation.

Noise. Alternative 2 would have a shorter construction period than that of the proposed Project, and the development footprint for both scenarios would be the same. During construction, construction noise levels would be similar or the same as those associated with the proposed Project; however, it would occur over a reduced time period. The types of equipment and the daily use of the equipment is anticipated to be the same. Construction noise impacts for Alternative 2 and the proposed Project would both be less than significant. However, proportionately less noise impacts would occur under Alternative 2 than under the Project, given this Alternative would have a shorter construction period.

Operational noise impacts would be similar to the proposed Project. Operational noise sources from vehicle trips or stationary sources (e.g., HVAC units and landscaping equipment) would be slightly reduced under this alternative because of the reduction in building area. Operational noise impacts for Alternative 2 and the proposed Project would be mitigated to a less than significant level.

Population and Housing. Both the Project and Alternative 2 would generate new permanent employment opportunities. The Project proposes two speculative warehouse buildings that would result in the estimate of 560 employees. Alternative 2 would involve the development of one warehouse/parcel delivery service building with an ancillary office/retail space, which would have incrementally fewer employment opportunities than the proposed Project. However, because there is a surplus of homes in the City, neither the alternative nor the proposed Project would require the construction of additional residential units that could induce substantial unplanned population growth not analyzed with the City's General Plan Housing Element. Therefore, while proportionately less population and housing impacts would occur under Alternative 2 than under the Project, both scenarios would have a less than significant impact.

Public Services. Development of both Alternative 2 and the proposed Project would incrementally increase the demand for police and fire protection services; however, neither scenario is expected to substantially increase service demand such that a new or physically altered facility would need to be constructed, which would cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for police and fire protection. Further, development

impact fees are paid on a project-by-project basis to ensure a proportionate fair share is contributed toward facilities, equipment, and personnel that would be needed overtime to accommodate the additional demand from the proposed Project. Since this alternative would result in 478,132 less sf of development than the proposed Project, overall public service impacts would be less in comparison to the proposed Project, but like the Project, these impacts would be less than significant with mitigation.

Transportation. The proposed Project would have a significant unavoidable impact based on the VMT thresholds of significance. The VMT impacts are measured based on HBW VMT per Employee and are based on recommendations in the OPR Technical Advisory, which indicate that projects generating less than 110 daily trips could be considered to have less than significant VMT impact. Since the Reduced Development Alternative is anticipated to generate 588 trips, which is greater than the 110 daily trips threshold recommended by OPR, the alternative would not be screened out from VMT analysis. The Reduced Development Alternative would result in a reduction in overall VMT generated when compared to the proposed Project. The reduction in VMT is expected to be consistent with the percentage reduction in daily trip generation. However, since the VMT impact is measured in terms of an efficiency metric such as VMT per Employee, presumably, the number of employees is also expected to reduce by the same percentage. Although the number of employees would be less, it is unknown whether the impacts could be fully mitigated because of the feasibility of VMT reductions. Therefore, for the purpose of this analysis, the VMT impact is expected to remain significant and unavoidable.

Tribal Cultural Resources. Tribal cultural resources are primarily dependent upon the construction and operations footprint of each development. Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 2, there would be no change in the significance of potential impacts for tribal cultural resources. Therefore, as with the proposed Project, this alternative would result in a less than significant with mitigation incorporated impact on tribal cultural resources.

Utilities and Service Systems. When compared to the proposed Project, the reduction in development associated with Alternative 2 would result in an incremental reduction in the demand on utilities. Infrastructure improvements would be similar to those needed for the proposed Project. Utility and service demands would be reduced roughly proportionately for wastewater treatment, water supply, and solid waste collection and disposal. As with the proposed Project, it is anticipated that impacts would be less than significant.

Alternative 2: Conclusion

Alternative 2 would have a building area of approximately 201,475 sf. This is a reduction of 478,132 sf of development when compared to the proposed Project. The reduction in square feet would have an incremental reduction in impacts. Impacts would be similar or less than the proposed Project, as identified in Table 6-1.

Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 2, there would be no change in the significance of potential impacts. This would be the case for the topics of biological resources, cultural resources, and tribal cultural resources. As with the proposed Project, impacts would be mitigated to a less than significant level.

Neither Alternative 2 or the proposed project would result in significant aesthetic impacts. The building heights would be similar and although the building square footage associated with Alternative 2 would be less, the remaining site area would be developed with parking lots and site landscaping.

With respect to traffic, the proposed Project would have a significant unavoidable impact based on the VMT thresholds of significance. The VMT thresholds were based on recommendations in the OPR Technical Advisory, which indicate that projects generating less than 110 daily trips could be considered to have less than significant VMT impact. Since the Reduced Development Alternative is anticipated to generate 588 trips, which is greater than the 110 daily trips threshold recommended by OPR, the alternative would not be screened out from VMT analysis. The Reduced Development Alternative would result in a reduction in overall VMT generated when compared to the proposed Project. The reduction in VMT is expected to be consistent with the percentage reduction in daily trip generation. However, since the VMT impact is measured in terms of an efficiency metric such as VMT per Employee, presumably, the number of employees is also expected to reduce by the same percentage. Although the number of employees would be less, it is unknown whether the impacts could be fully mitigated because of the feasibility of VMT reductions. Therefore, for the purpose of this analysis, the VMT impact is expected to remain significant and unavoidable.

The smaller building size of Alternative 2 would likely create less air quality and GHG emission impacts due to less building area and energy emissions. The reduced trips associated with Alternative 2 are also likely to lessen impacts to air quality and noise as mobile sources would be less. Although this alternative would result in reduced air quality, GHG emissions, transportation, and noise, as well as an incremental reduction in the use of utilities, energy, and public services, it may not provide the production potential and revenue for the City that the proposed Project would provide. Alternative 2 would likely result in less economic activity for the City than the proposed Project which would not contribute as much to the City's goal of expanding its economic base and providing greater economic opportunity to the City's residents.

Alternative 3: Business Park

Under the Business Park Alternative, the project site would be developed as a 400,000-sf business park. The business park would include multi-tenant industrial, free-standing small buildings and office/commercial related uses. The project site is zoned Airport Related Planned Industrial Development (I-AR) in the Airport Specific Plan, which permits land uses including business parks, warehouses and offices. The FAR for Alternative 3 would be 0.29. The one-story and two-story buildings could be range in height from approximately 18 to 34 feet. Table 6-4, *Alternative 3 and Proposed Project Comparison*, identifies a reduction of 279,607 sf when compared to the proposed Project.

Development Standard	Alternative 3	Proposed Project		
		Building 1	Building 2	Total
Building Area	400,000	430,581	244,598	679,607

Under the Business Park Alternative scenario, no warehouse uses are assumed. Therefore, no truck trailer parking would be provided, and individual buildings would not have dock doors for large trucks. All employee and visitor parking would be provided on the project site. The parking requirements for the Airport Specific Plan are based on the Municipal Code and would be calculated for administrative/office

uses or industrial uses. Administrative office uses require 1 space for each 250 sf of gross floor area on the ground floor, plus 1 space for each 500 sf on all floors other than the ground floor. Assuming all development is one-story, Alternative 3 would require 1,600 parking spaces. Under the industrial calculation, the City requires 1 space for every 500 sf of gross floor area, which would result in the need for 800 parking spaces.

Alternative 3: Impact Comparison to the Proposed Project

Aesthetics. Under the Alternative 3 scenario, the building height would range between 18 to 34 feet, which would be lower than the proposed Project's maximum building height of 46.5. Although the building heights would be lower, neither Alternative 3 nor the proposed Project would have shade and shadow impacts. Further, although the building square footage would be less, under the Alternative 3 scenario, the remaining site area would be developed with parking lots and site landscaping. Therefore, under both scenarios, aesthetic impacts would be less than significant.

Agriculture and Forestry Resources. The project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. No portion of the project site is covered by a Williamson Act Contract. Additionally, the area does not include forest resources, including timberlands, and is not zoned for agriculture. Therefore, both this alternative and the proposed Project would have no impact on agriculture and forestry resources.

Air Quality. Although this alternative would have less truck traffic which would reduce diesel air quality emissions, the number of passenger automobiles would increase. The smaller building size of Alternative 3 is not expected to result in a reduction in air quality impacts when compared to the proposed Project. Like the proposed Project, these impacts would be mitigated to a less than significant level for Alternative 3.

Biological Resources. Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 3, there would be no change in the significance of potential impacts. This would be the case for biological resources; therefore, as with the proposed Project, impacts would be mitigated to a less than significant level.

Cultural Resources. Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 3, there would be no change in the significance of potential impacts. This would be the case for cultural resources; therefore, as with the proposed Project, impacts would be mitigated to a less than significant level.

Energy. The energy usage during construction associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips would be slightly less with Alternative 3 compared to the Project since less construction activities would occur. Both this alternative and the Project's implementation would result in less than significant impacts concerning energy usage. However, proportionately less energy usage would occur under this Alternative than under the Project, given this Alternative would construct 279,607 less sf of development.

Geology and Soils. Potential geological, soil, and paleontological resource impacts would be similar to the Project because it would be developed within the same footprint and under the same geologic unit and

soil conditions. The potential for seismic ground shaking, fault rupture, liquefaction, or collapse would be the same or similar. Development under this alternative would also be required to comply with California Building Code standards and applicable construction and operational BMPs to reduce impacts related to geologic hazards. Overall, impacts associated with both Alternative 3 and the proposed Project would be mitigated to a less than significant level.

Greenhouse Gas Emissions. Although this alternative would have less truck traffic which would reduce diesel air quality emissions, the number of passenger automobiles would increase. The smaller building size of Alternative 3 is not expected to result in a reduction in GHG impacts when compared to the proposed Project. Like the proposed Project, these impacts would be less than significant for Alternative 3.

Hazards and Hazardous Materials. Impacts related to hazards and hazardous materials would be similar to the proposed Project. The project site is not on the Cortese list of hazardous materials sites and is not located in a designated fire hazard zone. Similar to the proposed Project, this alternative is not anticipated to be exposed to airport hazards, affect aircraft operations, or create an airport safety hazard for Project employees. Overall, impacts would be similar and less than significant with mitigation under both scenarios.

Hydrology and Water Quality. The development footprint for Alternative 3 and the proposed Project would be the same. Therefore, under both development scenarios, the amount of pervious surface would decrease associated with buildings and parking. Construction and operational BMPs, including low impact development, detailed in the Project's Preliminary Water Quality Management Plan (WQMP) would also be implemented under this alternative to mitigate surface runoff and reduce water quality impacts to a less than significant level.

Land Use and Planning. As with the proposed Project, the Alternative 3 development scenario would not physically divide an established community through the introduction of either physical or community barriers and would not cause a significant environmental impact due to a conflict with any plan, policy, or regulation adopted to avoid or mitigate an environmental effect. Additionally, neither scenarios would introduce any roadways or infrastructure that would bisect or transect surrounding land uses. Therefore, both Alternative 3 and the proposed Project would have a less than significant impact with mitigation incorporated concerning land use and planning.

Noise. Although this alternative would have less truck traffic, the number of passenger automobiles would increase. The smaller building size of Alternative 3 is not expected to result in a reduction in noise impacts when compared to the proposed Project. Like the proposed Project, these impacts would be mitigated to a less than significant level for Alternative 3.

Population and Housing. Both the Project and Alternative 3 would generate new permanent employment opportunities. The Project proposes two speculative warehouse buildings that would result in the estimate of 560 employees. Alternative 3 would result in a business park that includes multi-tenant industrial, free-standing small buildings and office/ commercial related uses, which would increase the number of employees when compared to the proposed Project. However, because there is a surplus of homes in the City, neither the alternative nor the Project would require the construction of additional residential units that could induce substantial unplanned population growth not analyzed with the City's General Plan Housing Element. Therefore, both scenarios would be consistent with the City's General Plan and both scenarios would have a less than significant impact.

Public Services. Development of both Alternative 3 and the proposed Project would incrementally increase the demand for police and fire protection services; however, neither scenario is expected to substantially increase service demand such that a new or physically altered facility would need to be constructed of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police and fire protection. Further, development impact fees are paid on a project-by-project basis to ensure a proportionate fair share is contributed toward facilities, equipment, and personnel that would be needed overtime to accommodate the additional demand from the proposed Project. Since this alternative would increase the number of employees when compared to the proposed Project, overall public service impacts would be greater in comparison to the proposed Project, but like the Project, these impacts would be less than significant with mitigation.

Transportation. The proposed Project would have a significant unavoidable impact based on the VMT thresholds of significance. The VMT thresholds were based on recommendations in the OPR Technical Advisory, which indicate that projects generating less than 110 daily trips could be considered to have less than significant VMT impact. Alternative 3 is expected to generate 4,976 daily trips, with 160 morning peak hour trips and 168 evening peak hour trips. Because the daily trip generation is greater than the 110 daily trips threshold recommended by OPR; the alternative would not be screened out from VMT analysis.

The Project is estimated to generate 1,980 passenger car equivalent (PCE) daily trips, with 193 morning peak hour PCE trips and 215 evening peak hour PCE trips. Therefore, Alternative 3 would have an increase of 2,996 daily trips, and a reduction of morning and evening peak hour trips of 33 and 47, respectively.

This alternative would not have a reduction in VMT because the number of employees is expected to increase when compared to the proposed Project. Section 4.14, Transportation, of this EIR, identifies Transportation Demand Management (TDM) strategies to reduce VMT impacts.

Like the proposed Project, there are no identified users for Alternative 3. Consistent with the findings for the proposed Project, the effectiveness of TDM measures and reduction of VMT impacts below thresholds cannot be assured. Therefore, the Business Park Alternative's VMT impact is therefore considered significant and unavoidable.

Tribal Cultural Resources. Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 3, there would be no change in the significance of potential impacts. This would be the case for tribal cultural resources; therefore, as with the proposed Project, impacts would be mitigated to a less than significant level.

Utilities and Service Systems. When compared to the proposed Project, the reduction in development associated with Alternative 3 would result in an incremental reduction in the demand on utilities. Infrastructure improvements would be similar to those needed for the proposed Project. Utility and service demands would be reduced roughly proportionately for wastewater treatment, water supply, and solid waste collection and disposal. As with the proposed Project, it is anticipated that impacts would be less than significant.

Alternative 3: Conclusion

Alternative 3 would have a building area of approximately 400,000 sf in multiple buildings for office-related uses. The reduction by 279,607 sf would have an incremental reduction in impacts. Impacts would be similar or less than the proposed Project, as identified in Table 6-1.

Like the proposed Project, this alternative assumes that the entire site would be graded. Therefore, for environmental issues where site disturbance would be the same for the proposed Project and Alternative 3, there would be no change in the significance of potential impacts. This would be the case for the topics of biological resources, cultural resources, and tribal cultural resources. As with the proposed Project, impacts would be mitigated to a less than significant level.

The development of the site with smaller business park buildings assumes the building heights would be lower than associated with warehouse structures. Like the proposed Project, Alternative 3 would be required to comply with the design standards identified in Section 6.2.5 of the Specific Plan for development on sites within the I-AR zone. Although there would be a reduction in building square footage, the remainder of the site would be developed with parking lots and site landscaping.

With respect to traffic, the proposed Project would have a significant unavoidable impact based on the VMT thresholds of significance. The VMT thresholds were based on recommendations in the OPR Technical Advisory, which indicate that projects generating less than 110 daily trips could be considered to have less than significant VMT impact. Alternative 3 is expected to generate 4,976 daily trips, with 160 morning peak hour trips and 168 evening peak hour trips. Because the daily trip generation is greater than the 110 daily trips threshold recommended by OPR; the alternative would not be screened out from VMT analysis.

The Project is estimated to generate 1,980 passenger car equivalent (PCE) daily trips, with 193 morning peak hour PCE trips and 215 evening peak hour PCE trips. Therefore, Alternative 3 would have an increase of 2,996 daily trips, and a reduction of morning and evening peak hour trips of 33 and 47, respectively.

This alternative would not have a reduction in VMT because the number of employees is expected to increase when compared to the proposed Project. The VMT impacts are measured based on HBW VMT per Employee. The HBW VMT per Employee for Alternative 3, similar to the HBW VMT per Employee for the proposed Project, would result in significant and unavoidable impacts.

Although this alternative would have less truck traffic which would reduce diesel air quality emissions, the number of passenger automobiles would increase. The smaller building size of Alternative 3 is not expected to result in a reduction in air quality, GHG, or noise impacts when compared to the proposed Project. Like the proposed Project, these impacts would be less than significant for Alternative 3.

Although this alternative has a reduction in square feet, it would not have a demonstrable reduction in environmental impacts. With respect to significant unavoidable traffic impacts associated with the proposed Project, Alternative 3 would generate more daily traffic. Alternative 3 would likely result in less economic activity for the City than the proposed Project because there is currently not the demand for multi-tenant business office development in the region. Therefore, this alternative would not contribute as much to the City's goal of expanding its economic base and providing greater economic opportunity to the City's residents.

6.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

State CEQA Guidelines requires that an Environmentally Superior Alternative be identified; that is, an alternative that would result in the fewest or least significant environmental impacts. If the “No Project” Alternative is the environmentally superior alternative, CEQA Guidelines Section 15126.6(e)(2) requires that another alternative that could feasibly attain most of the Project’s basic objectives be chosen as the environmentally superior alternative.

Since the No Project Alternative is environmentally superior, the EIR has identified Alternative 2 as the Environmentally Superior Alternative. Alternative 2 would reduce the impacts to air quality, GHG emission, transportation, and noise. This Alternative will meet the requirements of the Rialto Airport Specific Plan standards for maximum building FAR, height and buildout requirements and therefore is in conformance with all applicable City regulations. This Alternative still meets most of the project objectives and meets the goals of the General Plan.

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