

# DRAFT ENVIRONMENTAL IMPACT REPORT

## Mission Boulevard and Ramona Avenue Business Park Project

SCH# 2021010005  
January 2022



Prepared for:

City of Montclair  
5111 Benito Street  
Montclair, CA 91763

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**JANUARY 2022**

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# Table of Contents

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<u>SECTION</u>	<u>PAGE NO.</u>
<b>ACRONYMS AND ABBREVIATIONS .....</b>	<b>ACR-i</b>
<b>1 EXECUTIVE SUMMARY .....</b>	<b>1-1</b>
1.1 Introduction.....	1-1
1.2 EIR Document Organization.....	1-3
1.3 Project Description .....	1-4
1.3.1 Project Overview .....	1-4
1.3.2 Project Objectives .....	1-5
1.4 Summary of Environmental Impacts and Mitigation Measures .....	1-6
1.5 Summary of Project Alternatives .....	1-41
1.5.1 Alternative 1 - No Project/No Development Alternative .....	1-42
1.5.2 Alternative 2 - Distribution Project Per Limited Manufacturing Zoning Designation Alternative .....	1-42
1.5.3 Alternative 3 - Reduced Development Intensity Alternative.....	1-43
1.6 Areas of Known Controversy/Issues to be Resolved .....	1-43
<b>2 INTRODUCTION .....</b>	<b>2-1</b>
2.1 Purpose of the California Environmental Quality Act Process .....	2-1
2.2 Legal Authority and Lead Agency.....	2-1
2.3 Responsible and Trustee Agencies .....	2-2
2.4 Summary of Project Analyzed in This EIR.....	2-3
2.4.1 Requested Approvals.....	2-3
2.4.2 Project of Statewide, Regional, or Area-wide Environmental Significance.....	2-4
2.5 Scope of This EIR.....	2-4
2.5.1 NOP Scoping Process .....	2-4
2.5.2 Environmental Issues Determined to Be Not Significant .....	2-6
2.5.3 Environmental Issues Determined to Be Potentially Significant.....	2-6
2.6 Organization of This EIR .....	2-7
2.7 Documents Incorporated by Reference .....	2-8
<b>3 PROJECT DESCRIPTION .....</b>	<b>3-1</b>
3.1 Project Location.....	3-1
3.2 Environmental Setting.....	3-1
3.3 Proposed Project .....	3-6
3.3.1 General Plan Amendment and Zone Change.....	3-6
3.3.2 Project Components .....	3-7
3.3.3 Project Construction .....	3-13
3.4 Purpose and Need.....	3-14
3.5 Project Objectives.....	3-15

3.6	Summary of Requested Actions .....	3-15
3.7	References.....	3-16
<b>4</b>	<b>ENVIRONMENTAL ANALYSIS .....</b>	<b>4-1</b>
4.01	Analysis Format .....	4-1
4.1	Air Quality.....	4.1-1
4.1.1	Existing Conditions.....	4.1-1
4.1.2	Relevant Plans, Policies, and Ordinances.....	4.1-10
4.1.3	Thresholds of Significance .....	4.1-23
4.1.4	Impacts Analysis .....	4.1-34
4.1.5	Cumulative Impacts Analysis .....	4.1-47
4.1.6	Mitigation Measures and Level of Significance After Mitigation .....	4.1-49
4.1.7	References Cited .....	4.1-53
4.2	Biological Resources.....	4.2-1
4.2.1	Existing Conditions.....	4.2-1
4.2.2	Relevant Plans, Policies, and Ordinances.....	4.2-6
4.2.3	Thresholds of Significance .....	4.2-11
4.2.4	Impacts Analysis .....	4.2-11
4.2.5	Cumulative Impacts Analysis .....	4.2-14
4.2.6	Mitigation Measures and Level of Significance .....	4.2-14
4.2.7	References Cited .....	4.2-16
4.3	Cultural Resources.....	4.3-1
4.3.1	Existing Conditions.....	4.3-1
4.3.2	Relevant Plans, Policies, and Ordinances.....	4.3-13
4.3.3	Thresholds of Significance .....	4.3-17
4.3.4	Impacts Analysis .....	4.3-17
4.3.5	Cumulative Impacts Analysis .....	4.3-18
4.3.6	Mitigation Measures and Level of Significance After Mitigation .....	4.3-19
4.3.7	References Cited .....	4.3-21
4.4	Energy.....	4.4-1
4.4.1	Existing Conditions.....	4.4-1
4.4.2	Relevant Plans, Policies, and Ordinances.....	4.4-3
4.4.3	Thresholds of Significance .....	4.4-7
4.4.4	Impacts Analysis .....	4.4-8
4.4.5	Cumulative Impacts Analysis .....	4.4-14
4.4.6	Mitigation Measures and Level of Significance After Mitigation .....	4.4-15
4.4.7	References Cited .....	4.4-15
4.5	Geology and Soils.....	4.5-1
4.5.1	Existing Conditions.....	4.5-1
4.5.2	Relevant Plans, Policies, and Ordinances.....	4.5-2
4.5.3	Thresholds of Significance .....	4.5-2

4.5.4	Impacts Analysis .....	4.5-3
4.5.5	Cumulative Impacts Analysis .....	4.5-3
4.5.6	Mitigation Measures and Level of Significance After Mitigation .....	4.5-4
4.5.7	References Cited .....	4.5-4
4.6	Greenhouse Gas Emissions.....	4.6-1
4.6.1	Existing Conditions.....	4.6-1
4.6.2	Relevant Plans, Policies, and Ordinances.....	4.6-6
4.6.3	Thresholds of Significance .....	4.6-20
4.6.4	Impacts Analysis .....	4.6-24
4.6.5	Cumulative Impacts Analysis .....	4.6-36
4.6.6	Mitigation Measures and Level of Significance After Mitigation .....	4.6-37
4.6.7	References Cited .....	4.6-38
4.7	Hazards and Hazardous Materials.....	4.7-1
4.7.1	Existing Conditions.....	4.7-1
4.7.2	Relevant Plans, Policies, and Ordinances.....	4.7-5
4.7.3	Thresholds of Significance .....	4.7-12
4.7.4	Impacts Analysis .....	4.7-13
4.7.5	Cumulative Impacts Analysis .....	4.7-17
4.7.6	Mitigation Measures and Level of Significance After Mitigation .....	4.7-18
4.7.7	References Cited .....	4.7-20
4.8	Land Use and Planning.....	4.8-1
4.8.1	Existing Conditions.....	4.8-1
4.8.2	Relevant Plans, Policies, and Ordinances.....	4.8-3
4.8.3	Thresholds of Significance .....	4.8-5
4.8.4	Impacts Analysis .....	4.8-6
4.8.5	Cumulative Impacts Analysis .....	4.8-23
4.8.6	Mitigation Measures and Level of Significance after Mitigation.....	4.8-23
4.8.7	References .....	4.8-23
4.9	Noise .....	4.9-1
4.9.1	Existing Conditions.....	4.9-1
4.9.2	Relevant Plans, Policies, and Ordinances.....	4.9-6
4.9.3	Thresholds of Significance .....	4.9-11
4.9.4	Methodology.....	4.9-12
4.9.5	Impacts Analysis .....	4.9-13
4.9.6	Cumulative Impacts Analysis .....	4.9-21
4.9.7	Mitigation Measures and Level of Significance After Mitigation .....	4.9-22
4.9.8	References Cited .....	4.9-24
4.10	Transportation .....	4.10-1
4.10.1	Existing Conditions.....	4.10-1
4.10.2	Relevant Plans, Policies, and Ordinances.....	4.10-5
4.10.3	Thresholds of Significance .....	4.10-9

4.10.4	Impacts Analysis .....	4.10-12
4.10.5	Cumulative Impacts Analysis .....	4.10-19
4.10.6	Mitigation Measures and Level of Significance After Mitigation .....	4.10-20
4.10.7	References Cited .....	4.10-20
4.11	Tribal Cultural Resources.....	4.11-1
4.11.1	Existing Conditions.....	4.11-1
4.11.2	Relevant Plans, Policies, and Ordinances .....	4.11-5
4.11.3	Thresholds of Significance .....	4.11-8
4.11.4	Background Research and Native American Coordination .....	4.11-9
4.11.5	Impacts Analysis .....	4.11-13
4.11.6	Cumulative Impacts Analysis .....	4.11-14
4.11.7	Mitigation Measures and Level of Significance After Mitigation .....	4.11-14
4.11.8	References Cited .....	4.11-16
4.12	Utilities and Service Systems.....	4.12-1
4.12.1	Existing Conditions.....	4.12-1
4.12.2	Relevant Plans, Policies, and Ordinances .....	4.12-6
4.12.3	Thresholds of Significance .....	4.12-11
4.12.4	Impacts Analysis .....	4.12-12
4.12.5	Cumulative Impacts Analysis .....	4.12-18
4.12.6	Mitigation Measures and Level of Significance After Mitigation .....	4.12-19
4.12.7	References Cited .....	4.12-20
<b>5</b>	<b>EFFECTS FOUND NOT TO BE SIGNIFICANT .....</b>	<b>5-1</b>
5.1	Aesthetics .....	5-1
5.2	Agricultural and Forestry Resources .....	5-3
5.3	Biological Resources .....	5-4
5.4	Geology and Soils .....	5-4
5.5	Hazards and Hazardous Materials .....	5-7
5.6	Hydrology and Water Quality.....	5-8
5.7	Land Use and Planning .....	5-15
5.8	Mineral Resources .....	5-15
5.9	Noise .....	5-15
5.10	Population and Housing.....	5-16
5.11	Public Services .....	5-17
5.12	Recreation.....	5-20
5.13	Wildfire .....	5-20
5.14	References Cited .....	5-21
<b>6</b>	<b>OTHER CEQA CONSIDERATIONS .....</b>	<b>6-1</b>
6.1	Significant and Unavoidable Environmental Impacts .....	6-1
6.2	Significant Irreversible Changes.....	6-2
6.2.1	Change in Land Use that Commits Future Generations to Similar Uses.....	6-2



6.2.2	Significant Irreversible Environmental Effects .....	6-3
6.2.3	Irreversible Damage from Environmental Accidents .....	6-3
6.2.4	Large Commitment of Nonrenewable Resources .....	6-3
6.3	Growth-Inducing Impacts .....	6-4
6.4	References Cited .....	6-5
<b>7</b>	<b>ALTERNATIVES .....</b>	<b>7-1</b>
7.1	Alternatives to the Proposed Project.....	7-1
7.2	Project Alternatives Considered and Rejected .....	7-2
7.3	Project Alternatives Under Further Consideration .....	7-5
7.3.1	No Project/No Development Alternative (Alternative 1).....	7-5
7.3.2	Distribution Project per Limited Manufacturing Zoning Designation Alternative (Alternative 2).....	7-7
7.3.3	Reduced Development Intensity Alternative (Alternative 3) .....	7-11
7.4	Environmentally Superior Alternative.....	7-15
7.5	References Cited .....	7-17
<b>8</b>	<b>LIST OF PREPARERS .....</b>	<b>8-1</b>
	Report Preparers.....	8-1
	EIR Contributors .....	8-1

**APPENDICES**

A	Notice of Preparation, Initial Study, and Scoping Comments
B-1	CalEEMod Outputs
B-2	Health Risk Assessment Outputs
C	Biological Resources Analysis Attachments
D	Historical Resources Technical Report
E-1	Phase I Environmental Site Assessment
E-2	Phase II Soil and Soil Vapor Investigation
E-3	Geotechnical Investigation
F	Noise Attachments (F-1 through F-4)
G	Transportation Impact Analysis
H-1	Preliminary Water Quality Management Plan
H-2	Preliminary Hydrology Report
I	CalEEMod Outputs for Alternatives

**FIGURES**

3-1	Regional Map .....	3-19
3-2	Project Location .....	3-21
3-3	Project Aerial and Existing Uses.....	3-23

3-4	Existing Conditions.....	3-25
3-5	Existing and Proposed General Plan Land Use .....	3-27
3-6	Existing and Proposed Zoning.....	3-29
3-7	Cumulative Projects .....	3-31
3-8	Conceptual Site Plan.....	3-33
3-9A	Representative Architectural Elevations for Buildings 1-6.....	3-35
3-9B	Architectural Elevations for Building 7.....	3-37
3-9C	Architectural Elevations for Building 8.....	3-39
3-10	Landscape Plan.....	3-41
3-11	Tentative Tract Map .....	3-43
3-12	Storm Drainage Plan.....	3-45
4.2-1	Biological Resources.....	4.2-19
4.3-1	Conversion from Single Screen to Four-Plex Theater .....	4.3-23
4.7-1	Known Hazards Building Footprints Map .....	4.7-21
4.9-1	Noise Measurement and Modeling Locations .....	4.9-25
4.9-2	Proposed Screen Walls.....	4.9-27
4.10-1	Project Site Location and Study Area.....	4.10-23
4.10-2	Existing Transit Routes .....	4.10-25
4.10-3	Existing and Proposed Bicycle Facilities.....	4.10-27
4.10-4	Project Passenger Vehicle Trip Distribution .....	4.10-29
4.10-5	Project Truck Trip Distribution.....	4.10-31
4.10-6	Total Project Trip Assignments.....	4.10-33

**TABLES**

1-1	Summary of Project Impacts and Mitigation Measures .....	1-7
2-1	Summary of IS/NOP Comments.....	2-4
3-1	Current General Plan Land Use and Zoning Designations .....	3-2
3-2	Cumulative Projects .....	3-5
3-3	Building Area Summary .....	3-7
3-4	Proposed Building Floor Area and Parking Summary .....	3-7
3-5	Parking Summary.....	3-9
3-6	CALGreen Requirements Summary .....	3-10
4.1-1	Ambient Air Quality Standards .....	4.1-11
4.1-2	South Coast Air Basin Attainment Classification.....	4.1-21
4.1-3	Local Ambient Air Quality Data .....	4.1-22
4.1-4	SCAQMD Air Quality Significance Thresholds.....	4.1-24
4.1-5	Localized Significance Thresholds for Source-Receptor Area 33 (Southwest San Bernardino Valley) .....	4.1-26

4.1-6 Construction Scenario Assumptions .....4.1-27

4.1-7 American Meteorological Society/Environmental Protection Agency Regulatory Model  
Principle Parameters .....4.1-29

4.1-8 Operational Health Risk Assessment American Meteorological Society/U.S. Environmental  
Protection Agency Regulatory Model Operational Principal Parameters.....4.1-33

4.1-9 Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Unmitigated .....4.1-37

4.1-10 Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Mitigated .....4.1-37

4.1-11 Estimated Maximum Daily Operational Criteria Air Pollutant Emissions – Unmitigated .....4.1-38

4.1-12 Estimated Maximum Daily Operational Criteria Air Pollutant Emissions – Mitigated.....4.1-39

4.1-13 Localized Significance Thresholds Analysis for Project – Unmitigated.....4.1-41

4.1-14 Construction Health Risk Assessment Results – Unmitigated.....4.1-43

4.1-15 Construction Health Risk Assessment Results – Mitigated .....4.1-43

4.1-16 Operational Health Risk Assessment Results – Unmitigated .....4.1-44

4.1-17 Operational Health Risk Assessment Results – Mitigated .....4.1-45

4.2-1 Vegetation Communities and Land Covers within the Study Area ..... 4.2-3

4.3-1 Previously Conducted Cultural Resources Studies within 0.5-Mile of the Project Site ..... 4.3-7

4.3-2 Previously Recorded Cultural Resources Within a 0.5-Mile Radius of the Project Site..... 4.3-9

4.4-1 Construction Equipment Diesel Demand ..... 4.4-9

4.4-2 Construction Worker Gasoline Demand .....4.4-10

4.4-3 Construction Vendor Diesel Demand.....4.4-10

4.4-4 Construction Haul Truck Diesel Demand.....4.4-10

4.4-5 Annual Mobile Source Petroleum Demand .....4.4-13

4.6-1 Greenhouse Gas Emissions Sources in California..... 4.6-4

4.6-2 Estimated Annual Construction GHG Emissions.....4.6-25

4.6-3 Estimated Annual Operational GHG Emissions – Unmitigated .....4.6-26

4.6-4 Estimated Annual Operational GHG Emissions – Mitigated.....4.6-26

4.6-5 Proposed Project Consistency with 2008 Scoping Plan GHG Emission Reduction Strategies .....4.6-28

4.6-6 Project Consistency with 2017 Scoping Plan Climate Change Policies and Measures .....4.6-33

4.7-1 Summary of Soil Vapor Screening Level Exceedances..... 4.7-4

4.8-1 Current General Plan Land Use and Zoning Designations ..... 4.8-2

4.8-2 Consistency with 2020-2045 RTP/SCS Goals ..... 4.8-6

4.8-3 Consistency with the Ontario International Airport Land Use Compatibility Plan..... 4.8-9

4.8-4 Consistency with City of Montclair General Plan Goals, Objectives, and Policies.....4.8-10

4.9-1 Typical A-Weighted Noise Levels..... 4.9-2

4.9-2 Existing Measured Ambient Noise Levels in Project Site Vicinity..... 4.9-5

4.9-3 Land Use Compatibility for Community Noise Environments ..... 4.9-7

4.9-4 City of Montclair Interior and Exterior Noise Standards ..... 4.9-8

4.9-5 Operational Base Ambient Exterior Noise Levels.....4.9-10

4.9-6	Measures of Substantial Increase for Transportation Noise Sources .....	4.9-12
4.9-7	Construction Equipment by Phase .....	4.9-13
4.9-8	Construction Noise Summary of Results (dBA $L_{eq}$ 1-hour/ dBA $L_{eq}$ 8-hour) .....	4.9-15
4.9-9	Mechanical Equipment (HVAC) Noise .....	4.9-17
4.9-10	Summary of Off-Site Existing and Future (Year 2024) Unmitigated Traffic Noise Levels (dBA CNEL).....	4.9-19
4.10-1	Project Trip Generation Summary .....	4.10-10
4.10-2	Summary of Project TAZ VMT .....	4.10-15
4.10-3	Summary of Project VMT (Automobile only) .....	4.10-17
4.10-4	Roadway (or Link-Level Boundary) VMT (City of Montclair) .....	4.10-18
4.11-1	Assembly Bill 52 Native American Tribal Outreach Results .....	4.11-10
4.11-2	Senate Bill 18 Native American Tribal Outreach Results .....	4.11-12
4.12-1	Supply and Demand Comparison (Acre-Feet per Year) (2015 UWMP).....	4.12-2
4.12-2	Supply and Demand Comparison (Acre-Feet per Year) (2020 UWMP).....	4.12-2
4.12-3	Land Use Unit Demands in MVWD Service Area.....	4.12-15
4.12-4	Construction Waste Summary.....	4.12-17
5-1	Montclair Police Department’s Response Times .....	5-18
7-1	Significant and Unavoidable Air Quality Impact Comparison – Project and Alternative 2.....	7-8
7-2	Significant and Unavoidable GHG Impact Comparison – Project and Alternative 2.....	7-10
7-3	Project Alternatives Environmental Impacts Comparison .....	7-15
7-4	Comparison of Project Alternatives and Project Objectives .....	7-16

# Acronyms and Abbreviations

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Acronym/Abbreviation	Definition
AB	Assembly Bill
ACM	asbestos containing materials
ACOE	U.S. Army Corps of Engineers
ADT	Average Daily Traffic
AERMOD	American Meteorological Society/Environmental Protection Agency Regulatory Model
AFY	acre-feet per year
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
ANSI	American National Standards Institute
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
ASTM	American Society for Testing and Materials
ATP	Active Transportation Plan
BACT	Best Achievable Control Technology
BANL	Base Ambient Noise Level
BMP	best management practice
BTA	Bicycle Transportation Account
BTP	Bicycle Transportation Plan
C3	General Commercial
CAAQS	California Ambient Air Quality Standards
Cal/OSHA	California Occupational Safety and Health Administration
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CCWRF	Carbon Canyon Wastewater Reclamation Facility
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFC	California Fire Code
CFR	Code of Federal Regulations
CH <sub>4</sub>	methane
CHRIS	California Historical Resources Information System
CIP	Capital Improvement Plan
CIWM	California Integrated Waste Management
CIWMB	California Integrated Waste Management board
CMA	Congestion Management Agency
CMP	Congestion Management Program
CNCP	Construction Noise Control Plan
CNDDB	California Natural Diversity Database

Acronym/Abbreviation	Definition
CNEL	Community Noise Equivalent Level
CNRA	California Natural Resources Agency
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CRRC	Cool Roof Rating Council
CUPA	Certified Unified Program Agency
CWA	Clean Water Act
DPM	Diesel particulate matter
DPR	Department of Parks and Recreation
DTSC	Department of Toxic Substances Control
EIA	Energy Information Administration
EIR	Environmental Impact Report
EISA	Energy Independence and Security Act of 2007
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
EV	electric vehicle
FAR	Floor Area Ratio
FESA	federal Endangered Species Act
FHWA	Federal Highway Administration
FICON	Federal Interagency Committee on Noise
FTA	Federal Transit Administration
FY	Fiscal Year
GHG	generate greenhouse gas
GWP	global warming potential
HAP	hazardous air pollutants
HARP2	Hotspots Analysis and Reporting Program Version 2
HAZWOPER	Hazardous Waste Operations and Emergency Response
HFC	hydrofluorocarbon
HMCP	hazardous materials contingency plan
HQTA	High Quality Transit Areas
HRA	Health Risk Assessment
HVAC	heating, ventilation, and air conditioning
I-	Interstate
ICC	International Code Council
IEUA	Inland Empire Utilities Agency
IPCC	Intergovernmental Panel on Climate Change
IQ	intelligence quotient
IS/NOP	Initial Study/Notice of Preparation
ISO	Independent Service Operator
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
KONT	Ontario International Airport station
LCFS	Low Carbon Fuel Standard

Acronym/Abbreviation	Definition
LED	light emitting diodes
LID	Low Impact Development
IIC	Impact Insulation Class
LOS	level of service
LRA	Local Responsibility Areas
LST	localized significance threshold
M1	Limited Manufacturing
MDO	Medium Density Overlay
MEIR	maximally exposed individual resident
MIP	Manufacturing Industrial
MPH	miles per hour
MPO	Metropolitan Planning Organization
MT	metric ton
MVWD	Monte Vista Water District
MW	megawatt
MWELO	Model Water Efficient Landscape Ordinance
N <sub>2</sub> O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NED	National Elevation Dataset
NF3	nitrogen trifluoride
NHTSA	National Highway Traffic Safety Administration
NMTP	Non-Motorized Transportation Plan
NO	nitric oxide
NO <sub>2</sub>	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
O <sub>2</sub>	oxygen
O <sub>3</sub>	ozone
OD	Origin-Destination
OEHHA	Office of Environmental Health Hazard Assessment
ONT	Ontario International
OPR	Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PA	Production-Attraction
PCE	passenger car equivalent
PFC	perfluorocarbon
PM <sub>10</sub>	particulate matter equal to or less than 10 microns in diameter
PM <sub>2.5</sub>	particulate matter equal to or less than 2.5 microns in diameter
PPV	peak particle velocity
PRC	Public Resources Code
PV	photovoltaic
RAQS	Regional Air Quality Strategy
RCNM	Roadway Construction Noise Model
RCRA	Resource Conservation and Recovery Act
REL	reference exposure level
RFS	Renewable Fuel Standard
RFS1	original Renewable Fuel Standard program

Acronym/Abbreviation	Definition
RP-1	Regional Plant No. 1
RPS	Renewables Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SAFE	Safer Affordable Fuel-Efficient
SANBAG	San Bernardino Associated Governments
SB	Senate Bill
SBCFCD	San Bernardino County Flood Control District
SBCOG	San Bernardino Council of Governments
SBCTA	San Bernardino County Transportation Authority
SBTAM	San Bernardino Transportation Analysis Model
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCRRA	Southern California Regional Rail Authority
SCS	Sustainable Communities Strategy
SE	Safety Element
SEER	Seasonal Energy Efficiency Ratio
SF	square feet
SF <sub>6</sub>	sulfur hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SMBMI	San Manuel Band of Mission Indians
SO <sub>2</sub>	sulfur dioxide
SP	service population
SPCC	spill prevention, control, and countermeasure
SPL	sound pressure level
SR-	State Road
SRA	Source-Receptor Area
SRI	solar reflective index
SSC	species of special concern
STC	Sound Transmission Class
SWPPP	stormwater pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TAZ	Traffic Analysis Zone
TCE	trichloroethylene
TCR	Tribal Cultural Resource
TDM	Transportation Demand Management
TIA	Traffic Impact Analysis
TPA	Transit Priority Area
TPH	Total petroleum hydrocarbons
TRC	tribal cultural resources
TRU	Transport refrigeration unit
TSCA	Toxic Substances Control Act of 1976



## Acronyms and Abbreviations

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Acronym/Abbreviation	Definition
U.S.C.	United States Code
UBC	Uniform Building Code
UNFCCC	United Nations Framework Convention on Climate Change
UPC	Uniform Plumbing Code
USFWS	United States Fish and Wildlife Service
UST	underground storage tank
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
VOC	volatile organic compounds
WAIRE	Warehouse Actions and Investments to Reduce Emissions
WEAP	Workers Environmental Awareness Program
WQMP	Water Quality Management Plan
WRCC	Western Regional Climate Center
WSA	water supply assessment

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# 1 Executive Summary

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The purpose of the Executive Summary for this Draft Environmental Impact Report (EIR) is to provide a brief summary of the Mission Boulevard and Ramona Avenue Business Park (Project), its environmental consequences, mitigation measures, and alternatives to the Project. Per the requirements of Section 15123 of the California Environmental Quality Act (CEQA) Guidelines, a summary shall identify:

1. Each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect (see Section 1.4 and 1.5)
2. Areas of controversy known to the Lead Agency including issues raised by agencies and the public (see Section 1.6)
3. Issues to be resolved including the choice among alternatives and whether or how to mitigate significant effects (see Section 1.6)

## 1.1 Introduction

This Draft EIR has been prepared by the City of Montclair (City) to evaluate potential environmental effects that would result from implementation of the proposed Project. This Draft EIR has been prepared in conformance with the CEQA statutes (California Public Resources Code Section 2100 et seq., as amended) and its implementing guidelines (California Code of Regulations [CCR] Title 14, Section 15000 et seq.). The proposed Project constitutes a “project” as defined in the CEQA Guidelines Section 15378. Pursuant to Section 15367 of the State CEQA Guidelines, the City of Montclair is the lead agency for the Project.

The proposed Project would involve demolition of all existing on-site structures and the construction and operation of eight industrial/warehouse buildings (Buildings 1 through 8), with Buildings 7 and 8 located on the north portion of the site adjacent to State Street, and Buildings 1 through 6 on the south portion of the site adjacent to Mission Boulevard. In total, the Project would provide 513,295 square feet of flexible industrial space to serve the requirements of a wide spectrum of industrial tenants. Development of the Project site would also include loading docks, trailer stalls, passenger vehicle parking spaces, 3rd Street extension, sidewalks and driveways/curb cuts, as well as landscaping, lighting and signage improvements.

CEQA requires the preparation of an EIR for any project that a lead agency determines may have a significant impact on the environment. CEQA also establishes mechanisms whereby the public and decision makers can be informed about the nature of the project being proposed and the extent and types of impacts that the project and its alternatives would have on the environment, if they were to be implemented.

The basic purposes of CEQA are as follows (14 CCR 15002):

1. Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities;
2. Identify the ways that impacts to the environment can be avoided or significantly reduced;
3. Prevent significant, avoidable impacts to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and

4. Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

In compliance with CEQA, this Draft EIR has been prepared to analyze the potential environmental impacts that may result from implementation of the proposed Project. This Draft EIR evaluates potential environmental impacts associated with implementation of the Project and provides information regarding short-term, long-term, direct, indirect, and cumulative environmental effects of the Project. It also identifies feasible mitigation measures and/or alternatives that would minimize or eliminate the potential significant impacts associated with implementation of the Project. The Draft EIR must allow the City, responsible agencies, and other interested parties to evaluate the environmental impacts of Project implementation, thereby enabling them to make informed decisions regarding the requested entitlements. The following is a summary of discretionary actions the City of Montclair will consider:

- **General Plan Amendment.** Project implementation would require approval of General Plan Amendment to modify the Project site's General Plan land use designation from General Commercial to Limited Manufacturing (for Buildings 7 and 8 on the north portion of the Project site north of 3rd Street) and Industrial Park (for Buildings 1 through 6 on the south portion of the Project site south of 3rd Street).
- **Zone Change.** Project implementation would require approval of a zone change to change the Project site's zoning from M1 Limited Manufacturing, MIP Manufacturing Industrial, and C3 General Commercial to M1 Limited Manufacturing (for Buildings 7 and 8 on the north portion of the Project site north of 3rd Street) and MIP Manufacturing Industrial (for Buildings 1 through 6 on the south portion of the Project site south of 3rd Street).
- **Tract Map.** Project implementation would require approval of a Tract Map to consolidate the nine existing parcels on the Project site into eight on-site parcels. The Tract Map would also detail existing and planned easements and note the dedication of land to the City for the extension of 3rd Street through the Project site.
- **Precise Plan of Design.** Project implementation would require approval of a Precise Plan of Design, which provides precise details about the Project's final site plan, including details relating to all structures, setbacks, driveways, utilities, landscaping, architecture, and the general nature of the proposed use.

### City of Montclair Ministerial Approvals

- **Encroachment Permit.** An Encroachment Permit would be required for the placement of private infrastructure features, including hardscape and landscape features to be constructed as part of the Project, on or in the City right-of-way.
- **Grading Permit.** A Grading Permit would be required for grading activities.
- **General Construction Permit.** A General Construction Permit would be required for construction activities that would occur as part of the Project.
- **Street/Lane Closure Permit.** A Street/Lane Closure Permit would be required for all work that would be done within the City right-of-way (street curb to street curb). A Traffic Control Plan, prepared in accordance with the most recent edition of the Manual Uniform Traffic Control Devices published by the Federal Highway Administration, must be prepared and accepted by the City prior to issuance of this permit.
- **Other Ministerial Actions.** Any other ministerial actions required as deemed necessary by the City.

## 1.2 EIR Document Organization

This Draft EIR is organized as follows:

**Chapter 1: Executive Summary** – The Executive Summary provides a summary of the Project and Project alternatives, including a summary of the Project and cumulative impacts, recommended mitigation measures, and the level of significance after mitigation for each environmental issue.

**Chapter 2: Introduction** – The Introduction provides an overview of the Project and the CEQA process, and describes the purpose, scope, and components of this Draft EIR.

**Chapter 3: Project Description** – The Project Description provides a detailed description of the Project, including the location and Project characteristics. A summary of the environmental setting is included, and more detail on the setting for each topical chapter is included in Sections 4.1 through 4.11. The intended uses of this Draft EIR, Project objectives, and required Project approvals are also listed.

**Chapter 4: Introduction to Environmental Analysis** – The Environmental Impact Analysis chapter analyzes the environmental impacts of the Project. Impacts are organized into major environmental topic areas. Each topic area includes a description of the environmental setting, regulatory setting, significance criteria, individual and cumulative impacts, mitigation measures, and level of significance after mitigation. The following specific environmental areas are addressed in Chapter 4:

- Section 4.1 Air Quality
- Section 4.2 Biological Resources
- Section 4.3 Cultural Resources
- Section 4.4 Energy
- Section 4.5 Geology and Soils
- Section 4.6 Greenhouse Gas Emissions
- Section 4.7 Hazards and Hazardous Materials
- Section 4.8 Land Use and Planning
- Section 4.9 Noise
- Section 4.10 Transportation
- Section 4.11 Tribal Cultural Resources
- Section 4.12 Utilities & Services Systems

**Chapter 5: Effects Found Not To Be Significant** – The Effects Found Not To Be Significant chapter provides a summary of environmental analysis areas for which Project impacts were determined, through preparation of the Initial Study, to result in less-than-significant or no impact, and for which no further discussion is warranted. These areas include Aesthetics, Agricultural and Forestry Resources, Geology and Soils (with the exception of Paleontological Resources), Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, and Wildfire.

**Chapter 6: Other CEQA Considerations** – Provides a discussion of potential environmental impacts as a result of the proposed Project, including those that can be reduced to a less-than-significant level and those significant environmental effects that cannot be avoided if the Project is implemented. These include impacts that can be mitigated but cannot be reduced to a less than significant level.

**Chapter 7: Alternatives** – The Alternatives chapter provides a comparison between impacts associated with the Project and the impacts of various Project alternatives, including (1) No Project/No Development Alternative, (2) Distribution Project per Limited Manufacturing Zoning Designation Alternative, and (3) the Reduced Development Intensity Alternative. This chapter also includes a discussion of Project alternatives that were considered and ultimately rejected, including Alternate Land Uses without General Plan Amendment or Zone Change, Alternate Land Uses with General Plan Amendment or Zone Change, and the Substantially Reduced Intensity Alternative.

**Chapter 8: List of Preparers** – The List of Preparers chapter provides a list of those individuals who contributed to the preparation of this Draft EIR, including a list of the lead agency personnel and technical consultants used to prepare this Draft EIR.

**Appendices** – The Appendices include various technical studies prepared for the proposed Project, as listed in the Table of Contents.

The Final EIR will be prepared after the public review period for this Draft EIR has been completed. The Final EIR will include comments and recommendations received on the Draft EIR during the public review period; a list of persons, organizations, and public agencies commenting on the Draft EIR; written responses to significant environmental issues identified in the comments received; and any other relevant information added by the City.

## 1.3 Project Description

### 1.3.1 Project Overview

The approximately 27.74-acre (gross) Project site is located in the southwestern part of the City, which is located within the western edge of San Bernardino County. After dedication of the 1.54-acre portion of the Project site to the City for the extension of 3rd Street, the net Project site acreage would be 26.2 acres. The Project site is located at the northwest corner of Mission Boulevard and Ramona Avenue, and is bound by State Street to the north, Ramona Avenue to the east, Mission Boulevard to the south, and Sinclair Road (i.e., County Road 20010) to the west. Regional access to the site is provided via Interstate 10 located approximately 1.5 miles north of the Project site and State Route 60 located approximately 1.8 miles south of the Project site.

The Project site is currently developed with a four-screen drive-in theatre, accessory ticket booth, office building, storage building, and refreshment structure. The northwest corner of the Project site contains a largely concrete-paved area containing building foundations and partially demolished masonry block walls associated with former industrial buildings. This area is now used by the swap meet, which meets on Wednesdays and Fridays through Sundays, and the theater business to manage solid waste generated during operations. In addition, the Montclair Tire Company occupies a metal building located on a triangular-shaped area at the northeastern corner of the Project site but is not currently an operating business.

The proposed Project includes the demolition of all existing on-site structures (see Section 3.2, Environmental Setting) and the construction of an eight-building business park. In total, the Project would provide approximately 513,295 square feet of flexible space for light manufacturing and distribution uses, as well as associated improvements including loading docks, trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements.

The Project would generally be divided into two major areas separated by the planned development of 3rd Street through the middle of the Project site in an east-west orientation. The approximately 12.22-acre portion of the site south of 3rd Street would contain six buildings, referred to Buildings 1 through 6, ranging in size from approximately 30,200 square feet to 41,831 square feet. These buildings would be designed to provide flexible space pursuant to the allowed uses of the MIP Manufacturing Industrial Park zone. The approximately 13.98-acre site north of 3rd Street would contain two buildings, referred to as Buildings 7 and 8, which would be approximately 110,000 square feet and 186,000 square feet. These buildings are designed to be used primarily to support warehousing operations.

The proposed buildings would be primarily constructed with concrete tilt-up panels. Building exteriors would feature varying textures, intrusions, and extrusions to create appropriately scaled building façades. Similarly, each building would feature variable roof lines extending from 37 feet in height to 41 feet in height near building corners (measured from the finished floor).

Landscaping along the site's frontages would include a mixture of trees, shrubs, and groundcover, and Project lighting would feature a mix of pole-mounted and wall-mounted lighting fixtures.

The existing alignment of 3rd Street currently stops at the Project site's western boundary. As part of the Project, 3rd Street would be extended through the Project site to connect with Ramona Avenue at the intersection of Ramona Avenue and Dale Street. Based on the results of the Project's Traffic Impact Analysis (Appendix F), the City has conditioned the Project to implement an improvement measure to restripe the intersection of Silicon Avenue and Mission Boulevard to restrict northbound and southbound left-turning movements.

### 1.3.2 Project Objectives

Consistent with the Project's purpose and need, as described in Section 3.4 of this Draft EIR, the primary objectives sought by the Project are as follows:

- **Objective 1:** Establish a jobs-producing and tax-generating business park land use near transportation corridors within the housing-rich Inland Empire that is constructed to high standards of quality and provides diverse economic opportunities for those residing and wishing to invest within the City of Montclair.
- **Objective 2:** Develop a high-quality business park campus with light manufacturing and distribution facilities for related uses in Montclair that are designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.
- **Objective 3:** Develop light manufacturing and distribution buildings with loading bays within the western portion of the Inland Empire and in close proximity to the Interstate 10 Freeway that can be used as part of the Southern California supply chain and goods movement network.
- **Objective 4:** Create a fiscally sound and employment-generating business park within an established industrial area and resolve land use conflicts between existing planning documents.

- **Objective 5:** Concentrate non-residential uses near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, and industrial noise to the greatest extent feasible.

## 1.4 Summary of Environmental Impacts and Mitigation Measures

Table 1-1, Summary of Project Impacts and Mitigation Measures, provides a summary of the impact analysis related to the Project. Table 1-1 identifies a summary of the significant environmental impacts resulting from the Project pursuant to State CEQA Guidelines Section 15123(b)(1). For more detailed discussion, please see Chapter 4 of this Draft EIR. Table 1-1 lists the applicable mitigation measures related to potentially significant impacts, as well as the level of significance after mitigation.



Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
<b><i>Aesthetics</i></b>			
Would the project have a substantial adverse effect on a scenic vista?	No Impact	No mitigation measure required.	Not applicable.
Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No mitigation measure required.	Not applicable.
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?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project have a cumulative effect on aesthetic resources?	No Impact	No mitigation measure required.	Not applicable.
<b><i>Agriculture and Forestry Resources</i></b>			
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?	No Impact	No mitigation measure required.	Not applicable.

**Table 1-1. Summary of Project Impacts and Mitigation Measures**

<b>Environmental Topic</b>	<b>Impact?</b>	<b>Mitigation Measure(s)</b>	<b>Level of Significance After Mitigation</b>
Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact	No mitigation measure required.	Not applicable.
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))?	No Impact	No mitigation measure required.	Not applicable.
Would the project result in the loss of forest land or conversion of forest land to non-forest use?	No Impact	No mitigation measure required.	Not applicable.
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?	No Impact	No mitigation measure required.	Not applicable.
Would the project have a cumulative effect on agriculture and forestry resources?	No Impact	No mitigation measure required.	Not applicable.
<b>Air Quality</b>			
Would the project conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact	<b>MM-AQ-1:</b> Prior to Southern California Association of Governments (SCAG’s) next update to the regional growth forecast as part of the Regional Transportation Plan/Sustainable Communities Strategy, the City of Montclair (City)	Significant and Unavoidable <sup>1</sup>

<sup>1</sup> As the Project would contribute to local population and employment growth and associated vehicle miles traveled (VMT) that is not anticipated for the Project site in the existing General Plan, the Project is not accounted for in the State Implementation Plan (SIP) and the Regional Air Quality Strategy (RAQS), and the Project potentially would not be consistent with local air quality plans. The impact would be eliminated once the Southern California Air Quality Management District (SCAQMD) completes a future update to the RAQS, which would be based on updated Southern California Association of Governments (SCAG) population and growth projections for the region. Mitigation Measure MM-AQ-1 is provided to ensure population growth and vehicle trips generated from the Project are provided to SCAG for incorporation into the future Air Quality Management Plan (AQMP) update. This update will likely occur following Project approval; therefore, at this time the impact is considered potentially significant.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>shall prepare a revised employment forecast for SCAG that reflects anticipated growth generated from the proposed Project. The updated forecast provided to SCAG shall be used to inform the South Coast Air Quality Management District’s update to the Air Quality Management Plan. The City shall prepare and submit a letter notifying the South Coast Air Quality Management District of this revised forecast for use in the future update to the Air Quality Management Plan as required.</p> <p><b>MM-AQ-2: Construction Equipment.</b> Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase to minimize diesel particulate matter emissions:</p> <ul style="list-style-type: none"> <li>a. Heavy-duty diesel-powered construction equipment shall be equipped with Tier 4 Interim or better diesel engines for engines 75 horsepower or greater. The City shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Interim standards.</li> <li>b. Vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions.</li> <li>c. All construction equipment shall be properly tuned and maintained in accordance with manufacturer’s specifications.</li> <li>d. When construction equipment units that are less than 50 horsepower would be</li> </ul>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>employed, that equipment shall be electrical or natural gas powered, where available.</p> <p>e. A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, schedule vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities, and increase construction employee carpooling.</p>	
<p>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 federal or state ambient air quality standard?</p>	<p>Potentially Significant Impact</p>	<p><b>MM-AQ-2</b></p> <p><b>MM-AQ-3: Vehicle Miles Traveled Reduction Strategies.</b> Prior to the approval of any construction-related permits, the Project applicant or its designee shall prepare a Transportation Demand Management (TDM) Program to facilitate increased opportunities for transit, bicycling, and pedestrian travel, as well as provide the resources, means, and incentives for ride-sharing and carpooling to reduce vehicle miles traveled and associated criteria air pollutant emissions. The Plan shall be subject to the City’s review and approval. The following</p>	<p>Significant and Unavoidable<sup>2</sup></p>

<sup>2</sup> The Project would result in less than significant long-term operational air quality impacts for all criteria pollutants, with the exception of NOx. Emissions of NOx would be significant and unavoidable.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>components are to be included in the TDM Program:</p> <p><i>Bicycle and Pedestrian Travel</i></p> <ul style="list-style-type: none"> <li>a. Develop a comprehensive pedestrian network designed to provide safe bicycle and pedestrian access between the various internal Proposed Project land uses, which will include design elements to enhance walkability and connectivity and shall minimize barriers to pedestrian access and interconnectivity. Physical barriers, such as walls or landscaping, that impede pedestrian circulation shall be eliminated.</li> <li>b. The Proposed Project design shall include a network that connects the Proposed Project uses to the existing off-site facilities (e.g., existing off-site bike paths).</li> <li>c. Proposed Project design shall include pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways shall be designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips with traffic calming features. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.</li> <li>d. Provide bicycle parking facilities along main travel corridors: one bike rack space per 20</li> </ul>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>vehicle/employee parking spaces or to meet demand, whichever results in the greater number of bicycle racks.</p> <p>e. Provide shower and locker facilities to encourage employees to bike and/or walk to work: one shower and three lockers per every 25 employees.</p> <p><i>Ride-Sharing and Commute Reduction</i></p> <p>f. Promote ridesharing programs through a multi-faceted approach, such as designating a certain percentage of parking spaces for ridesharing vehicles; designating adequate passenger loading and unloading and waiting areas for ridesharing vehicles; or providing a website or message board for coordinating rides.</p> <p>g. Implement marketing strategies to reduce commute trips. Information sharing and marketing are important components to successful commute trip-reduction strategies. Implementing commute trip-reduction strategies without a complementary marketing strategy would result in lower VMT reductions. Marketing strategies may include: new employee orientation of trip reduction and alternative mode options; event promotions; or publications.</p> <p>h. One percent (1%) of vehicle/employee parking spaces shall be reserved for preferential spaces for car pools and van pools.</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>i. Coordinate with the Southern California Association of Governments (SCAG) for carpool, vanpool, and rideshare programs that are specific to the Proposed Project.</li> <li>j. Implement a demand-responsive shuttle service that provides access throughout the GCSP area, to the park-and-ride lots, and to the nearby transit centers.</li> </ul> <p><i>Transit</i></p> <ul style="list-style-type: none"> <li>k. Bus pull-ins shall be constructed where appropriate within the Proposed Project area.</li> <li>l. Coordinate with SCAG on future siting of transit stops/stations within or near the Project.</li> </ul> <p><b>MM-AQ-4: Encourage Electric Vehicles.</b> Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction:</p> <ul style="list-style-type: none"> <li>a. Install Level 2 EV charging stations in 10% of all parking spaces, with a minimum of 43 EV charging stalls for the Project site.</li> <li>b. Install EV infrastructure at truck loading bays for trucks to plug-in when commercially available.</li> </ul> <p><b>MM-AQ-5: Idling Restriction.</b> For proposed Project land uses that include truck idling, the Project shall minimize idling time of all vehicles and equipment to the extent feasible and shall include such restrictions in the Covenants, Conditions, and Restrictions (CCRs) for tenants</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>of the Project; idling for periods of greater than five (5) minutes shall be prohibited. Signage shall be posted at truck parking spots, entrances, and truck bays advising that idling time shall not exceed five (5) minutes per idling location. To the extent feasible, the tenant shall restrict idling emission from trucks by using auxiliary power units and electrification.</p> <p><b>MM-AQ-6: Energy Conservation.</b> Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase:</p> <ul style="list-style-type: none"> <li>a. Install a solar-ready rooftop to facilitate the installation of solar photovoltaic panels in the future.</li> <li>b. Purchase 100% renewable electricity through SCE.</li> <li>c. Install Energy Star rated heating, cooling, lighting, and appliances.</li> <li>d. Outdoor lighting shall be light emitting diodes (LED) or other high-efficiency lightbulbs.</li> <li>e. Provide information on energy efficiency, energy efficient lighting and lighting control systems, energy management, and existing energy incentive programs to future tenants of the Proposed Project.</li> <li>f. Non-residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a 3-year solar reflective index (SRI) of 64 for a low-sloped roof and 32 for a high-sloped roof.</li> </ul>	



Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>g. Outdoor pavement, such as walkways and patios, shall include paving materials with 3-year SRI of 0.28 or initial SRI of 0.33.</li> <li>h. Construction of modest cool roof, defined as Cool Roof Rating Council (CRRC) Rated 0.15 aged solar reflectance and 0.75 thermal emittance.</li> <li>i. Use of Heating, Ventilation and Air Conditioning (HVAC) equipment with a Seasonal Energy Efficiency Ratio (SEER) of 12 or higher.</li> <li>j. Installation of water heaters with an energy factor of 0.92 or higher.</li> <li>k. Maximize the use of natural lighting and include daylighting (e.g., skylights, windows) in rooms with exterior walls that would normally be occupied.</li> <li>l. Include high-efficacy artificial lighting in at least 50% of unit fixtures.</li> <li>m. Install low-NOx water heaters and space heaters, solar water heaters, or tank-less water heaters.</li> <li>n. Use passive solar cooling/heating.</li> <li>o. Strategically plant trees to provide shade.</li> <li>p. Structures shall be equipped with outdoor electric outlets in the front and rear of the structure to facilitate use of electrical lawn and garden equipment.</li> </ul> <p><b>MM-AQ-7: Electric Forklifts and Yard-Trucks.</b> Proposed Project warehouse and manufacturing tenants shall require that all forklifts and yard-trucks are electric-powered or utilize other zero-emission technology. These requirements shall</p>	

**Table 1-1. Summary of Project Impacts and Mitigation Measures**

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		be included in the Project’s Covenants, Conditions, and Restrictions (CCRs).	
Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant Impact	<b>MM-AQ-2</b> <b>MM-AQ-3</b> <b>MM-AQ-4</b> <b>MM-AQ-5</b> <b>MM-AQ-6</b> <b>MM-AQ-7</b>	Less Than Significant
Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant Impact	No mitigation measure required.	Less Than Significant
Would the project have a cumulative effect on air quality resources?	Potentially Significant Impact	<b>MM-AQ-1</b> <b>MM-AQ-2</b> <b>MM-AQ-3</b> <b>MM-AQ-4</b> <b>MM-AQ-5</b> <b>MM-AQ-6</b> <b>MM-AQ-7</b>	Significant and Unavoidable
<b>Biological Resources</b>			
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 California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant Impact	<b>MM-BIO-1:</b> The construction contractors’ contract specifications shall include the following requirements: “Construction activities should avoid the migratory bird nesting season (typically February 1 through August 31), to reduce any potential significant impact to birds that may be nesting on the study area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the	Less Than Significant

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		Project site and contiguous habitat within 500 feet of all impact areas must be conducted for protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the MBTA (16 USC 703–712) and California Fish and Game Code, Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate no disturbance buffer, which will be determined by the biologist based on the species’ sensitivity to disturbance (typically 300 feet for passerines and 500 feet for raptors and special-status species). The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing.”	
Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	No Impact	No mitigation measure required.	Not applicable.
Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No Impact	No mitigation measure required.	Not applicable.
Would the project interfere substantially with the movement of any native resident or	No Impact	No mitigation measure required.	Not applicable.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			
Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact	No mitigation measure required.	Not applicable.
Would the project have a cumulative effect on biological resources?	Potentially Significant Impact	<b>MM-BIO-1</b>	Less Than Significant
<b>Cultural Resources</b>			
Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Potentially Significant Impact	<b>MM-CUL-1:</b> All construction personnel and monitors who are not trained archaeologists shall be briefed regarding inadvertent discoveries prior to the start of construction activities. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the Project and explain the importance of and legal basis for the protection of significant archaeological	Less Than Significant

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitor.</p> <p><b>MM-CUL-2:</b> A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified during initial excavation in native soil. Initial excavation is defined as initial construction-related earth moving of sediments from their place of deposition. As it pertains to archaeological monitoring, this definition excludes movement of sediments after they have been initially disturbed or displaced by Project-related construction. A qualified archaeological principal investigator, meeting the Secretary of the Interior’s Professional Qualification Standards, should oversee and adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter cultural deposits or material. The archaeological monitor will be responsible for maintaining daily monitoring logs. In the event that potential prehistoric or historical archaeological resources (sites, features, or artifacts) are exposed during construction activities for the Project, all construction work occurring within 100 feet of the find shall immediately stop and a qualified archaeologist must be notified immediately to assess the significance of the find and determine</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted. If monitoring is conducted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City for review. This report should document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. The final report shall be submitted to the South Central Coastal Information Center (SCCIC).	
Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project have a cumulative effect on cultural resources?	Potentially Significant Impact	<b>MM-CUL-1</b> <b>MM-CUL-2</b>	Less Than Significant
<b>Energy</b>			
Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project have a cumulative effect on energy resources?	Less Than Significant Impact	No mitigation measure required.	Not applicable.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
<b>Geology and Soils</b>			
Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			
a. 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? Refer to Division of Mines and Geology Special Publication 42?	No Impact	No mitigation measure required.	Not applicable.
b. Strong seismic ground shaking?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
c. Seismic related ground failure including liquefaction?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
d. Landslides?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
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?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant Impact	No mitigation measure required.	Not applicable.
Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal	No Impact	No mitigation measure required.	Not applicable.

**Table 1-1. Summary of Project Impacts and Mitigation Measures**

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
systems where sewers are not available for the disposal of waste water?			
Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact	<b>MM-GEO-1:</b> In the event that paleontological resources (fossil remains) are exposed during construction activities for the Project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology’s 2010 guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the qualified paleontologist may record the find and allow work to continue or may recommend salvage and recovery of the resource. All recommendations will be made in accordance with the Society of Vertebrate Paleontology’s 2010 guidelines and shall be subject to review and approval by the City of Montclair. Work in the area of the find may only resume upon approval of a qualified paleontologist.	Less Than Significant
Would the project have a cumulative effect on geology and soils resources?	Potentially Significant Impact	<b>MM-GEO-1</b>	Less Than Significant
<b>Greenhouse Gas Emissions</b>			
Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially Significant Impact	<b>MM-AQ-3</b> (refer to Air Quality section of this table) <b>MM-AQ-4</b> (refer to Air Quality section of this table) <b>MM-AQ-5</b> (refer to Air Quality section of this table) <b>MM-AQ-6</b> (refer to Air Quality section of this table) <b>MM-AQ-7</b> (refer to Air Quality section of this table) <b>MM-GHG-1: Water Conservation.</b> Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the	Significant and Unavoidable



Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		following requirements on all plans, which shall be implemented during construction: <ul style="list-style-type: none"> <li>a. Install low-water use appliances and fixtures</li> <li>b. Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces</li> <li>c. Implement water-sensitive urban design practices in new construction</li> <li>d. Install rainwater collection systems where feasible.</li> </ul> <b>MM-GHG-2: Solid Waste Reduction.</b> Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction: <ul style="list-style-type: none"> <li>a. Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available.</li> <li>b. Evaluate the potential for onsite composting.</li> </ul>	
Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Potentially Significant Impact	<b>MM-AQ-3</b> (refer to Air Quality section of this table) <b>MM-AQ-4</b> (refer to Air Quality section of this table) <b>MM-AQ-5</b> (refer to Air Quality section of this table) <b>MM-AQ-6</b> (refer to Air Quality section of this table) <b>MM-AQ-7</b> (refer to Air Quality section of this table) <b>MM-GHG-1</b> <b>MM-GHG-2</b>	Significant and Unavoidable
Would the project have a cumulative effect on greenhouse gas emissions?	Potentially Significant Impact	<b>MM-AQ-3</b> (refer to Air Quality section of this table) <b>MM-AQ-4</b> (refer to Air Quality section of this table)	Significant and Unavoidable

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<b>MM-AQ-5</b> (refer to Air Quality section of this table) <b>MM-AQ-6</b> (refer to Air Quality section of this table) <b>MM-AQ-7</b> (refer to Air Quality section of this table) <b>MM-GHG-1</b> <b>MM-GHG-2</b>	
<b>Hazards and Hazardous Materials</b>			
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially Significant Impact	<b>MM-HAZ-1:</b> Prior to issuance of a grading permit, the existing subsurface feature in the northeastern portion of the Project site (as evidenced by the manholes) shall be identified. If it is determined to be a subsurface tank, clarifier, or oil/water separator, the feature shall be closed and removed from the Project site in accordance with San Bernardino County Fire Department requirements prior to site construction. The closure will include the following: <ul style="list-style-type: none"> <li>• Obtain permits from the San Bernardino County Fire Department</li> <li>• Remove all wastes from the units for proper disposal</li> <li>• Remove the subsurface feature for proper disposal/recycling and remove or cap/plug associated piping in accordance with the permit requirements</li> <li>• Follow permit requirements</li> <li>• If impacted soil is identified, manage soil in accordance with MM-HAZ-2.</li> </ul>	Less Than Significant
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident	Potentially Significant Impact	<b>MM-HAZ-2:</b> Prior to issuance of a grading permit, a hazardous materials contingency plan (HMCP) shall be prepared and shall be followed during	Less Than Significant

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
<p>conditions involving the release of hazardous materials into the environment?</p>		<p>demolition, excavation, and construction activities for the proposed Project. The hazardous materials contingency plan shall include, at a minimum, the following:</p> <ul style="list-style-type: none"> <li>• Identification of known and suspected areas with hazardous waste and/or hazardous materials of concern.</li> <li>• Procedures for identifying suspect materials</li> <li>• Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern</li> <li>• Procedures for restricting access to the contaminated area except for properly trained personnel</li> <li>• Procedures for notification and reporting, including internal management and local agencies (e.g., San Bernardino County Fire Department), as needed</li> <li>• Health and safety measures for excavation of contaminated soil</li> <li>• Procedures for characterizing and managing excavated soils</li> </ul> <p>Site workers shall be familiar with the hazardous materials contingency plan and should be fully trained on how to identify suspected contaminated soil.</p> <p><b>MM-HAZ-3:</b> Prior to commencement of construction of the northwestern proposed building (Building 1), a vapor intrusion mitigation system shall be designed for the portion of Building 1 with vapor intrusion concerns (see Figure 4.7-1, Known Hazards Building Footprints Map). The vapor mitigation system shall include</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>one or more of the methods presented in the Department of Toxic Substances Control’s <i>Vapor Intrusion Mitigation Advisory</i> dated October 2011. The construction contractor shall design a vapor intrusion mitigation system that adequately mitigates potential vapor intrusion in the northwestern corner of the building. The vapor mitigation design shall be submitted to the City for review and approval prior to issuance of a building permit. Typical vapor mitigation systems are comprised of a sub-slab geomembrane or vapor barrier. Sub-slab ventilation piping is typically installed below the geomembrane layer for capturing VOCs in the soil gas and discharging them above the building roof through vent stacks. The vapor barrier, if used, shall be installed and inspected in accordance with the manufacturer’s specifications. Operation of the Project shall maintain functionality of these features as required to continue protection from vapor intrusion. Alternatively, if collection and evaluation of additional data, such as statistical evaluation of further soil vapor sampling data throughout the Building 1 footprint or site-specific soil and/or building parameters, demonstrate that concentrations are below soil vapor or ambient air screening levels, such data shall be presented to the City for review and consideration of elimination of the need for the vapor intrusion mitigation system.</p> <p><b>MM-HAZ-4:</b> Prior to the issuance of a demolition permit for any existing on-site structure, a qualified environmental specialist shall conduct a survey for PCBs, mercury, and other hazardous</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		building materials (other than asbestos and lead paint) such as universal wastes and refrigerant to document the presence of any potentially hazardous materials within the structures. Any potentially hazardous materials identified as part of this survey shall be handled in accordance with the federal and state hazardous waste and universal waste regulations. Demolition plans and contract specifications would incorporate any necessary materials management measures in compliance with the Metallic Discards Act (Public Resources Code, Section 42160 et seq.), particularly Public Resources Code, Section 42175, Materials Requiring Special Handling, for the removal of mercury switches, PCB-containing ballasts, and refrigerants and the DTSC June 2019 Fact Sheet Guidance on Major Appliances for Scrap Recycling Facilities.	
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?	Potentially Significant Impact	<b>MM-HAZ-1</b> <b>MM-HAZ-2</b> <b>MM-HAZ-3</b> <b>MM-HAZ-4</b> <b>MM-AQ-3</b> (refer to Air Quality section of this table) <b>MM-AQ-4</b> (refer to Air Quality section of this table) <b>MM-AQ-5</b> (refer to Air Quality section of this table) <b>MM-AQ-6</b> (refer to Air Quality section of this table) <b>MM-AQ-7</b> (refer to Air Quality section of this table)	Less Than Significant
Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government	No Impact	No mitigation measure is required.	Not applicable.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			
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?	Less than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	No Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on hazards or hazardous materials?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
<b>Hydrology and Water Quality</b>			
Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
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?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project substantially alter the existing drainage pattern of the site or area,	Less Than Significant Impact	No mitigation measure is required.	Not applicable.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
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;	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
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; or	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
iv. impede or redirect flood flows?	No Impact	No mitigation measure is required.	Not applicable.
In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?	No Impact	No mitigation measure is required.	Not applicable.
Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on hydrology or water quality resources?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
<b>Land Use and Planning</b>			
Would the project physically divide an established community?	No Impact	No mitigation measure is required.	Not applicable.
Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Potentially Significant Impact	<b>MM-AQ-1</b> (refer to Air Quality section of this table) <b>MM-AQ-2</b> (refer to Air Quality section of this table) <b>MM-AQ-3</b> (refer to Air Quality section of this table)	Significant and Unavoidable

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<b>MM-AQ-4</b> (refer to Air Quality section of this table) <b>MM-AQ-5</b> (refer to Air Quality section of this table) <b>MM-AQ-6</b> (refer to Air Quality section of this table) <b>MM-AQ-7</b> (refer to Air Quality section of this table)	
Would the project have a cumulative effect with regard to land use and planning?	Less Than Significant Impact	No mitigation measure is required.	Less Than Significant
<b>Mineral Resources</b>			
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?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on mineral resources?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
<b>Noise</b>			
Would the project result in generation of 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?	Potentially Significant	<b>MM-NOI-1:</b> Prior to issuance of grading permits, the Project Applicant shall provide a Construction Noise Control Plan (CNCP) to the City for review and approval. The CNCP shall include best management practices to reduce short-term construction noise. Enforcement of the CNCP shall be accomplished by field inspections during construction activities and/or documentation of compliance, to the satisfaction of the City. The CNCP measures shall be incorporated by the City of Montclair as conditions on City-issued permits.	Less Than Significant



Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>Noise reduction best management practices shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>• Prior to Project construction, temporary sound barriers/shielding shall be installed at the western site boundary adjacent to the residential land uses. The construction noise barrier shall be a minimum of 7 feet in height. The barrier may be constructed of 3/4-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility having a surface weight of 2 pounds per square foot or greater. Prefabricated acoustic barriers are available from various vendors. When barrier units are joined together, the mating surfaces of the barrier sides should be flush or overlap with one another. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, should be closed with material that will completely fill the gaps, and be dense enough to attenuate noise.</li> <li>• All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with the manufacturers' specifications and standards.</li> <li>• Construction noise reduction methods, such as shutting off idling equipment, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and using electric air compressors and similar power tools rather than diesel equipment, shall be used.</li> </ul>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<ul style="list-style-type: none"> <li>• During construction, stationary equipment should be placed as far away from the adjacent residential property boundary as feasible and positioned such that emitted noise is directed away from or shielded from sensitive receptors. Acoustically attenuating shields, shrouds, or enclosures may be placed over stationary equipment.</li> <li>• During construction, stockpiling and vehicle staging areas shall be located far from noise-sensitive receptors.</li> <li>• The Project shall be in compliance with the City’s Noise Ordinance (Montclair Municipal Code Chapter 6.12): Noise sources associated with construction, repair, remodeling, or grading of any real property are exempt, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on any given day and provided that the City Building Official determines that the public health and safety will not be impaired.</li> </ul> <p><b>MM-NOI-2:</b> The Project applicant shall notify nearby property owners within 300 feet of the Project site, including residences to the east, south and west, of the construction activities and construction hours proposed to occur on the Project site, as well as provide contact information in the event a property owner or residence has a noise complaint. Additionally, construction hours, allowable workdays, and the phone number of the job superintendent and City code enforcement shall be clearly posted at all construction entrances to allow surrounding</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		property owners and residents to contact the job superintendent. Upon receipt of a complaint, the job superintendent shall respond to the complainant, investigate to ensure a good understanding of the specifics of the complaint, and coordinate with City staff to resolve the issue by ensuring that the measures listed above in MM-NOI-1 are being implemented.	
Would the project result in generation of excessive groundborne vibration or groundborne noise levels?	Potentially Significant	<b>MM-NOI-1</b> <b>MM-NOI-2</b>	Less Than Significant Impact
For a project located within the vicinity of a private airstrip or 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 expose people residing or working in the project area to excessive noise levels?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on noise resources?	Less Than Significant Impact	<b>MM-NOI-1</b> <b>MM-NOI-2</b>	Less Than Significant
<b>Population and Housing</b>			
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)?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on housing and/or population resources?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
<b>Public Services</b>			
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:			
Fire protection?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Police protection?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Schools?	No Impact	No mitigation measure is required.	Not applicable.
Parks?	No Impact	No mitigation measure is required.	Not applicable.
Other public facilities?	No Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on public services resources?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
<b>Recreation</b>			
Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No Impact	No mitigation measure is required.	Not applicable.
Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	No Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on recreation resources?	No Impact	No mitigation measure is required.	Not applicable.
<b>Transportation</b>			
Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.

**Table 1-1. Summary of Project Impacts and Mitigation Measures**

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project result in inadequate emergency access?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on transportation resources?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
<b>Tribal Cultural Resources</b>			
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Potentially Significant Impact	<b>MM-CUL-1</b> (refer to Cultural Resources section of this table) <b>MM-CUL-2</b> (refer to Cultural Resources section of this table) <b>MM-TCR-1:</b> Prior to the issuance of any grading permit for the Project, the City of Montclair (City) shall ensure that the Project Applicant retains the services of a tribal monitor(s) approved by the Gabrieleño Band of Mission Indians Kizh Nation to provide Native American monitoring during ground-disturbing activities. This provision	Less Than Significant

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>shall be included on the Project contractor’s plans and specifications. Ground-disturbing activities are defined by the Gabrieleño Band of Mission Indians Kizh Nation as activities that may include but are not limited to pavement removal, pot-holing or auguring, grubbing, tree removals, borings, grading, excavation, drilling, and/or trenching within the Project area. The Project site shall be made accessible to the monitor(s), provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance.</p> <p>If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find to recover and/or determine the appropriate plan of recovery for the resource in consultation with a qualified archaeologist. The recovery process shall not unreasonably delay the construction process and must be carried out consistent with CEQA and local regulations.</p> <p>Construction activity shall not be contingent on the presence or availability of a monitor, and construction may proceed regardless of whether or not a monitor is present on site. The monitor shall complete daily monitoring logs that will provide descriptions of the day’s activities and</p>	

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p>general observations and whether the Native American monitor believes they observed a TCR and what action they took. The on-site monitoring shall end when the Project site grading and excavation activities are completed or prior to the completion if the monitor has indicated that the site has a low potential for tribal cultural resources.</p> <p><b>MM-TCR-2:</b> Upon discovery of any tribal cultural resources, a Native American monitor has the ability to halt construction activities in the immediate vicinity (within 50 feet) of the find until the find can be assessed. All tribal cultural resources unearthed during the Project construction activities shall be evaluated by the Native American monitor approved by the Gabrieleño Band of Mission Indians Kizh Nation and a qualified archaeologist. Construction work shall be permitted to continue on other parts of the Project site while evaluation and, if necessary, additional investigations and/or preservation measures take place (CEQA Guidelines Section 15064.5(f)). If the resources are Native American in origin, the Gabrieleño Band of Mission Indians Kizh Nation tribe shall coordinate with the landowner regarding treatment and curation of these resources. If a resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures shall be made available through coordination between the Gabrieleño Band of Mission Indians Kizh</p>	

**Table 1-1. Summary of Project Impacts and Mitigation Measures**

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		Nation and the Project applicant. The treatment plan established for the resources shall be in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15064.5(f) for historical resources and Public Resources Code (PRC) Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.	
Would the project have a cumulative effect on tribal cultural resources?	Potentially Significant Impact	<b>MM-CUL-1</b> (refer to Cultural Resources section of this table) <b>MM-CUL-2</b> (refer to Cultural Resources section of this table) <b>MM-TCR-1</b> <b>MM-TCR-2</b>	Less Than Significant
<b>Utilities and Service Systems</b>			
Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Potentially Significant Impact	<b>MM-AQ-2</b> (refer to Air Quality section of this table) <b>MM-BIO-1</b> (refer to Biological Resources section of this table) <b>MM-CUL-1</b> (refer to Cultural Resources section of this table) <b>MM-CUL-2</b> (refer to Cultural Resources section of this table) <b>MM-GEO-1</b> (refer to Geology and Soils section of this table)	Less Than Significant



Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
		<p><b>MM-HAZ-1</b> (refer to Hazards and Hazardous Materials section of this table)</p> <p><b>MM-HAZ-2</b> (refer to Hazards and Hazardous Materials section of this table)</p> <p><b>MM-HAZ-3</b> (refer to Hazards and Hazardous Materials section of this table)</p> <p><b>MM-NOI-1</b> (refer to Noise section of this table)</p> <p><b>MM-NOI-2</b> (refer to Noise section of this table)</p> <p><b>MM-TCR-1</b> (refer to Tribal Cultural Resources section of this table)</p> <p><b>MM-TCR-2</b> (refer to Tribal Cultural Resources section of this table)</p>	
<p>Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?</p>	<p>Less Than Significant Impact</p>	<p>No mitigation measure is required.</p>	<p>Not applicable.</p>
<p>Would the project 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?</p>	<p>Less Than Significant Impact</p>	<p>No mitigation measure is required.</p>	<p>Not applicable.</p>
<p>Would the project 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?</p>	<p>Less Than Significant Impact</p>	<p>No mitigation measure is required.</p>	<p>Not applicable.</p>
<p>Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<p>Less Than Significant Impact</p>	<p>No mitigation measure is required.</p>	<p>Not applicable.</p>

Table 1-1. Summary of Project Impacts and Mitigation Measures

Environmental Topic	Impact?	Mitigation Measure(s)	Level of Significance After Mitigation
Would the project have a cumulative effect on utilities and/or service systems resources?	Less Than Significant Impact	No mitigation measure is required.	Not applicable.
<b>Wildfire</b>			
Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact	No mitigation measure is required.	Not applicable.
Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact	No mitigation measure is required.	Not applicable.
Would the project 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?	No Impact	No mitigation measure is required.	Not applicable.
Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact	No mitigation measure is required.	Not applicable.
Would the project have a cumulative effect on wildfire?	No Impact	No mitigation measure is required.	Not applicable.

## 1.5 Summary of Project Alternatives

CEQA requires that EIRs “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 of the significant effects of the project and evaluate the comparative merits of the alternatives” (14 CCR 15126.6[a]). The CEQA Guidelines direct that the selection of alternatives be governed by “a rule of reason” (14 CCR 15126.6[a] and [f]).

As presented in this Draft EIR, the Project would not result in significant and unavoidable impacts after implementation of all mitigation measures, with the exception of the following:

### Air Quality

- The Project would result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable national or California ambient air quality standard. At the project and cumulative levels, operation-generated emissions would exceed the threshold of significance proscribed by the South Coast Air Quality Management District (SCAQMD) for oxides of nitrogen (NO<sub>x</sub>) and contribute to the non-attainment of ozone standards in the South Coast Air Basin. Even with incorporation of the mitigation identified in this Draft EIR, operation NO<sub>x</sub> emissions would still exceed South Coast Air Quality Management District’s threshold, and impacts would be significant and unavoidable.
- The Project would conflict with or obstruct implementation of the applicable air quality plan. The Project would conflict with the two consistency criteria established by the SCAQMD for determining consistency with the 2016 Air Quality Management Plan (the applicable air quality plan). The Project would conflict with Consistency Criterion No. 1 because the Project would exceed the SCAQMD’s threshold of significance for NO<sub>x</sub> and contribute to the non-attainment of ozone standards in the South Coast Air Basin (as discussed above), thus resulting in an increase in the frequency or severity of existing air quality violations and delaying the timely attainment of air quality standards of the interim emissions reductions specified in the AQMP. The Project would conflict with Consistency Criterion No. 2 because the Project would exceed the growth projections within the 2016 SCAG RTP/SCS and 2016 SCAQMD AQMP. Even with incorporation of the mitigation identified in this Draft EIR, the Project would still conflict with the 2016 Air Quality Management Plan, and impacts would be significant and unavoidable.

### Greenhouse Gas Emissions:

- The Project would indirectly generate greenhouse gas (GHG) emissions that may have a significant impact on the environment. Operation and amortized construction of the Project would generate 14,487 MT CO<sub>2e</sub> of GHG per year, which would exceed the SCAQMD threshold of 3,000 MT CO<sub>2e</sub> per year, which is the South Coast Air Quality Management District’s recommended non-industrial project quantitative threshold for determining whether a project’s GHG emissions would have a significant impact on the environment. Even with incorporation of the mitigation identified in this Draft EIR, the Project’s annual amortized GHG emissions would still exceed the threshold of 3,000 MT CO<sub>2e</sub> per year, and impacts would be significant and unavoidable.
- The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As previously discussed, total Project GHG emissions, including operation and amortized construction, would exceed the SCAQMD significance threshold of 3,000 MT CO<sub>2e</sub> per year. As such, the Project would generate GHG emissions that may interfere with the implementation

of GHG reduction goals for 2030 and 2050. Even with incorporation of the mitigation identified in this Draft EIR, the Project's annual GHG emissions would still exceed the threshold of 3,000 MT CO<sub>2e</sub> per year (thereby interfering with the implementation of GHG reduction goals for 2030 and 2050), and impacts would be significant and unavoidable.

### Land Use and Planning

- The Project would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, as described above under the Air Quality heading (because one of the Project's air quality impacts pertains to a conflict with a land use plan, this impact is also disclosed as a land use and planning impact). Despite implementation of mitigation, impacts would be significant and unavoidable.

An EIR is required to identify any alternatives that were considered by the lead agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in an EIR are failure to meet most of the basic objectives of the project, infeasibility, or inability to avoid significant environmental impacts. Section 7, Alternatives includes the detailed analysis of three alternatives to the proposed Project:

- Alternative 1 – No Project/No Development Alternative
- Alternative 2 – Distribution Project Per Limited Manufacturing Zoning Designation Alternative
- Alternative 3 – Reduced Development Intensity Alternative

The following sections provide summaries of these three alternatives. Alternative 3 was determined to be the environmentally superior alternative (see Section 7, Alternatives).

### 1.5.1 Alternative 1 - No Project/No Development Alternative

Under Alternative 1, construction of the Project would not occur. The Project site would remain unchanged, and development activities related to construction and operation of the proposed business park and associated improvements would not occur. In the short term, consistent with the existing conditions, the Project site would continue to be developed with a four-screen drive-in theatre, accessory ticket booth, office, storage, and refreshment structures. The Montclair Tire Company would remain within the northern corner of the Project site. Additionally, the concrete foundations and partially demolished masonry block walls associated with former industrial buildings would remain in the northwest corner of the Project site. Under Alternative 1, the central portion of the Project site (i.e., the portion currently used as a drive-in theater) would also retain its secondary use as a swap meet.

### 1.5.2 Alternative 2 - Distribution Project Per Limited Manufacturing Zoning Designation Alternative

The Project site is currently comprised of a patchwork of conflicting land use designations and varying parcel sizes. Under Alternative 2, a General Plan Amendment would be processed to change the Project site's General Plan land use designation from General Commercial to Limited Manufacturing and a zone change would be processed to change the zoning designation for parcels zoned as MIP Manufacturing Industrial Park and C-3 General Commercial

to M1 Limited Manufacturing (a portion of the Project site is already zoned M1 Limited Manufacturing and therefore a zone change would not be needed for that portion of the site).

These administrative changes would facilitate development of the Project site with distribution/warehouse buildings similar to Buildings 7-8 throughout the entirety of the Project site. (Note that these types of larger distribution/warehouse buildings would not be permitted within the MIP Manufacturing Industrial Park zone that is currently contemplated for the southern portion of the site.) Under this alternative, a hypothetical “All Distribution/Warehouse” project was developed, and it was determined that such a project could theoretically involve the development of approximately 520,000 square feet of building space<sup>3</sup>. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 2, and it is assumed that the form and style of the proposed buildings would be similar to those proposed by the Project.

### 1.5.3 Alternative 3 - Reduced Development Intensity Alternative

Under Alternative 3, the same limited manufacturing and distribution buildings would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 20%. This would equate to a limited manufacturing and distribution project consisting of approximately 410,636 square feet, compared to the Project’s 513,295 square feet. Since the building footprint would be reduced by 102,659 square feet (approximately 2.4 acres), this extra space on the Project site would remain vacant and undeveloped. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 3.

## 1.6 Areas of Known Controversy/Issues to be Resolved

A Notice of Preparation for this EIR and an Initial Study were released on January 4, 2021, beginning the 30-day public scoping period for the EIR (Appendix A). During the public scoping period, input is obtained from public agencies and the general public regarding the environmental issues and concerns that may potentially result from the proposed Project. Comments on the NOP were received from two State agencies, on regional agency, one Native American tribe, and two letters from individuals or groups, which are provided in Appendix A of this Draft EIR.

The City hosted one online Scoping Meeting that was held on Wednesday, January 13, 2021, at 6:00 p.m. At the conclusion of the presentation, attendees of the online meeting were able to provide comments and questions about the proposed Project to the City and the CEQA Consultant during the questions and answers portion of the meeting. The City received one comment in support of the proposed Project during the Scoping Meeting.

The primary areas of controversy identified by the public and agencies included the following potential issues (the Draft EIR section that addresses the issue raised is provided in parentheses):

- Recommendation for contacting the appropriate regional California Historical Research Information System Center; contacting NAHC for Sacred Lands File search and Native American Tribal Consultation List; and for compliance with Assembly Bill 52 and other applicable laws (see Section 4.3, Cultural, Resources, Section 4.11, Tribal Cultural Resources)

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<sup>3</sup> This scenario was developed applying the development intensity/floor-area-ratio/site coverage statistics from the northern half of the Project site (containing Buildings 7-8) to the southern half of the Project site (after accounting for the right-of-way dedication for Third Street).

- Potential to increase the exposure of nearby disadvantaged communities to air pollution, which could result in cumulative health impacts (see Section 4.1, Air Quality)
- Recommendation to quantify and discuss potential cancer risks associated with the use of on-site transportation refrigeration units (if the Project would support cold storage uses) and the operation of on-road and off-road diesel construction equipment (see Section 4.1, Air Quality)
- Recommendation to include existing and emerging zero emission technologies to minimize air pollutant and greenhouse gas emissions (see Section 4.1, Air Quality, Section 4.6, Greenhouse Gas Emissions)
- Recommendation to use South Coast AQMD’s CEQA Air Quality Handbook and CalEEMod land use emissions software when preparing air quality and greenhouse gas analyses
- Recommendation that all feasible air quality mitigation measures be implemented (see Section 4.1, Air Quality, Section 4.6, Greenhouse Gas Emissions)
- Recommendation to address the Project’s potential to conflict with the San Bernardino County Transportation Authority’s Nonmotorized Transport Plan and the City of Montclair’s Active Transportation Plan, and in particular, the potential for the Project to impact a planned Class II bicycle lane on Mission Boulevard (see Section 4.10, Transportation)
- Recommendation to consider how the use non-motorized transportation modes such as bicycling can reduce Project impacts, including VMT (see Section 4.10, Transportation)

# 2 Introduction

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## 2.1 Purpose of the California Environmental Quality Act Process

This Draft Environmental Impact Report (EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental effects associated with implementation of the Mission Boulevard and Ramona Avenue Business Park Project (Project). It was prepared in accordance with Title 14, Section 15000 (et seq.) of the California Code of Regulations (CEQA Guidelines), and the rules, regulations, and procedures for implementing CEQA as adopted by the City of Montclair (City). Consistent with Section 15161 of the CEQA Guidelines, this document is a project EIR and evaluates the potential environmental impacts associated with a specific project. As the lead agency for the Project, the City must complete an environmental review to determine if the Project could potentially result in significant adverse environmental effects.

CEQA Guidelines Section 15002 states that the basic purposes of CEQA are to:

- Inform governmental decision makers and the public about the potential significant environmental effects of proposed activities;
- Identify the ways that environmental damage can be avoided or significantly reduced; and
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.

If a project will be approved involving significant environmental effects, the lead agency must:

- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

This Draft EIR provides project-level analysis of the potential environmental effects related to implementation of the Project. The level of impact analysis in this Draft EIR corresponds to the degree of specificity deemed appropriate in accordance with CEQA Guidelines Section 15146. This Draft EIR addresses the potentially significant environmental impacts that could occur as a result of construction and operation of the Project. This document also identifies appropriate and feasible mitigation measures, where necessary, and includes Project alternatives that could be adopted to reduce or avoid potential significant environmental effects.

This Draft EIR is an informational document for public agencies and members of the public, allowing informed decisions to be made regarding the purpose, objectives, and components of the Project. This Draft EIR is the primary reference document for the formulation and implementation of a Mitigation Monitoring and Reporting Program for the Project, in compliance with California Public Resources Code (PRC) Section 21081.6.

## 2.2 Legal Authority and Lead Agency

This EIR was prepared in accordance with all criteria, standards, and procedures of CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15000 et seq.).

Pursuant to CEQA Section 21067 and CEQA Guidelines Article 4 and Section 15367, the City is the lead agency under whose authority this EIR has been prepared. “Lead agency” refers to the public agency that has the principal responsibility for carrying out or approving a project. Serving as the lead agency and before taking action to approve the Project, the City has the obligation to (1) ensure that this EIR was completed in accordance with CEQA; (2) review and consider the information contained in this EIR as part of its decision-making process; (3) make a statement that this EIR reflects the City’s independent judgment; (4) ensure that all significant impacts on the environment are eliminated or substantially lessened, where feasible; and, if necessary (5) make written findings for each unavoidable significant environmental effect stating the reasons why mitigation measures or Project alternatives identified in this EIR are infeasible and citing the specific benefits of the Project that outweigh its unavoidable adverse effects (CEQA Guidelines Section 15090 through 15093).

Pursuant to CEQA Guidelines Section 15040 through 15043, and upon completion of the CEQA review process, the City will have the legal authority to do any of the following:

- Approve the proposed Project;
- Require feasible changes in any or all activities involved in the Project to substantially lessen or avoid significant effects on the environment;
- Disapprove the Project, if necessary, to avoid one or more significant effects on the environment that would occur if the Project was approved as proposed; or
- Approve the Project even though the Project would cause a significant effect on the environment if the City makes a fully informed and publicly disclosed decision that (1) there is no feasible way to lessen the effect or avoid the significant effect, and (2) expected benefits from the Project will outweigh significant environmental impacts of the Project.

This EIR fulfills the CEQA environmental review requirements for the proposed General Plan Amendment, Zone Change, Tract Map, Precise Plan of Design, and all other governmental discretionary and ministerial actions related to the Project.

This document is an informational document intended for use by City decision makers, trustee and responsible agencies, and members of the general public in evaluating the physical environmental impacts of the Project. It is the primary reference document for the formulation and implementation of a mitigation monitoring program for the Project, in compliance with Public Resource Code, Section 21081.6. Environmental impacts cannot always be mitigated to a level considered less than significant. In accordance with Section 15093(b) of the CEQA Guidelines, if a lead agency approves a project that has significant impacts that are not substantially mitigated (i.e., significant unavoidable impacts), the agency shall state in writing the specific reasons for approving the project, based on the final CEQA documents and any other information in the public record. This is defined in Section 15093 of the CEQA Guidelines as “a statement of overriding considerations.”

## 2.3 Responsible and Trustee Agencies

Section 21104 of the California PRC requires that all EIRs be reviewed by state responsible and trustee agencies (see also CEQA Guidelines Sections 15082 and 15086[a]). As defined by CEQA Guidelines Section 15381, “the term ‘responsible agency’ includes all public agencies other than the lead agency which have discretionary approval power over the project.” A trustee agency is defined in CEQA Guidelines Section 15386 as “a state agency having jurisdiction by law over natural resources affected by a project which are held in trust for the people of the State of California.” The proposed Project only requires discretionary approvals from the City of



Montclair. As such, there are no responsible agencies or trustee agencies that have additional discretionary authority over the proposed Project.

## 2.4 Summary of Project Analyzed in This EIR

The proposed Project would involve demolition of all existing on-site structures and the construction and operation of eight industrial/warehouse buildings (Buildings 1 through 8), with Buildings 7 and 8 on located on the north portion of the site adjacent to State Street, and Buildings 1 through 6 on the south portion of the site adjacent to Mission Boulevard. In total, the Project would provide 513,295 square feet of flexible industrial space to serve the requirements of a wide spectrum of industrial tenants. Development of the Project site would also include loading docks, trailer stalls, passenger vehicle parking spaces, 3rd Street extension, sidewalks and driveways/curb cuts, and landscaping, lighting and signage improvements.

### 2.4.1 Requested Approvals

The following discretionary and ministerial actions under the jurisdiction of the City would be required. This Draft EIR covers all state and local government, and quasi-government approvals that may be needed to implement the Project, whether or not they are explicitly listed in this section or elsewhere in this Draft EIR (CEQA Guidelines Sections 15124[d]).

#### City of Montclair Discretionary Approval

- **General Plan Amendment.** Project implementation would require approval of General Plan Amendment to modify the Project Site's General Plan land use designation from General Commercial to Limited Manufacturing (for Buildings 7 and 8 on the north portion of the Project site north of 3rd Street) and Industrial Park (for Buildings 1 through 6 on the south portion of the Project site south of 3rd Street).
- **Zone Change.** Project implementation would require approval of a zone change to change the Project Site's zoning from M1 Limited Manufacturing, MIP Manufacturing Industrial, and C3 General Commercial to M1 Limited Manufacturing (for Buildings 7 and 8 on the north portion of the Project site north of 3rd Street) and MIP Manufacturing Industrial (for Buildings 1 through 6 on the south portion of the Project site south of 3rd Street).
- **Tract Map.** Project implementation would require approval of a Tract Map to consolidate the nine existing parcels on the Project site into eight on-site parcels. The Tract Map would also detail existing and planned easements and note the dedication of land to the City for the extension of 3rd Street through the Project site.
- **Precise Plan of Design.** Project implementation would require approval of a Precise Plan of Design, which provides precise details about the Project's final site plan, including details relating to all structures, setbacks, driveways, utilities, landscaping, architecture, and the general nature of the proposed use.

#### City of Montclair Ministerial Approvals

- **Encroachment Permit.** An Encroachment Permit would be required for the placement of private infrastructure features, including hardscape and landscape features to be constructed as part of the Project, on or in the City right-of-way.
- **Grading Permit.** A Grading Permit would be required for grading activities.

- **General Construction Permit.** A General Construction Permit would be required for construction activities that would occur as part of the Project.
- **Street/Lane Closure Permit.** A Street/Lane Closure Permit would be required for all work that would be done within the City right-of-way (street curb to street curb). A Traffic Control Plan, prepared in accordance with the most recent edition of the Manual Uniform Traffic Control Devices published by the Federal Highway Administration, must be prepared and accepted by the City prior to issuance of this permit.
- **Other Ministerial Action.** Any other ministerial actions required as deemed necessary by the City.

## 2.4.2 Project of Statewide, Regional, or Area-wide Environmental Significance

CEQA Guidelines Section 15206 identifies the types of projects considered to be of statewide, regional, or area-wide significance. When a project is so classified, its Draft EIR must be submitted to the State Clearinghouse of the Governor's Office of Planning and Research and the appropriate metropolitan area council of governments. This Project meets the following criteria of a project of statewide, regional, or area-wide significance:

- The proposed Project requires a General Plan Amendment and it has the potential for causing significant environmental effects extending beyond the City of Montclair (i.e. air quality impacts).

## 2.5 Scope of This EIR

### 2.5.1 NOP Scoping Process

The purpose of this Draft EIR is to evaluate the potential environmental impacts associated with implementation of the Project. The City concluded that the Project could potentially have direct or indirect adverse effects on the environment. Accordingly, the City determined the need for preparation of an EIR for the Project. The scope of this Draft EIR includes the potential environmental impacts identified in the Initial Study/Notice of Preparation (IS/NOP) that was available for public review from January 4, 2021 through February 3, 2021; comments received during a public scoping meeting held on January 13, 2021, via Zoom webinar; and agency and public written comment received in response to the NOP. A summary of these written comment letters received by the City during the public comment period are provided in Table 2-1. The written comments and the NOP are included as Appendix A of this Draft EIR.

**Table 2-1. Summary of IS/NOP Comments**

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
<b>State Agency</b>			
Native American Heritage Commission (NAHC)	January 4, 2021	<ul style="list-style-type: none"> <li>• Recommendations for cultural assessment by contacting the appropriate regional California Historical Research Information System Center; contacting NAHC for Sacred Lands File search and Native American Tribal Consultation List; and</li> </ul>	Section 4.3, Cultural, Resources  Section 4.11, Tribal Cultural Resources

Table 2-1. Summary of IS/NOP Comments

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
		consulting legal counsel about compliance with Assembly Bill 52 and other applicable laws	
California Air Resources Board (CARB)	February 4, 2021	<ul style="list-style-type: none"> <li>Construction and operation of the Project could increase the exposure of nearby disadvantaged communities to air pollution, which could result in cumulative health impacts</li> <li>The Draft EIR should quantify and discuss potential cancer risks associated with the use of on-site transportation refrigeration units (if the Project would support cold storage uses) and the operation of on-road and off-road diesel construction equipment</li> <li>Recommendation for the Project to include existing and emerging zero emission technologies to minimize air pollutant and greenhouse gas emissions</li> </ul>	Section 4.1, Air Quality Section 4.6, Greenhouse Gas Emissions
<b>Regional and Local Agency</b>			
South Coast Air Quality Management District (South Coast AQMD)	February 2, 2021	<ul style="list-style-type: none"> <li>Request to have a copy of the Draft EIR sent to South Coast AQMD upon public release</li> <li>Recommendation to use South Coast AQMD's CEQA Air Quality Handbook and CalEEMod land use emissions software when preparing air quality and greenhouse gas analyses</li> <li>Recommendation that all feasible mitigation measures be implemented</li> </ul>	Section 4.1, Air Quality Section 4.6, Greenhouse Gas Emissions
<b>Private Organizations and Members of the Public</b>			
Inland Empire Biking Alliance	February 3, 2021	<ul style="list-style-type: none"> <li>The Draft EIR and transportation analysis should address the Project's potential to conflict with the San Bernardino County Transportation Authority's Nonmotorized Transport Plan and the City of Montclair's Active Transportation Plan, and in particular, the potential for the Project to impact a planned Class II bicycle lane on Mission Boulevard</li> <li>The Draft EIR should consider how the use non-motorized transportation modes such as bicycling can reduce Project impacts, including VMT</li> </ul>	Section 4.10, Transportation
Lozeau Drury, LLP	January 6, 2021	<ul style="list-style-type: none"> <li>Request to have notice of actions or hearings related to the proposed Project.</li> </ul>	Not Applicable

Table 2-1. Summary of IS/NOP Comments

Commenter	Date	Summary of Environmental Issues Raised	EIR Chapter/Section Where Comment is Addressed
<b>Native American Tribes</b>			
Gabrieleno Band of Mission Indians - Kizh Nation	January 21, 2021	<ul style="list-style-type: none"> <li>Request to consult with the City about potential Tribal Cultural Resources.</li> </ul>	Section 4.3, Cultural, Resources, Section 4.11, Tribal Cultural Resources
<b>Comments Received After the Scoping Period</b>			
CREED LA	February 9, 2021	<ul style="list-style-type: none"> <li>Request to have notice of actions or hearings related to the proposed Project.</li> </ul>	Not Applicable
Adams Broadwell	March 15, 2021	<ul style="list-style-type: none"> <li>Request to have notice of actions or hearings related to the proposed Project.</li> </ul>	Not Applicable

## 2.5.2 Environmental Issues Determined to Be Not Significant

Pursuant to CEQA, the discussion of potential environmental impacts is focused on those impacts determined to be significant or potentially significant. CEQA allows the lead agency to limit the detail of discussion of the environmental impacts that are not considered potentially significant (PRC Section 21100, CEQA Guidelines Sections 15126.2[a] and 15128). CEQA requires that the discussion of any significant environmental effect be limited to substantial, or potentially substantial, adverse changes in physical conditions that exist within the affected area, as defined in PRC Section 21060.5. In accordance with CEQA Guidelines Section 15143, environmental impacts dismissed in an analysis as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the lead agency subsequently receives information inconsistent with the finding.

As part of the NOP scoping process, environmental issue areas identified in the Initial Study prepared for the Project by the City that were found to have no impact or a less-than-significant impact are provided in Appendix A of this Draft EIR. Thus, with the exception of the impact discussion in the Initial Study (Appendix A), these environmental issues are not further analyzed in this Draft EIR:

- Aesthetics
- Agriculture and Forestry
- Geology and Soils (excluding Paleontological Resources)
- Hydrology and Water Quality
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Wildfire

## 2.5.3 Environmental Issues Determined to Be Potentially Significant

Pursuant to CEQA and CEQA Guidelines Section 15064, the discussion of potentially significant environmental impacts is focused within this Draft EIR on those impacts that the lead agency has determined could be potentially significant. A determination of those environmental impacts that would be potentially significant was made for the Project based on a review of comments received as part of the NOP scoping process and additional research and analysis of relevant information during preparation of this Draft EIR.

The scope of this Draft EIR includes environmental issues identified by the City during the preparation of the NOP, as well as issues raised by public agencies and members of the public in response to the NOP. The following environmental issue areas were determined to be potentially significant and are addressed at further length in this Draft EIR:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology/Soils (only for Paleontological Resources)
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

## 2.6 Organization of This EIR

This Draft EIR contains all of the information required to be included in an EIR, as specified by the CEQA Statutes and Guidelines (California PRC, Section 21000 et seq. and California Code of Regulations, Title 14, Chapter 5). CEQA requires that an EIR contain, at a minimum, specified content. The following provides a quick reference in locating the CEQA-required sections within this document:

- **Chapter 1: Executive Summary.** The Executive Summary provides a summary of the Project and Project alternatives, including a summary of the Project and cumulative impacts, recommended mitigation measures, and the level of significance after mitigation for each environmental issue.
- **Chapter 2: Introduction.** The Introduction provides an overview of the Project and the CEQA process, and describes the purpose, scope, and components of this Draft EIR.
- **Chapter 3: Project Description.** The Project Description provides a detailed description of the Project, including the location and Project characteristics. A summary of the environmental setting is included, and more detail on the setting for each topical chapter is included in Sections 4.1 through 4.12. The intended uses of this Draft EIR, Project objectives, and required Project approvals are also listed.
- **Chapter 4: Environmental Impact Analysis.** The Environmental Impact Analysis chapter analyzes the environmental impacts of the Project. Impacts are organized into major environmental topic areas. Each topic area includes a description of the environmental setting, regulatory setting, significance criteria, individual and cumulative impacts, mitigation measures, and level of significance after mitigation. The following specific environmental areas are addressed in Chapter 4:
  - Section 4.1 – Air Quality
  - Section 4.2 – Biological Resources
  - Section 4.3 – Cultural Resources
  - Section 4.4 – Energy
  - Section 4.5 – Geology and Soils
  - Section 4.6 – Greenhouse Gas Emissions
  - Section 4.7 – Hazards and Hazardous Materials
  - Section 4.8 – Land Use and Planning
  - Section 4.9 – Noise
  - Section 4.10 – Transportation
  - Section 4.11 – Tribal Cultural Resources
  - Section 4.12 – Utilities and Service Systems

- **Chapter 5: Effects Found Not To Be Significant.** The Effects Found Not To Be Significant chapter provides a summary of Project impacts that have been determined, through preparation of the IS/NOP, to result in less-than-significant or no impact, and therefore, further discussion is not warranted.
- **Chapter 6: Other CEQA Considerations.** The Other CEQA Considerations chapter provides a summary of significant environmental impacts, including unavoidable, irreversible, and growth-inducing impacts.
- **Chapter 7: Alternatives.** The Alternatives to the Proposed Project chapter provides a comparison between the Project impacts and three Project alternatives: (1) the No Project/No Development Alternative, (2) the Distribution Project per Limited Manufacturing Zoning Designation Alternative, and (3) the Reduced Development Intensity Alternative.
- **Chapter 8: List of Preparers.** The Persons and Organizations Consulted and List of Preparers chapter provides a list of the organizations, persons consulted, and various individuals who contributed to the preparation of this Draft EIR. This section also includes a list of the lead agency personnel and technical consultants used to prepare this Draft EIR.
- **Appendices.** The technical appendices contain the IS/NOP (including public comments) and technical studies prepared to support the analyses and conclusions in this Draft EIR.

The Final EIR will be prepared after the public review period for this Draft EIR has been completed. The Final EIR will include comments and recommendations received on the Draft EIR during the public review period; a list of persons, organizations, and public agencies commenting on the Draft EIR; written responses to significant environmental issues identified in the comments received; and any other relevant information added by the City.

## 2.7 Documents Incorporated by Reference

Pursuant to CEQA Guidelines Section 15150, this Draft EIR has referenced several technical studies, analyses, and previously certified environmental documents. Information from these documents, incorporated by reference, is briefly summarized in the appropriate chapters and sections. The documents that were used to prepare this Draft EIR include the following:

- City of Montclair General Plan (1999)
- Montclair Municipal Code (Code of Ordinances) (May 27, 2021 [Updated])
- County of San Bernardino Countywide Plan (General Plan) (2020)

These reference documents, in accordance with CEQA Guidelines Section 15150(b), are available for review at the following locations:

### City of Montclair General Plan

[https://cloud.cityofmontclair.org/main.html?download&weblink=d9839f79a4f97e12ef5124cfc6527d13&realfilename=City\\$20of\\$20Montclair\\$20General\\$20Plan.pdf](https://cloud.cityofmontclair.org/main.html?download&weblink=d9839f79a4f97e12ef5124cfc6527d13&realfilename=City$20of$20Montclair$20General$20Plan.pdf)

### Montclair Code of Ordinances

[https://library.municode.com/ca/montclair/codes/code\\_of\\_ordinances](https://library.municode.com/ca/montclair/codes/code_of_ordinances)

### County of San Bernardino Countywide Plan (General Plan)

<http://countywideplan.com/>

# 3 Project Description

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This chapter describes the objectives of the proposed Mission Boulevard and Ramona Avenue Business Park Project (Project) and the Draft Environmental Impact Report (EIR) and provides a detailed description of the Project characteristics. This chapter also discusses the required development approvals and discretionary actions necessary to implement the Project.

## 3.1 Project Location

The approximately 27.74-acre (gross) Project site is located in the southwestern part of the City, which is located within the western edge of San Bernardino County, as shown on Figure 3-1, Regional Map and Figure 3-2, Project Location. After dedication of the 1.54-acre portion of the Project site to the City of Montclair for the extension of 3rd Street, the net Project site acreage would be 26.2 acres. The Project site is located at the northwest corner of Mission Boulevard and Ramona Avenue, and is bound by State Street to the north, Ramona Avenue to the east, Mission Boulevard to the south, and Sinclair Road (i.e., County Road 20010) to the west. The Project site is located in Section 27 of Township 1 South, Range 8 West, as depicted on the U.S. Geological Survey Ontario, California 7.5-minute topographic quadrangle map.

Regional access to the proposed Project is provided via Interstate 10 located approximately 1.5 miles north of the Project site and its interchanges at Monte Vista Avenue, Central Avenue, and Indian Hill Boulevard, as well as via State Road 60 located approximately 1.8 miles south of the Project site and its intersections with Ramona Avenue, Central Avenue, and Reservoir Street. Local access to the Project is provided via Ramona Avenue, Mission Boulevard, 3rd Street, and State Street.

## 3.2 Environmental Setting

### City of Montclair

The City is located in western end of San Bernardino County, approximately 35 miles east of downtown Los Angeles and 30 miles west of the San Bernardino Civic Center. The western boundary of the City is contiguous with the Los Angeles County line. Montclair's "sphere of influence" extends beyond the City's incorporated boundaries and into unincorporated San Bernardino County. Before its incorporation, the area was a greenbelt of citrus groves located between the growing communities of Pomona and Ontario. When development began, the area was under the jurisdiction of San Bernardino County. The City officially incorporated with its enabling power as a general law city in 1956. Today, the City's decisions on development are guided by the City's General Plan, which covers an approximately 4,000-acre planning area (City of Montclair 1999).

The City comprises a mix of different land use types and density. Single-family residential uses comprise the largest land use totaling approximately 1,800 acres. The other residential use types occurring throughout the City include two-family residential, multifamily residential, and mobile home parks, which are primarily located north of Kingsley Street. Commercial land uses make up the City's most dominant use. Montclair Place (formerly Montclair Plaza), Montclair Entertainment Plaza, auto dealerships, and surrounding commercial land uses are highly visible from Interstate 10, which helped create an image of the City as a regional commercial hub. Industrial and related land uses are primarily situated between Brooks Street and the north side of Mission Boulevard, within the vicinity of the Project site (City of Montclair 1999).

**Existing Project Site**

As shown on Figure 3-3, Project Aerial and Existing Uses, the approximately 27.74-acre Project site is currently developed with a four-screen drive-in theatre, accessory ticket booth, office building, storage building, and refreshment structure. The drive-in theater operates six days a week and has the capacity for approximately 1,450 cars. Two films per screen are typically shown each night with the latest start time typically at 10:00 p.m. During daytime hours, the drive-in theater is also used as a swap meet, which operates from 6:00 a.m. to 2:00 p.m. on Wednesdays and Fridays through Sundays. When not operating, commercial vendors will typically store their commercial goods in storage sheds located on the northern portion of the site.

The northwest corner of the Project site contains a largely concrete-paved area containing building foundations and partially demolished masonry block walls associated with former industrial buildings that were demolished at various points between 1989 and 2009. This area is now used by the swap meet/theater business to manage solid waste generated during operations.

In addition, the Montclair Tire Company occupies a metal building located on a triangular-shaped area at the northeastern corner of the Project site but is not currently an operating business.

Photos of the Project site are provided in Figure 3-4, Existing Conditions.

The Project site is composed of nine existing parcels identified by a unique Assessor’s Parcel Number (APN):

- APN 1012-151-20
- APN 1012-151-27
- APN 1012-151-28
- APN 1012-151-29
- APN 1012-161-01
- APN 1012 161-02
- APN 1012-161-03
- APN 1012-161-04
- APN 1012-161-05

The City’s General Plan designates the entire Project site as General Commercial, as shown on Figure 3-5, Existing and Proposed General Plan Land Use. According to the City’s Zoning Map, the Project site contains a mix of zoning designations including C3 General Commercial, MIP Manufacturing Industrial, and M1 Limited Manufacturing, as shown on Figure 3-6, Existing and Proposed Zoning (City of Montclair 2013; City of Montclair 2018). Table 3-1 provides a summary of the current General Plan Land Use and Zoning designations associated with each APN, and these designations may also be referenced on Figure 3-5 and Figure 3-6.

**Table 3-1. Current General Plan Land Use and Zoning Designations**

Assessor Parcel Number	General Plan Land Use Designation	Zoning Designation
APN 1012151-20	General Commercial	M1 Limited Manufacturing
APN 1012-151-27	General Commercial	MIP Manufacturing Industrial
APN 1012-151-28	General Commercial	MIP Manufacturing Industrial
APN 1012-151-29	General Commercial	M1 Limited Manufacturing
APN 1012-161-01	General Commercial	C3 General Commercial
APN 1012-161-02	General Commercial	C3 General Commercial
APN 1012-161-03	General Commercial	M1 Limited Manufacturing
APN 1012-161-04	General Commercial	M1 Limited Manufacturing
APN 1012-161-05	General Commercial	C3 General Commercial

**Source:** City of Montclair 2013; City of Montclair 2018.

**Note:** See Figure 3-5 and Figure 3-6.



### Surrounding Land Uses

As shown on Figure 3-3, Project Aerial and Existing Uses, the land uses surrounding the Project site consist of a mix of industrial, manufacturing, automotive, commercial, residential uses. Specific land uses located in the immediate vicinity of the Project site include the following:

- **North:** State Street, State Street Storm Drain Channel, Union Pacific railroad tracks, Brooks Street Groundwater Recharge Basin, and industrial uses
- **East:** Ramona Avenue, industrial uses, commercial uses, residential uses, and vacant land
- **South:** Mission Boulevard, commercial uses, and residential uses
- **West:** Industrial, manufacturing, and residential uses

An approximately 440-square-foot parcel containing an inactive subterranean water well that was formerly used for agricultural uses (APN 101-216-101) is located within the northwestern portion of the Project site in the concrete-paved area of the former (now demolished) industrial buildings. While this parcel is not a part of the Project site, construction and operational activities would occur on the parcel, which would ultimately be surrounded by landscaping associated with the frontage of the Project site facing State Street, near Building 7. The well is considered to be a “permanently inactive well” in accordance with the definition set forth in the California Health and Safety Code Section 115700. Therefore, prior to the proposed Project’s construction, the Project applicant will coordinate with San Bernardino County to conduct the permanent abandonment of the well in accordance with all applicable regulations.

### Surrounding Circulation Network

#### *Roadways*

Vehicular access to the Project site is provided via Mission Boulevard, Ramona Avenue, and State Street. Mission Boulevard is an east-west, 4-lane, divided roadway with left-turn bays adjacent to the Project site. Ramona Avenue is a north-south, 4-lane undivided and divided roadway, running adjacent to the eastern boundary of the Project site. Both Mission Boulevard and Ramona Avenue are City-designated truck routes. State Street is an east-west, 2-lane, undivided roadway, running adjacent to the northern boundary of the Project site. State Street is designated as an Industrial Collector by the City of Montclair General Plan Circulation Element.

#### *Transit*

An Omnitrans Route 88 Bus Stop is located at the Project site’s southeastern corner at the intersection of Mission Boulevard and Ramona Avenue. Omnitrans provides public bus services for the Cities of Chino Hills, Pomona, Chino, Ontario, Montclair, Upland, Rancho Cucamonga, Fontana, Rialto, San Bernardino, Colton, Grand Terrace, Loma Linda, Riverside, Highland, Redlands, and Yucaipa.

Additionally, according to maps prepared by the Southern California Association of Governments, the Project site is located within a Transit Priority Area (SCAG 2021). Per Public Resources Code section 21099(a)(7) a “Transit priority area” means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in an adopted Transportation Improvement Program.

### ***Pedestrian and Bicycle Facilities***

Within the immediate vicinity of the Project site, Mission Boulevard and Ramona Avenue have been constructed with curbs, gutters, and sidewalks on both sides of the street. Dale Street, Camulos Avenue, and State Street have all been constructed with curbs, gutters, and sidewalks along only one side of the street, and 3rd Street and Silicon Avenue are not constructed with consistent pedestrian facilities along either side of the respective streets.

Ramona Avenue, Mission Boulevard, and Central Avenue are designated as on-street bicycle lanes by the City of Montclair General Plan Circulation Element. However, there is no indication of any type of bike lane in the immediate boundary streets of the Project site aside from the streets designated in the City's General Plan Circulation Element. As the City's Circulation Element does not provide specific bicycle facility designations, the San Bernardino County Non-Motorized Transportation Plan and the City's Active Transportation Plan are referenced instead. According to the San Bernardino County Non-Motorized Transportation Plan, a Class II bicycle lane is planned along Mission Boulevard, adjacent to the southern frontage of the Project site. The next closest indication of a City-designated bicycle facility is a Class II bicycle lane along both sides of Mills Avenue, north of Holt Boulevard, located approximately 1-mile northwest of the Project site. Additionally, the Active Transportation Plan recommends re-striping Mission Boulevard and Ramona Avenue as Class II buffered bike lanes, with the option to transition them to Class IV separated bike lanes in the long term. The Project itself does not involve plans to construct these City-planned bicycle facilities.

### **Cumulative Setting**

In many cases, the impact of an individual project may not be significant, but its cumulative impact may be significant when combined with impacts from other related projects. Section 15355 of the CEQA Guidelines defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” CEQA Guidelines Section 15130(b) states that “the discussion [of cumulative impacts] need not provide as great detail as is provided for the effects attributable to the project alone.” Section 15130(b) further states that a cumulative impacts discussion “should be guided by standards of practicality and reasonableness.”

Cumulative impacts can also occur from the interactive effects of a single project. For example, the combination of noise and dust generated during construction activities can be additive and can have a greater impact than either noise or dust alone. However, substantial cumulative impacts more often result from the combined effect of past, present, and future projects located in proximity to a proposed project. Thus, it is important for a cumulative impacts analysis to be viewed over time and in conjunction with other related past, present, and reasonably foreseeable future projects, the impacts of which might compound or interrelate with those of the Project under review.

As provided by Section 15130(b) of the CEQA Guidelines, the following elements are necessary to an adequate discussion of cumulative impacts:

- Either: (A) a list of past, present, and reasonably anticipated future projects producing related or cumulative impacts, including those projects outside the control of the agency; or (B) a summary of projections contained in an adopted general plan or related planning document that is designed to evaluate regional or area wide conditions. Any such planning document shall be referenced and made available to the public at a location specified by the lead agency.
- A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
- A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable options for mitigating or avoiding any significant cumulative effects of the proposed projects.

For the analysis of cumulative impacts associated with the Project, a cumulative project list was developed through consultation with the City of Montclair’s Transportation Engineering Division staff during the traffic scoping process for the Traffic Impact Analysis prepared for the Project (Appendix G). This process occurred during the public review period of the Notice of Preparation (i.e., January 2021), which is used as the baseline for this environmental analysis. Table 3-2 provides a list of these cumulative projects and their associated land use. Cumulative project locations are shown in Figure 3-7, Cumulative Projects.

**Table 3-2. Cumulative Projects**

ID <sup>1</sup>	Project Name	Use	Size
<b>City of Chino</b>			
CH1	Pine Tree Motel Expansion	Motel	32 Rooms
CH2	Francis Ave Homes	Single-Family Detached Housing	39 DUs
CH3	PL 20-0004	General Light Industrial	60,000 SF
<b>City of Claremont</b>			
CL1	Knight's Inn Renovation	Hotel	38 Rooms
CL2	TTM 62814	Multifamily Housing (Low-Rise)	13 DU
CL3	John Elway's Claremont Chrysler Dodge Jeep Ram	Automobile Sales (New)	7,000 SF
CL4	Claremont Mazda	Automobile Sales (New)	30,000 SF
<b>City of Montclair</b>			
M1	Montclair Senior Assisted Living	Assisted Living	152 Beds
M2	Office/Industrial at Ramona and Holt	Warehousing	56,305 SF
		General Office Building	11,383 SF
M3	4651 Brooks Street Warehouse	Warehousing	56,000 SF
M4	Commercial Shopping Center/Warehouse at Central and Holt	Supermarket	42,217 SF
		Shopping Center	23,784 SF
		Warehousing	95,235 SF
<b>City of Ontario</b>			
O1	PDEV19-006	General Light Industrial	35,435 SF
O2	PDEV19-015	General Light Industrial	27,670 SF
O3	PDEV15-027	Multifamily Housing (Low-Rise)	53 DU
O4	PDEV19-049	Multifamily Housing (Low-Rise)	30 DU
O5	TM-20198	Single-Family Detached Housing	18 DU
<b>City of Pomona</b>			
P1	Auto Body Assembly	Manufacturing	29,000 SF
P2	San Antonio/Grand Ave Condos	Multifamily Housing (Low-Rise)	14 DU
P3	Reservoir Street Warehouse	Warehousing	74,968 SF
P4	BelCon Condos	Multifamily Housing (Low-Rise)	5 DU
P5	Phillips Boulevard Condos	Multifamily Housing (Low-Rise)	6 DU

Source: Appendix G

Notes: DU = dwelling unit; SF = square feet.

<sup>1</sup> Corresponds with Figure 3-7, Cumulative Projects.

## Environmental Baseline

As discussed above, the Project site currently contains several active uses. This Draft EIR does not consider the elimination of these uses in the calculation of projected Project-related operational emissions and traffic analyses (i.e., the Project’s operational emissions are not reduced to account for the elimination of these occupiable buildings); therefore, this Draft EIR provides a conservative assessment of operational impacts. Additional information is provided within the applicable environmental analysis sections.

## 3.3 Proposed Project

The proposed Project includes the demolition of all existing on-site structures (see Section 3.2, Environmental Setting) and the construction of an eight-building business park. In total, the Project would provide approximately 513,295 square feet of flexible space for light manufacturing and distribution uses, as well as associated improvements including loading docks, trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements, as shown on Figure 3-8, Conceptual Site Plan. The Project would also involve the implementation of a General Plan Amendment, Zone Change, Tract Map, and Precise Plan of Design. The individual components of the Project are discussed in further detail below.

### 3.3.1 General Plan Amendment and Zone Change

As depicted on Figure 3-5, Existing and Proposed General Plan Land Use, the City’s General Plan currently designates the entire Project Site for “General Commercial” land uses. The proposed General Plan Amendment would change the land use designation of the Project site to two designations. Approximately 13.98 acres of the northern half of the Project would be changed to “Limited Manufacturing”, and approximately 12.22 acres of the southern half of the Project site would be changed “Industrial Park”.

As depicted on Figure 3-6, Existing and Proposed Zoning, the City currently designates approximately 7.99 acres in the western portion of the 27.74-acre Project site as Limited Manufacturing (M1), 9.65 acres in the northeastern portion of the Project site as Manufacturing Industrial (MIP), and 10.06 acres in the southern portion of the Project site as General Commercial (C3). The proposed Zone Change would change approximately 13.98 acres of the northern half of the Project site to Limited Manufacturing (M1) and approximately 12.22 acres of the southern half of the Project site to Manufacturing Industrial Park (MIP). The remaining acreage would be dedicated to the City for the extension of 3rd Street, as described in further detail below. According to the City’s Municipal Code, the Limited Manufacturing (M1) zone is intended for limited manufacturing and limited industrial uses. The Manufacturing Industrial Park Zone (MIP) is intended to provide an appropriate physical environment for the establishment of industrial and light manufacturing uses.

Under the existing General Plan Land Use and zoning designations, the “General Commercial” General Plan land use designation conflicts with the Limited Manufacturing (M1) and Manufacturing Industrial (MIP) zoning designations for the site. The proposed General Plan Amendment and Zone Change would resolve these changes and allow for the development of the Project site with a cohesive land use concept. Additionally, the properties surrounding the Project site to the north, east, and west have General Plan Land Use Designations relating to industrial purposes and are almost entirely developed with industrial uses. The proposed General Plan Amendment would allow for the development of similar uses within an established industrial corridor within the City.

### 3.3.2 Project Components

The proposed Project includes the demolition of all existing on-site structures (see Section 3.2, Environmental Setting) and the construction of an eight-building business park. In total, the Project would provide approximately 513,295 square feet of flexible space for light manufacturing and distribution uses, as well as associated improvements including loading docks, trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements (Figure 3-8, Conceptual Site Plan).

The Project would generally be divided into two major areas separated by the planned development of 3rd Street through the middle of the Project site in an east-west orientation. The approximately 12.22-acre portion of the site south of 3rd Street would contain six buildings, referred to Buildings 1 through 6, ranging in size from approximately 30,200 square feet to 41,831 square feet. These buildings would be designed to provide flexible space pursuant to the allowed uses of the Manufacturing Industrial Park (MIP) zone. The approximately 13.98-acre site north of 3rd Street would contain two buildings, referred to as Buildings 7 and 8, which would be approximately 110,000 square feet and 186,000 square feet. These buildings are designed to be used primarily to support warehousing operations.

Tables 3-3 and 3-4 provide a summary of Project details.

**Table 3-3. Building Area Summary**

Area	Bldg. 1	Bldg. 2	Bldg. 3	Bldg. 4	Bldg. 5	Bldg. 6	Bldg. 7	Bldg. 8	Total
Ground Floor Office	2,500	2,500	2,500	2,500	2,500	2,500	5,000	5,000	25,000
Manuf.- Warehouse	33,764	25,200	31,886	32,411	26,403	36,831	176,800	100,000	463,295
Mezzanine <sup>1</sup>	2,500	2,500	2,500	2,500	2,500	2,500	5,000	5,000	25,000
<b>Total Building Area</b>	<b>38,764</b>	<b>30,200</b>	<b>36,886</b>	<b>37,411</b>	<b>31,403</b>	<b>41,831</b>	<b>186,800</b>	<b>110,000</b>	<b>513,295</b>
<b>Building Footprint</b>	<b>36,264</b>	<b>27,700</b>	<b>34,386</b>	<b>34,911</b>	<b>28,903</b>	<b>39,331</b>	<b>181,800</b>	<b>105,000</b>	<b>488,295</b>

**Notes:** Bldg. = Building; Manuf. = Manufacturing; Mezz. = Mezzanine; all values are in square feet.

<sup>1</sup> Mezzanine area not included in Building Footprint but included in Total Building Area.

**Table 3-4. Proposed Building Floor Area Summary**

Statistic	Bldg. 1	Bldg. 2	Bldg. 3	Bldg. 4	Bldg. 5	Bldg. 6	Bldg. 7	Bldg. 8	Total
Total Bldg. Area (SF)	38,764	30,200	36,886	37,411	31,403	41,831	186,800	110,000	513,295
Parcel (SF)	97,390	81,099	85,283	85,329	82,520	100,862	355,905	252,876	1,141,264
Parcel (Acre)	2.24	1.86	1.96	1.96	1.89	2.32	8.17	5.81	26.2
Coverage <sup>2</sup>	37.2%	34.2%	40.3%	40.9%	35.0%	39.0%	51.1%	41.5%	42.8%
FAR <sup>2</sup>	39.8%	37.2%	43.3%	43.8%	38.1%	41.5%	52.5%	43.5%	45.0%

**Source:** GAA Architects 2021.

**Note:** Bldg. = building; SF = square feet; Ac. = acres; FAR = floor area ratio

<sup>1</sup> Parking Spaces per 1,000 square feet of building area.

<sup>2</sup> The Montclair Municipal Code does not specify maximum lot coverage or floor area ratio restrictions for the MIP and M1 zones provided that all other development standards are met.

### Architecture

The Project’s design employs a variety of architectural strategies to create a contemporary, unified, and high-quality business park campus environment. The proposed buildings would be primarily constructed with concrete tilt-up panels. Building exteriors would feature varying textures, intrusions, and extrusions to create appropriately scaled building façades. Similarly, each building would feature variable roof lines extending from 37 feet in height to 41 feet in height near building corners (measured from the finished floor). Building corners would feature aluminum and glazing (glass) elements to create pedestrian-scale, intuitive building entrances. The buildings would be painted with complementary neutral colors. Buildings 1 through 6 would feature neutral earth tones while Buildings 7 and 8 would feature neutral grey tones.

The interior truck court areas for each building would be screened and secured by concrete screen walls and sliding metal gates. The concrete screen walls and gates for Buildings 1 through 6 would be approximately 8 feet tall and the gates would feature a tubular metal design. The majority of the concrete screen walls and gates for Buildings 7-8 would be 8 feet tall. A portion of the northern side of the Project site (i.e., facing State Street and the rail corridor) would be approximately 15 feet tall as viewed from State Street and secured by an 8-foot tall wrought iron sliding gate with a perforated metal screen. Concrete screen walls would also be installed along the western boundary of the Project site, near parking areas. Each wall would have a vandal-free treatment and would be painted with colors complementary to each building.

Representative building elevations are provided in Figure 3-9A, representative Architectural Elevations for Buildings 1-6; Figure 3-9B, Architectural Elevations for Building 7; and Figure 3-9C, Architectural Elevations for Building 8.

### Landscaping and Lighting Improvements

As depicted in Figure 3-10, Landscape Plan, landscaping is proposed for the passenger vehicle parking areas, around the portions of the building visible from off-site areas, as well as the site’s frontages with Mission Boulevard, Ramona Avenue, 3rd Street, and State Street. Landscaping along the site’s frontages would include a mixture of trees, shrubs, and groundcover. Proposed trees include 24-inch box Desert Willow, 24-inch box Chitalpa, 24-inch box Tulip Trees, 24-inch Coast Live Oaks, and 15-gallon Brisbane Box Trees. The landscaping materials along the Project frontages incorporate a layering concept to provide different height trees and border or accent shrubs and low ground covers. Plant material is selected for low water and low maintenance.

Project lighting would feature a mix of pole-mounted and wall-mounted lighting fixtures. Consistent with Section 11.66.030 of the City’s Municipal Code, lighting used in the parking areas must be arranged so that the light is directed onto the parking areas and away from adjacent properties. The City’s Building Security Requirements also state that exterior lighting must not shine away from the subject property (City of Montclair 2020). Where light spillage on adjacent properties could be a concern (i.e., residences to the west), the Project would be required to include light controlling devices, such as light guards.

### Site Access, Circulation, and Parking Improvements

Primary vehicular site access would be provided via the Ramona Avenue/Dale Street signalized intersection, along with additional unsignalized driveways proposed along State Street, Mission Boulevard, 3rd Street, and Ramona Avenue.

The existing alignment of 3rd Street currently stops at the Project site’s western boundary. As part of the Project, 3rd Street would be extended through the Project site to connect with Ramona Avenue at the intersection of

Ramona Avenue and Dale Street. 3rd Street is not classified in the City of Montclair General Plan Circulation Element but is designed to be a 2-lane, undivided, local/unclassified roadway with a 60-foot-wide right of way. The existing Ramona Avenue/Dale Street intersection with which 3rd Street would connect would remain unchanged.

Access to the Project site via State Street, 3rd Street, and Mission Boulevard would be provided by four driveways on State Street, six driveways on 3rd Street, one driveway on Ramona, and two driveways on Mission Boulevard.

Consistent with these Montclair Fire Department access requirements, all Project driveways have been designed to allow for minimum turning radii. Signage and striping would be provided to demarcate fire lanes and clear spaces throughout the site. All gated entryways would include rapid-access Knox boxes to provide emergency access to gated areas.

The Project would provide a number of dock doors, at-grade doors, and passenger, clean air/vanpool, and electric vehicle parking spaces. Dock doors and grade doors would be located within the gated truck courts for each building and would be oriented towards the interior of the sites. Additionally, 23 trailer stalls would be provided within the truck court for Building 7. Specific details regarding the Project’s loading doors, trailer stalls, and parking spaces is provided in Table 3-5.

**Table 3-5. Parking Summary**

Parking Type	Bldg. 1	Bldg. 2	Bldg. 3	Bldg. 4	Bldg. 5	Bldg. 6	Bldg. 7	Bldg. 8	Total
<b>Truck-Related</b>									
Dock Doors	6	4	4	4	4	6	18	18	64
Grade Doors	1	1	1	1	1	1	2	2	10
Trailer Stalls	0	0	0	0	0	0	23	0	23
<b>Bicycle Parking</b>									
Bicycle Parking	2	2	2	2	2	2	12	8	32
<b>Passenger Parking</b>									
Standard	41	43	41	41	44	43	185	119	557
Clean Air/Vanpool	12	12	12	12	12	12	18	12	102
Electric Vehicle	3	3	3	3	3	3	14	9	41
<b>Total Provided</b>	<b>56</b>	<b>58</b>	<b>56</b>	<b>56</b>	<b>59</b>	<b>58</b>	<b>217</b>	<b>140</b>	<b>700</b>
<b>Passenger Parking Ratios<sup>1</sup></b>									
<b>Total Required</b>	<b>1.39</b>	<b>1.50</b>	<b>1.41</b>	<b>1.40</b>	<b>1.48</b>	<b>1.36</b>	<b>1.16</b>	<b>1.27</b>	<b>1.29</b>
<b>Total Provided</b>	<b>1.47</b>	<b>1.92</b>	<b>1.52</b>	<b>1.50</b>	<b>1.88</b>	<b>1.39</b>	<b>1.16</b>	<b>1.28</b>	<b>1.37</b>

Source: GAA Architects 2021.

Note: Bldg. = Building.

<sup>1</sup> Parking Spaces per 1,000 square feet of building area.

All Project frontages facing State Street, 3rd Street, Mission Boulevard, and Ramona Avenue would include 5-foot-wide sidewalks to facilitate pedestrian connectivity.

As discussed previously, bicycle facilities are planned and contemplated for the portions of Mission Boulevard and Ramona Avenue adjacent to the Project site. While the Project does not involve any plans to construct these planned

and contemplated facilities, the Project’s design would ensure that these facilities can be readily developed when the City commences implementation of those projects.

Project construction would require the temporary relocation and construction of an Omnitrans Bus Stop located along the Project site’s southeastern corner at the intersection of Mission Boulevard and Ramona Avenue. This bus stop is part of Omnitrans Route 88, which connects Chino Hills to Montclair via Central and Monte Vista Avenues, primarily serving the Chino Transit Center to the south and Montclair Transit Center to the north. The Project applicant would coordinate with Omnitrans regarding construction and relocation of this facility to ensure continual operation during Project construction.

**Tract Map**

Currently, the Project site is comprised of nine parcels ranging in size from 0.29 acres to 8.93 acres. A Tract Map would be prepared for the Project to reorganize the Project site into eight parcels with each building being located on its own individual parcel, as shown on Figure 3-11, Tentative Tract Map.

As part of the Tract Map, approximately 1.54 acres of the Project site would be dedicated to the City for the extension of 3rd Street. Additionally, a 10-foot easement would be provided at the northwestern portion of the site to provide for public access across the site from State Street and Sinclair Street, west of the Project site. An approximately 20- to 30-foot slope easement would be maintained at the northeastern portion of the Project site.

**Additional Project Design Features**

***CALGreen Requirements (California Code of Regulations, Title 24, Part 11)***

The 2019 California Green Building Standards Code (CALGreen) establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The proposed Project would implement a variety of applicable CALGreen standards, which include measures to reduce building materials, such as developing a construction waste management plans, measures to conserve potable and recycled water sources, and measures to reduce fossil fuel consumption and concentrations of both criteria and non-criteria air pollutants. Specific CALGreen Code requirements applicable to the proposed Project are identified and discussed in further detail below (see Table 3-6, CALGreen Requirements).

**Table 3-6. CALGreen Requirements Summary**

CALGreen Code	Summary of Requirements
<p><b>5.106.2—Stormwater pollution prevention for projects that disturb one or more acres of land</b></p>	<p>As the proposed Project site is greater than one acre, the Project must comply with all lawfully enacted stormwater discharge regulations. A stormwater pollution plan is required, in addition to all applicable permits including National Pollutant Discharge Elimination System (NPDES) permits. NPDES permits require post-construction runoff (post-project hydrology) to match the preconstruction runoff (pre-project hydrology) with the installation of postconstruction stormwater management measures. The NPDES permits emphasize runoff reduction through on-site stormwater use, interception, evapotranspiration, and infiltration through nonstructural controls, such as Low Impact Development (LID) practices, and conservation design measures. Stormwater volume that cannot be addressed using nonstructural practices is required to be captured in structural practices and be approved by the enforcing agency.</p>



Table 3-6. CALGreen Requirements Summary

CALGreen Code	Summary of Requirements
	Additional information about the Project's stormwater system is provided in Appendices H-1 and H-2.
<b>5.106.4.1.—Short-term bicycle parking</b>	As the proposed Project is anticipated to generate visitor traffic, the Project will provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5% of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack.
<b>5.106.4.1.2—Long-term bicycle parking</b>	As the proposed Project is anticipated to include tenant spaces that have 10 or more tenant-occupants, the Project will provide secure bicycle parking for 5% of the tenant-occupant vehicular parking spaces with a minimum of at least one bicycle parking facility.
<b>5.106.5.2—Designated parking for clean air vehicles</b>	As the proposed Project is anticipated to add 10 or more vehicular parking spaces, the Project will provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles, as identified in CALGreen Code Table 5.106.5.2.
<b>5.106.8—Light pollution reduction</b>	Outdoor lighting systems will be designed and installed to comply with the following: (1) The minimum requirements in the <i>California Energy Code</i> for Lighting Zones 0-4 as defined in Chapter 10, Section 10-114 of the <i>California Administrative Code</i> ; and (2) Backlight (B) ratings as defined in IES TM-15-11 (shown in Table A-1 in Chapter 8 of CALGreen); (3) Uplight and Glare ratings as defined in <i>California Energy Code</i> (shown in Tables 130.2-A and 130.2-B in Chapter 8) and; (4) Allowable BUG ratings not exceeding those shown in Table 5.106.8, or Comply with a local ordinance lawfully enacted pursuant to Section 101.7, whichever is more stringent.
<b>5.303.3—Water conserving plumbing fixtures and fittings</b>	The proposed Project will comply with all applicable subsection requirements of CALGreen Section 5.303.3 as related to plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads). The Project's plumbing fixtures will be 20% conserving. In addition to Project implementation, compliance with this section will also be provided in each permit for all future tenant improvement(s).
<b>5.304.1—Outdoor potable water use in landscape areas</b>	Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWEL0), whichever is more stringent. As the proposed Project is anticipated to have over 1,000 sq. ft. of landscaping, the Project will install separate submeters or metering devices for outdoor potable water use. Any irrigation will also have weather or soil moisture-based automatic controllers.
<b>5.408.1—Construction waste management</b>	A construction waste management plan will be developed wherein the proposed Project shall recycle and/or salvage for reuse a minimum of 65% of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent.
<b>5.504—Pollutant Control</b>	The proposed Project will comply with local or regional air pollution control or air quality management district rules where applicable, or SCAQMD Rule 1168 VOC limits, as shown in CALGreen Code Tables 5.504.4.1 and 5.504.4.2. Such products also shall comply with the Rule 1168 prohibition on the use of certain toxic compounds (chloroform, ethylene dichloride, methylene chloride, perchloroethylene and trichloroethylene), except for certain aerosol products. The Project will also comply with any and all applicable provisions of Section 5.504 contained therein, including Sections 5.504.1 (Temporary ventilation), 5.504.3 (Covering of duct openings and protection of mechanical equipment during construction), 5.504.4 (Finish material pollutant control), 5.504.5.3 (Filters), and 5.504.7 (Environmental tobacco smoke control).

### **Operational Characteristics**

Although the future occupants of the Project are unknown at this time, the Project applicant anticipates that Buildings 1 through 6 could support a number of light manufacturing and distribution uses, (e.g., manufacturing, service, and warehouse) provided that they are permitted in the Manufacturing Industrial Park (MIP) zone. Buildings 7-8 are anticipated to support more traditional warehousing and distribution operations. Cold storage would not be permitted in any of the proposed buildings. For purposes of evaluation in this Draft EIR, it is assumed that the buildings would be operational 24 hours per day, seven days per week, with exterior loading and parking areas illuminated at night. Lighting would be subject to compliance with the Montclair Municipal Section 11.66.030, which states that parking lot lighting shall be shielded, or recessed, and directed downward and away from adjoining properties. Additionally, the Project's lighting plan is subject to approval by City staff during the plan check process.

In general, the Project's buildings have been designed such that business operations would be conducted within the enclosed buildings, with the exception of traffic movement, passenger and truck parking, the loading and unloading of trailers within designated truck courts/loading areas, and the internal and external movement of materials around the Project site via forklifts, pallet jacks, yard hostlers, and similar equipment. The outdoor cargo handling equipment used during loading and unloading of trailers (e.g., yard trucks, hostlers, yard goats, pallet jacks, forklifts) is expected to be non-diesel powered per contemporary industry standards. Within the gated truck court area of Building 7, up to 23 trailers would be in designated trailer storage stalls. Additionally, the Project's office and mezzanine space would support general office activities related to business operations.

In terms of operational employees, because the future tenants are not known yet, the number of jobs that the Project would generate cannot be precisely determined, but can be estimated. For purposes of this analyses, employment estimates were calculated using average employment density factors reported by Southern California Association of Governments, which stated that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). The Project would include approximately 513,295 square feet of flexible industrial space. As such, the estimated number of employees required for operation would be approximately 248 persons.

### **Utility Improvements**

#### ***Domestic Water***

Domestic water service would be provided by the Monte Vista Water District. An existing 8-inch public water line is located within 3rd Street, west of the Project site. This water line would be extended as a 12-inch water line within 3rd Street to Ramona Avenue. Buildings 7 and 8 would connect to a water line within either State Street or 3rd Street, or to both water lines, depending on the locations of the offices within each building. Buildings 1, 2, and 3 would connect to the new 12-inch water line in 3rd Street. Buildings 4, 5, and 6 would connect to an existing 8-inch water line within Mission Boulevard.

#### ***Sanitary Sewer***

Sanitary sewer service would be provided by the City, which contracts with the Inland Empire Utilities Agency (IEUA) for sewage treatment. An existing 8-inch sewer line is located within Mission Boulevard. A new 8-inch line would connect to this line, which would be extended north between Buildings 2 and 3 and between Buildings 4 and 5 until it meets 3rd Street. Upon meeting 3rd Street, this new line would be extended east and west to connect to new 6-inch sewer laterals for Buildings 7 and 8. Building 1 would connect directly to the new sewer line in 3rd Street. Buildings 2 through

5 would connect to the new 8-inch sewer within a new public utility easement from 3rd Street to Mission Boulevard. Additionally, a portion of an existing 8-inch sewer line would be reconstructed within Mission Boulevard.

### ***Storm Drainage***

Under the existing conditions, the Project site is fully developed, and stormwater drains to an existing 66-inch public storm drain within Mission Boulevard. As part of the Project, stormwater flows would be captured on-site and treated within a series of underground infiltration facilities. Buildings 7 and 8 would each have their own infiltration facilities, which would discharge to a new public storm drain line within 3rd Street. The new storm drain would continue south from 3rd Street between Buildings 2 and 3 and between Buildings 4 and 6 in a new public utility easement where it would connect to the existing 66-inch storm drain within Mission Boulevard. Two catch basins would be located at the west end of 3rd Street to collect stormwater flows along 3rd Street. Buildings 1 through 6 would drain to one or more on-site underground infiltration facilities before also discharging to the new storm drain. The storm drain system is depicted on Figure 3-12, Storm Drainage Plan.

### ***Gas, Electric, and Telecommunication Facilities***

Gas service is currently provided by Southern California Gas. An existing 6-inch gas line is located within Ramona and 2-inch and 3-inch gas lines are located within Mission Boulevard and State Street, respectively.

Electric service is currently provided by Southern California Edison and several above-ground and underground electrical lines are located throughout the Project and adjacent streets.

Several proprietary telecommunication lines are located within the State Street, Ramona Avenue, and Mission Boulevard.

As part of the Project, lateral connections would be made to these existing gas, electric, and telecommunication lines. Additionally, all above-ground electrical lines within the Project site would be undergrounded.

## 3.3.3 Project Construction

Based on information provided by the Project applicant, it is assumed that construction of the Project would last approximately 28 months. At the time of the preparation of this analysis, it was anticipated that construction would begin in October 2021. However, due to delays, construction is now anticipated to begin in Summer 2022. To maintain consistency with other technical analysis herein, a start date of October 2021 is maintained throughout the EIR because it represents a worst-case scenario for criteria air pollutant and GHG emissions. This is because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years. As such, while construction is anticipated to begin in Summer 2022, the analysis contained herein is based on the following assumptions:

- Demolition: October 4, 2021–November 12, 2021 (2 months)
- Site Preparation: November 13, 2021–December 10, 2021 (1 month)
- Grading: December 11, 2021–February 11, 2022 (3 months)
- Building Construction: February 12, 2022–October 20, 2023 (20 months)
- Paving: October 21, 2023–December 8, 2023 (2 months)
- Architectural Coating: December 9, 2023–January 26, 2024 (2 months)

Based on a review of the current structures located on the site, demolition activities are anticipated to generate approximately 22,806 tons of debris that would be transported to a landfill permitted to accept inert construction and demolition materials. Grading would occur across the 27.74-acre Project site and result in approximately 139,302 cubic yards of cut and 103,261 cubic yards of fill.

When grading is complete, the Project site would be in a generally flat condition with a slight downward slope from northeast to southwest; the highest point of the Project site would be its northeastern corner (approximately 927 feet above mean sea level) and the lowest point would be its southwestern corner (approximately 903 feet above mean sea level).

Underground utilities would be installed to an approximate depth of three to six feet below grade. Underground infiltration chambers for the on-site stormwater drainage system would be installed to an approximate depth of 16, 12, and 8 feet below finished grade.

During typical Project-related construction activities, equipment is expected to operate 8 hours per day, 5 days per week, during the permitted daytime hours of 7:00 a.m. to 8:00 p.m. per Montclair Municipal Code Section 6.12.060. Should construction activities need to occur at night (such as concrete pouring activities that require air temperatures to be lower than typically occur during the daytime hours), the Project applicant would be required to obtain authorization for nighttime construction activities from the Director of Community Development.

## 3.4 Purpose and Need

The Inland Empire remains one of the most sought-after markets for industrial space, with vacancies dropping from 10% in 2010 to 4% in 2020. Accordingly, the industrial sector has been a strong source of job growth for the region, leading economic growth in Southern California with the addition 33,000 jobs over the last year for a 2.1% annual growth rate. Three primary factors have been responsible for these demand for industrial space and increase in employment (IEEP 2017). First has been the expansion of imported trade through the Ports of Los Angeles and Long Beach. This reached 17.3 million 20-foot-equivalent container units in 2020, up 13% over a 5-year period between 2015-2020 (NAI Capital 2015; Logistics Management 2021). Second has been the increase in national e-commerce demand, with most of Southern California's facilities located in the Inland Empire (Newmark Knight Frank 2020). These two factors led to strong net absorption, with 21.1 million square feet being absorbed in 2020 (Cushman & Wakefield 2021). Third has been the greater use of technology within the facilities, which has caused an increase in the skill and knowledge needed by workers and a commensurate rise in median pay (IEEP 2017). As such, the Project would help meet the needs of the growing industrial sector while producing new jobs in the region.

The growing industrial sector requires flexible facilities with certain characteristics to allow for efficient use. High quality industrial buildings are necessary to accommodate the growing use of technology within the facilities, Similarly, buildings with high capacity for storage and associated loading bays to accommodate the increase in e-commerce, are also in demand. In addition, proximity to major transportation corridors provide industrial facilities with ease of access to the supply chain and goods movement network. Likewise, the industrial sector requires flexible facilities to provide for related uses and businesses which may support the industrial uses.

As depicted in Figures 3-5 and 3-6, the Project site currently has conflicting land use and zoning designations that affect the Project site's ability to meet the growing industrial demand and to provide a cohesive land use concept. The General Commercial General Plan land use designation conflicts with the Limited Manufacturing and Manufacturing Industrial zoning designations for the Project site. In addition, properties to north, east, and west of

the Project site are almost entirely developed with industrial uses. Accordingly, the Project site would benefit from development of industrial uses to be in keeping with surrounding industrial corridor within the City.

### 3.5 Project Objectives

CEQA Guidelines Section 15124 requires an EIR to include a statement of objectives sought by the Project. The objectives assist the City in developing a reasonable range of alternatives to be evaluated in the EIR. The Project objectives also aid decision makers in preparing Findings of Fact and a Statement of Overriding Considerations, if necessary. The statement of objectives also is to include the underlying purpose of a project and may discuss a project's benefits. Consistent with the Project's purpose and need, the primary objectives sought by the Project are as follows:

- **Objective 1:** Establish a jobs-producing and tax-generating business park land use near transportation corridors within the housing-rich Inland Empire that is constructed to high standards of quality and provides diverse economic opportunities for those residing and wishing to invest within the City of Montclair.
- **Objective 2:** Develop a high-quality business park campus with light manufacturing and distribution facilities for related uses in Montclair that are designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.
- **Objective 3:** Develop light manufacturing and distribution buildings with loading bays within the western portion of the Inland Empire and in close proximity to the Interstate 10 Freeway that can be used as part of the Southern California supply chain and goods movement network.
- **Objective 4:** Create a fiscally sound and employment-generating business park within an established industrial area and resolve land use conflicts between existing planning documents.
- **Objective 5:** Concentrate non-residential uses near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, and industrial noise to the greatest extent feasible.

### 3.6 Summary of Requested Actions

Implementation of the Project would require the following discretionary and ministerial actions from the City.

#### City of Montclair Discretionary Approval

- **General Plan Amendment.** Project implementation would require approval of General Plan Amendment to modify the Project Site's General Plan land use designation from General Commercial to Limited Manufacturing (for Buildings 7 and 8 on the north portion of the Project site north of 3rd Street) and Industrial Park (for Buildings 1 through 6 on the south portion of the Project site south of 3rd Street).
- **Zone Change.** Project implementation would require approval of a zone change to change the Project Site's zoning from M1 Limited Manufacturing, MIP Manufacturing Industrial, and C3 General Commercial to M1 Limited Manufacturing (for Buildings 7 and 8 on the north portion of the Project site north of 3rd Street) and MIP Manufacturing Industrial (for Buildings 1 through 6 on the south portion of the Project site south of 3rd Street).

- **Tract Map.** Project implementation would require approval of a Tract Map to consolidate the nine existing parcels on the Project site into eight on-site parcels. The Tract Map would also detail existing and planned easements and note the dedication of land to the City for the extension of 3rd Street through the Project site.
- **Precise Plan of Design.** Project implementation would require approval of a Precise Plan of Design, which provides precise details about the Project’s final site plan, including details relating to all structures, setbacks, driveways, utilities, landscaping, architecture, and the general nature of the proposed use.

#### City of Montclair Ministerial Approvals

- **Encroachment Permit.** An Encroachment Permit would be required for the placement of private infrastructure features, including hardscape and landscape features to be constructed as part of the Project, on or in the City right-of-way.
- **Grading Permit.** A Grading Permit would be required for grading activities.
- **General Construction Permit.** A General Construction Permit would be required for construction activities that would occur as part of the Project.
- **Street/Lane Closure Permit.** A Street/Lane Closure Permit would be required for all work that would be done within the City right-of-way (street curb to street curb). A Traffic Control Plan, prepared in accordance with the most recent edition of the Manual Uniform Traffic Control Devices published by the Federal Highway Administration, must be prepared and accepted by the City prior to issuance of this permit.
- **Other Ministerial Actions.** Any other ministerial actions required as deemed necessary by the City.

## 3.7 References

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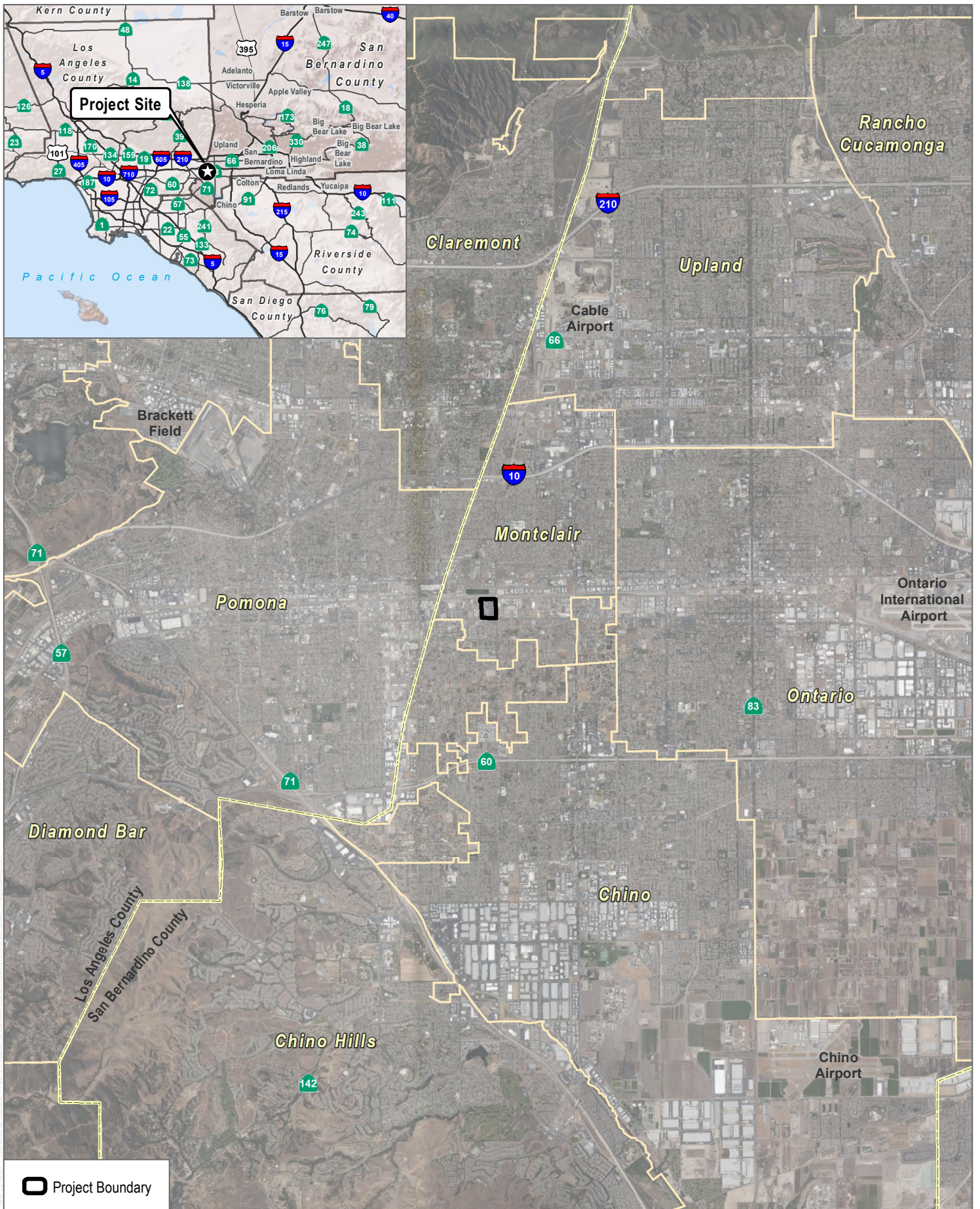
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SOURCE: Bing Maps 2020; Open Street Maps 2020

**FIGURE 3-1**  
Regional Map

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SOURCE: Bing Maps 2020; Open Street Maps 2020

FIGURE 3-2

Project Location

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SOURCE: Bing Maps 2020; Open Street Maps 2020

**FIGURE 3-3**  
 Project Aerial and Existing Uses  
 Mission Boulevard and Ramona Avenue Business Park Project

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Photo A: Overhead view looking east towards the Project Site.



Photo B: View of the corner of Mission Boulevard and Ramona Avenue, the southeast corner of the project site.



Photo C: View looking southwest towards the southern half of the Project site, from the northeast corner of the Project site.

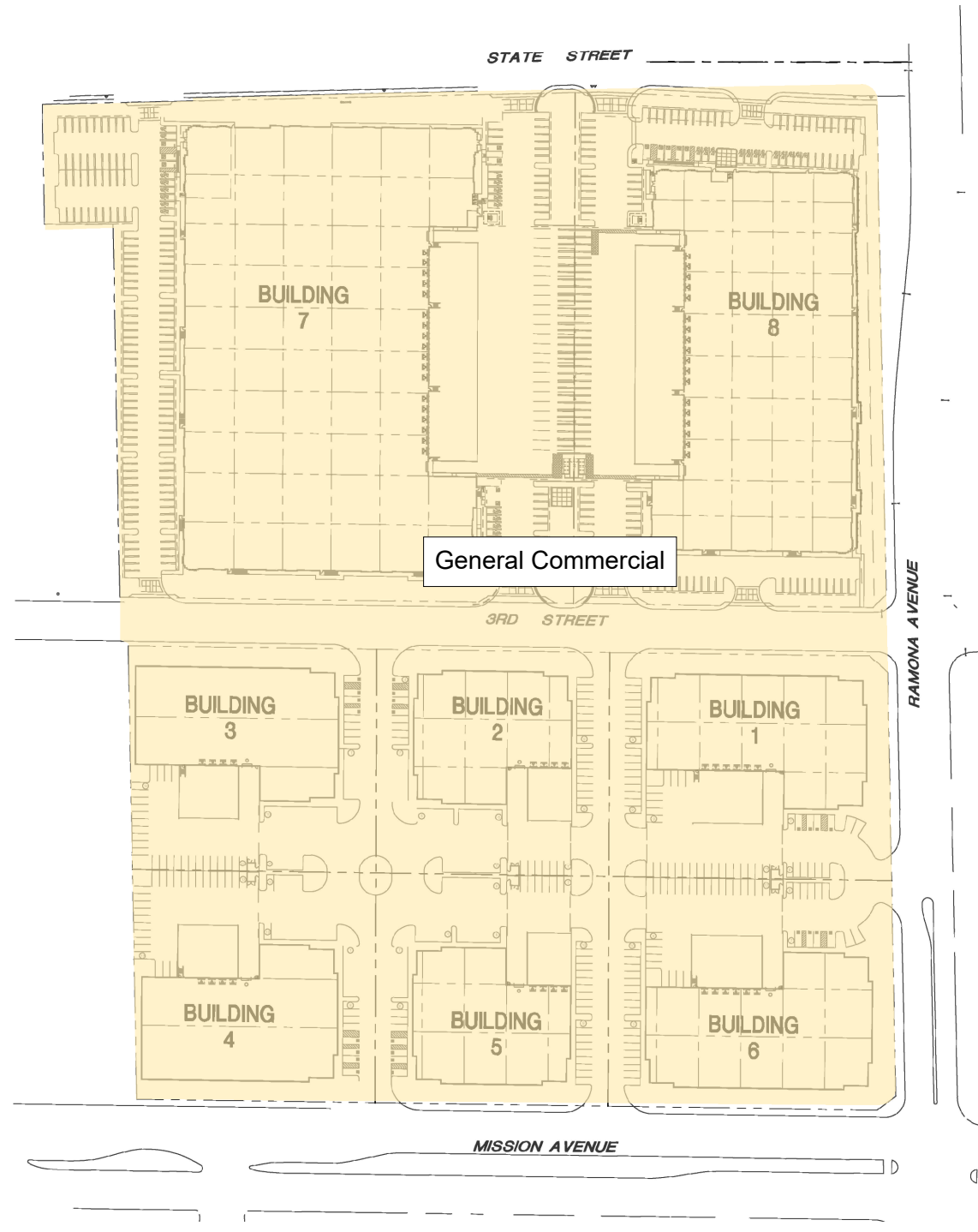


Photo D: View looking towards the northwest corner of the Project site, from the approximate center of the Project site.

SOURCE: Dudek 2021; GAA Architects 2020

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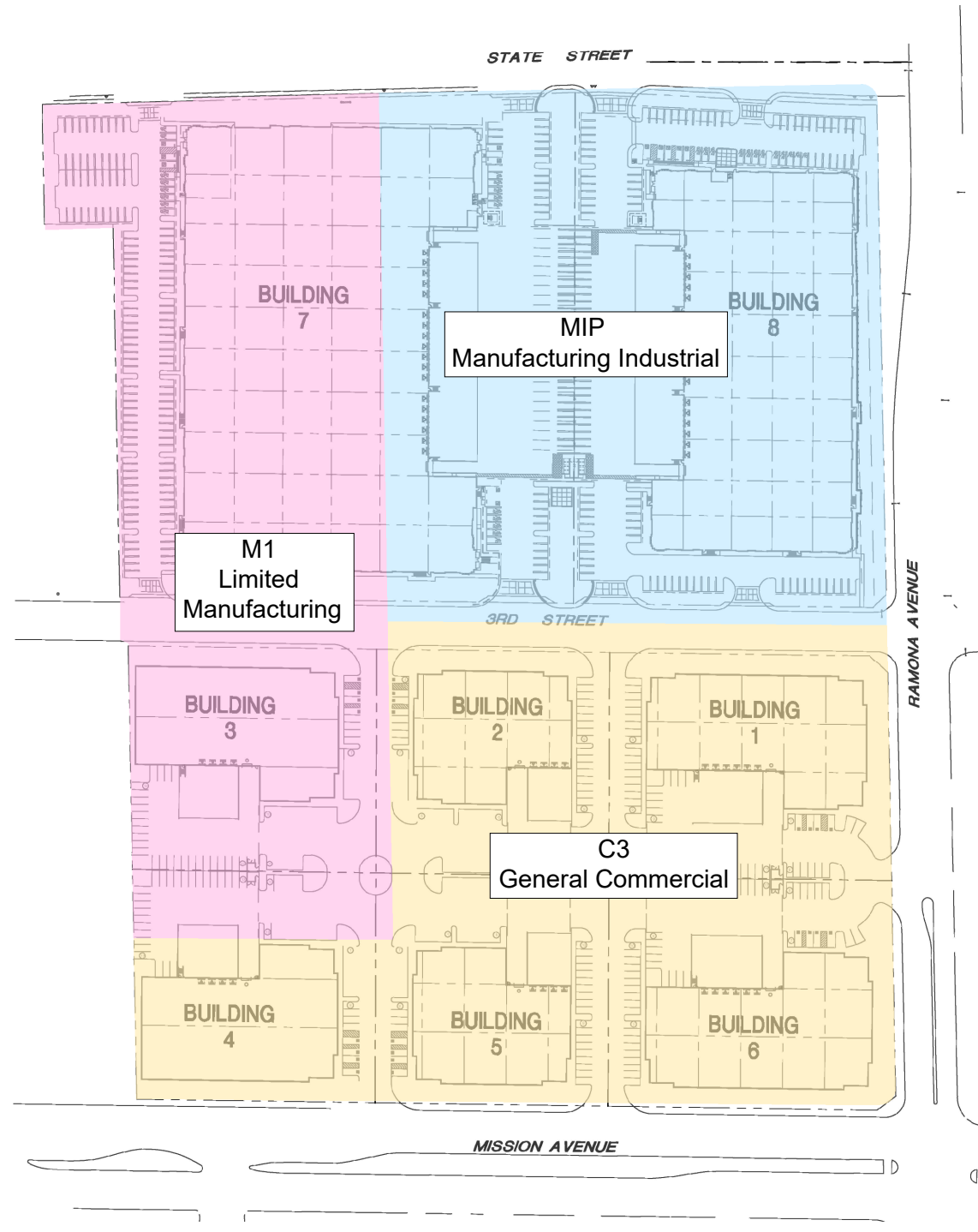
Existing General Plan Land Use



Proposed General Plan Land Use

SOURCE: GAA Architects 2020

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Existing Zoning

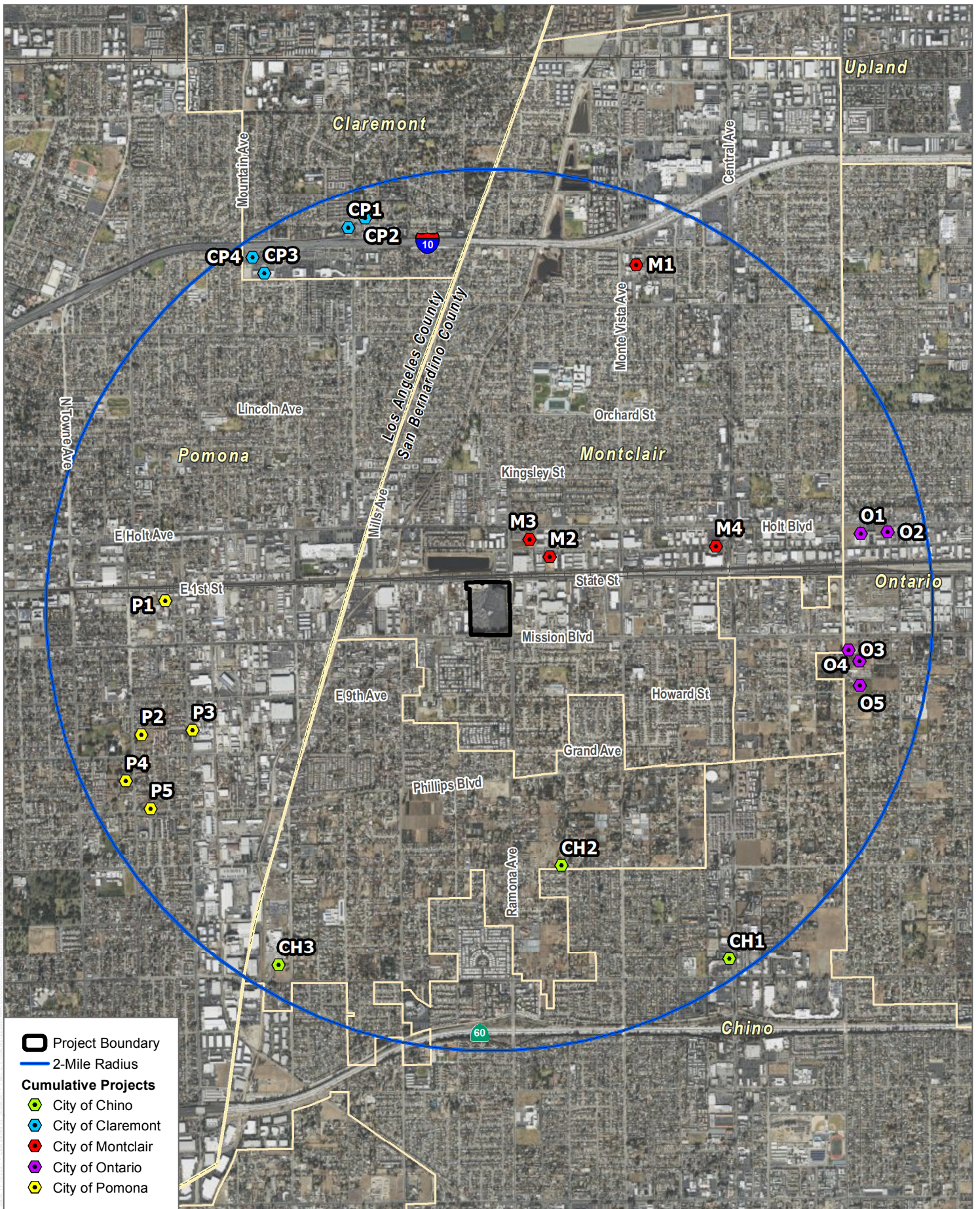


Proposed Zoning

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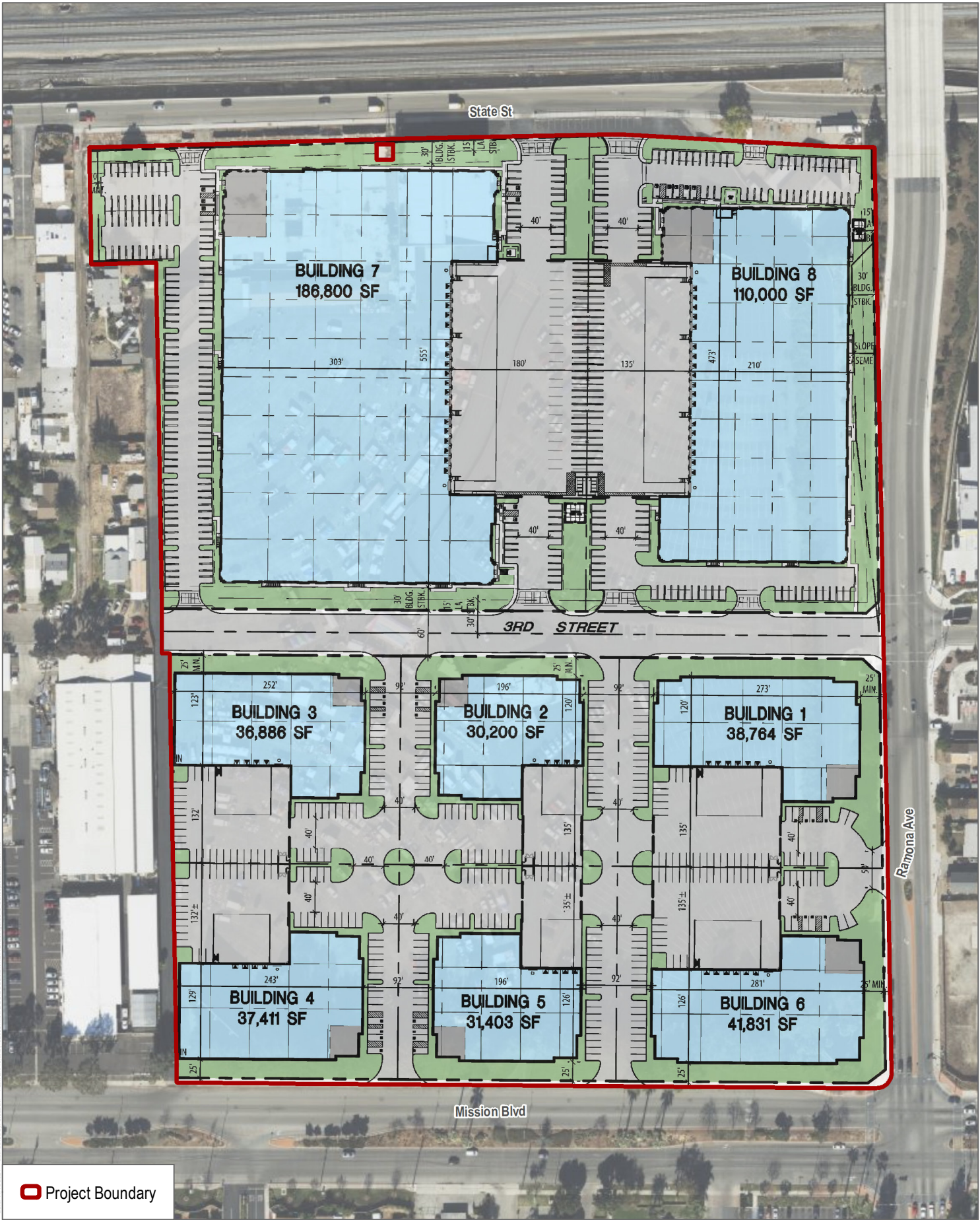
SOURCE: Bing Maps 2020; Open Street Maps 2020

FIGURE 3-7

Cumulative Projects



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SOURCE: Bing Maps 2020; Open Street Maps 2020

FIGURE 3-8

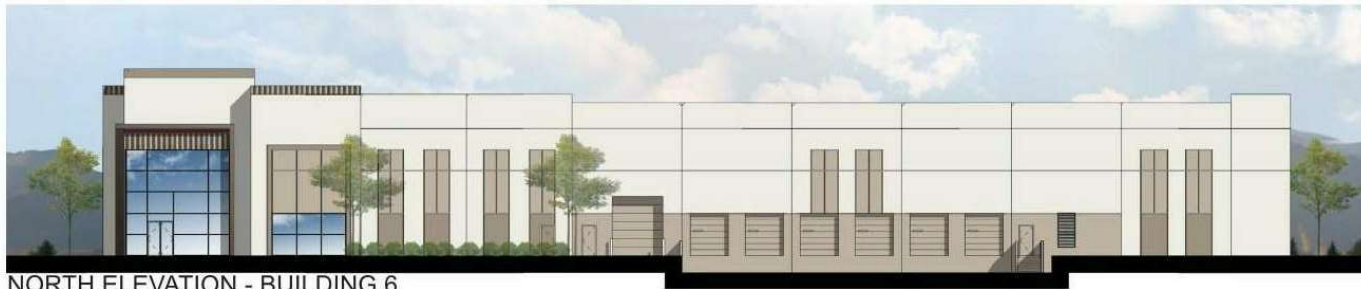
Conceptual Site Plan

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SOUTH ELEVATION - BUILDING 6



NORTH ELEVATION - BUILDING 6



EAST ELEVATION - BUILDING 6



WEST ELEVATION - BUILDING 6

SOURCE: Herdman Architecture and Design 2020

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WEST ELEVATION | 1"=20'-0" | 4



SOUTH ELEVATION | 1"=20'-0" | 3



EAST ELEVATION | 1"=20'-0" | 2



NORTH ELEVATION | 1"=20'-0" | 1

SOURCE: GAA Architects 2020

**DUDEK**

**FIGURE 3-9B**

Architectural Elevations for Building 7

Mission Boulevard and Ramona Avenue Business Park Project

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EAST ELEVATION | 1"=20'-0" | 4



SOUTH ELEVATION | 1"=20'-0" | 3



WEST ELEVATION | 1"=20'-0" | 2



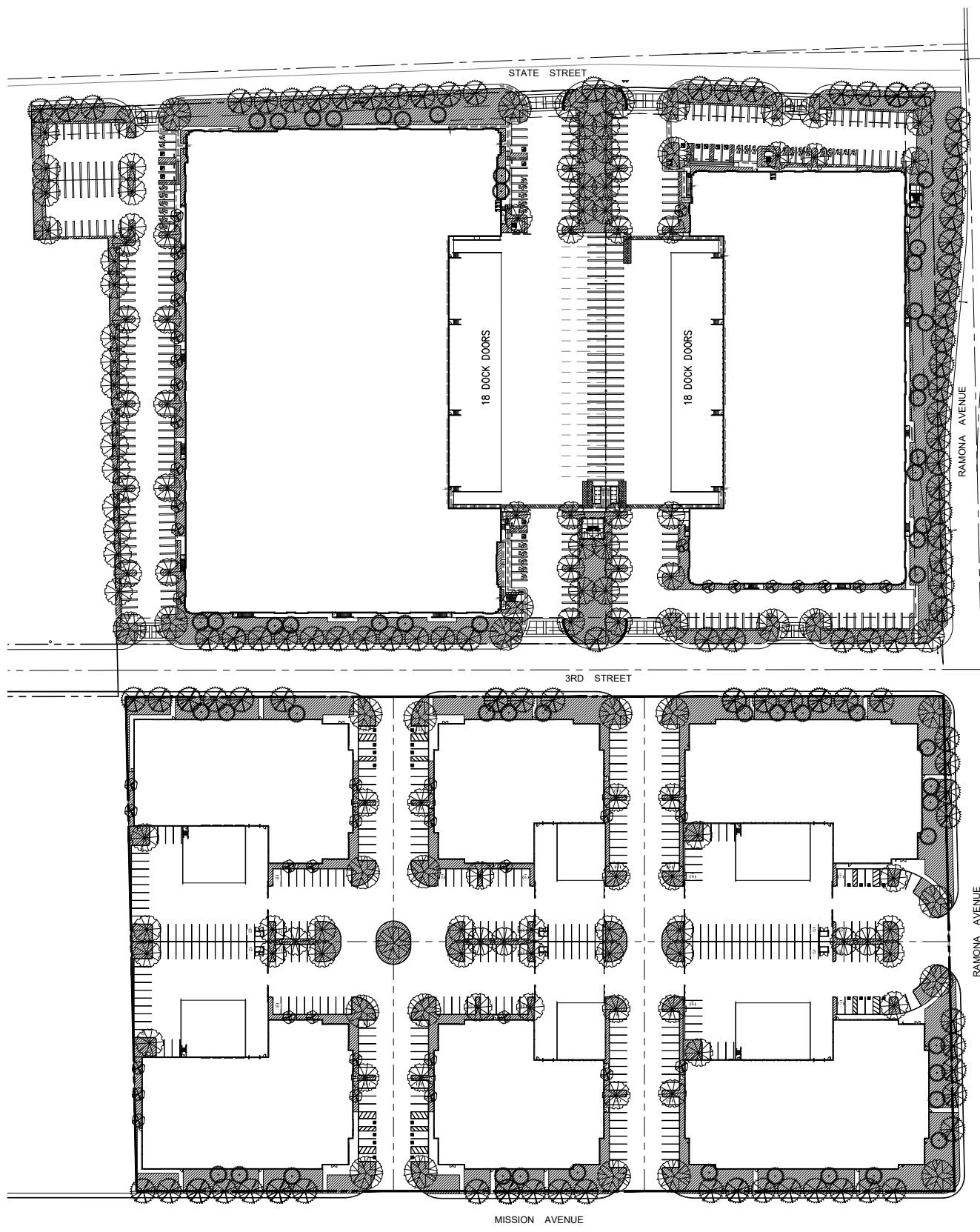
NORTH ELEVATION | 1"=20'-0" | 1

SOURCE: GAA Architects 2020

**FIGURE 3-9C**

**Architectural Elevations for Building 8**

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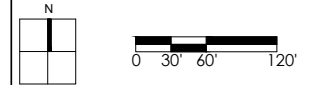
**PLANTING LEGEND**

TREES					
SYMBOL	BOTANICAL/Common Name	SIZE	QTY	WUCOLS	REMARKS
	<i>Chilopsis linearis</i> Desert Willow	24" Box	44	L	Canopy Tree
	<i>Chitalpa tashkentensis</i> Chitalpa	24" Box	102	L	Standard
	<i>Liriodendron tulipifera</i> Tulip Tree	24" Box	113	M	Street Tree
	<i>Quercus agrifolia</i> Coast Live Oak	24" Box	34	M	Multi
	<i>Tristania conferta</i> Brisbane Box	15 Gal	44	M	Screen Tree

SHRUBS					
SYMBOL	BOTANICAL/Common Name	SIZE	SPACING	WUCOLS	REMARKS
	<i>Acanthus mollis</i> Bear's Breech	5 Gal	3'	M	
	<i>Acca sellowiana</i> Pineapple Gauva	5 Gal	3'	M	
	<i>Artemisia 'Powis Castle'</i> Artemisia	5 Gal	2'	L	
	<i>Buxus j. 'Green Beauty'</i> Japanese Boxwood	5 Gal	2'	M	Hedge
	<i>Callistemon 'Little John'</i> Dwarf Bottle Brush	5 Gal	3'	M	
	<i>Carissa macrocarpa 'Tuttle'</i> Natal Plum	5 Gal	3'	M	
	<i>Cistus 'Sunset Pink'</i> Sunset Pink Rockrose	5 Gal	3'	M	
	<i>Dianella 'Little Rev'</i> Dwarf Dianella	5 Gal	2'	M	
	<i>Dianella tasmanica</i> Dianella	5 Gal	3'	M	
	<i>Ligustrum j. Texanum</i> Texas Privet	5 Gal	3'	M	
	<i>Rhaphiolepis i. 'Clara'</i> Indian Hawthorn	5 Gal	3'	M	Hedge
	<i>Rhaphiolepis i. 'Springtime'</i> Indian Hawthorn	5 Gal	3'	M	Hedge
	<i>Salvia greggii</i> Autumn Sage	5 Gal	3'	L	

ACCENTS					
SYMBOL	BOTANICAL/Common Name	SIZE	SPACING	WUCOLS	REMARKS
	<i>Agave 'Blue Flame'</i> Blue Flame Agave	5 Gal		L	
	<i>Agave 'Blue Glow'</i> Blue Glow Agave	5 Gal		L	
	<i>Agave victoria-reginae</i> Agave	5 Gal		L	
	<i>Aloe striata</i> Coral Aloe	1 Gal		L	
	<i>Echeveria 'Ruffles'</i> Ruffles Echeveria	5 Gal		L	
	<i>Hesperaloe parviflora</i> Red Yucca	5 Gal		L	
	<i>Lantana 'Gold Mound'</i> Yellow Lantana	5 Gal		L	

GROUND COVER					
SYMBOL	BOTANICAL/Common Name	SIZE	SPACING	WUCOLS	REMARKS
	<i>Hemerocallis hybridus</i> -Yellow Yellow Day Lily	1 Gal	24" O.C.	M	
	<i>Lonicera j. 'Halliana'</i> Hall's Honeysuckle	1 Gal	48" O.C.	L	
	<i>Myoporum parvifolium</i> Myoporum	1 Gal	36" O.C.	L	
	<i>Rosa 'Flower Carpet' -Red</i> Red Flower Carpet Rose	1 Gal	30" O.C.	L	
	<i>Rosmarinus o. 'Huntington Carpet'</i> Prostrate Rosemary	1 Gal	48" O.C.	L	
	<i>Senecio mandraliscae</i> Blue Fingers	4" Pots	12" O.C.	M	
	<i>Trachelospermum jasminoides</i> Star Jasmine	1 Gal	24" O.C.	M	



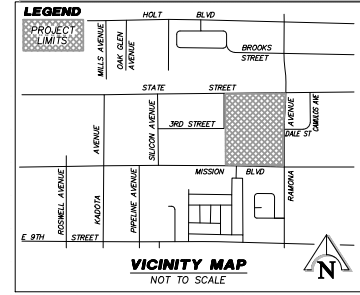
SOURCE: Hunter Landscape 2021

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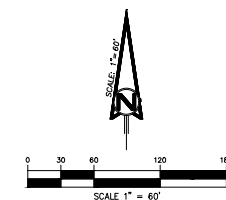
# TENTATIVE TRACT MAP NO. 20381

IN THE CITY OF MONTCLAIR, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA  
HUITT-ZOLLARS  
APRIL 2020



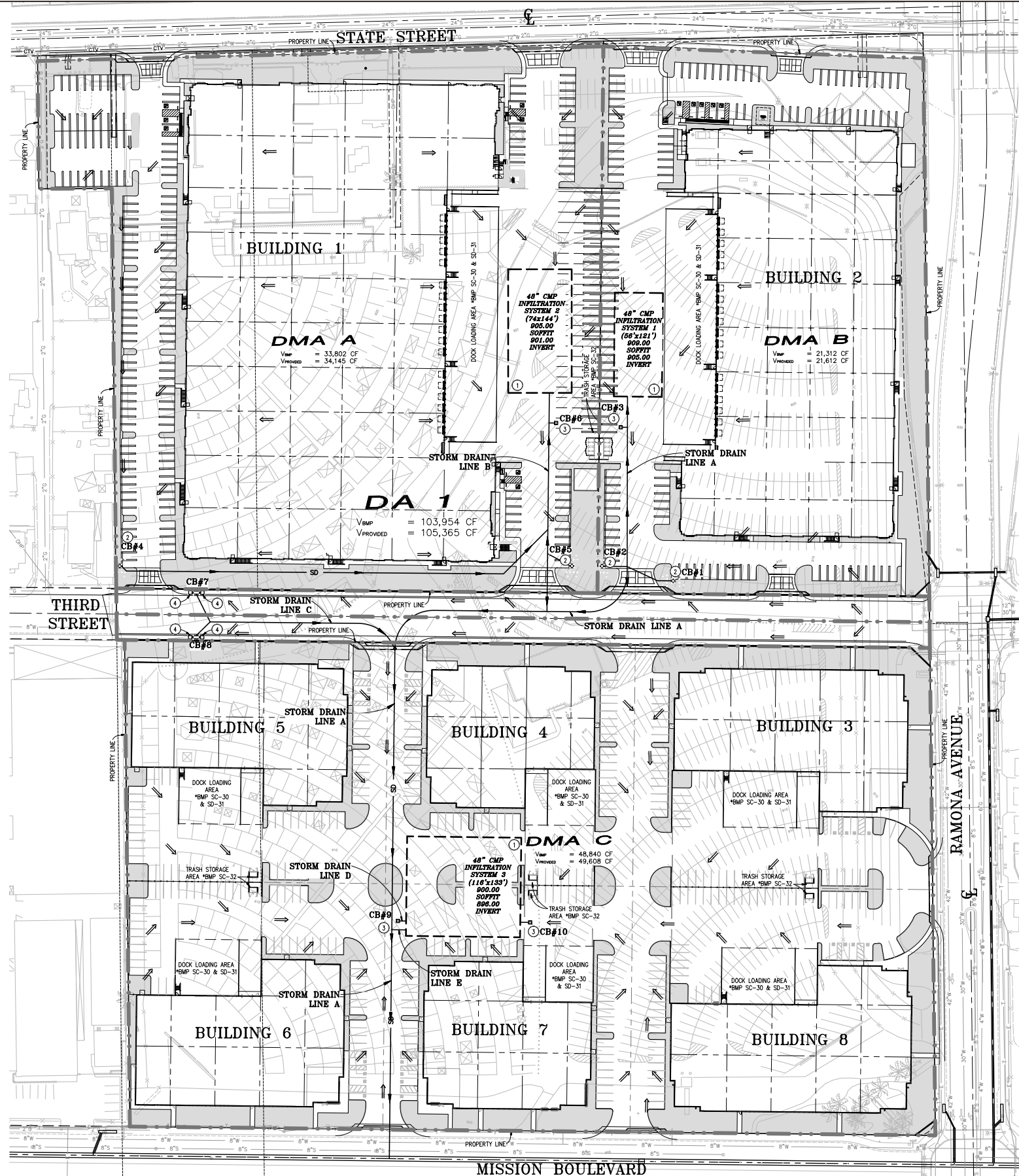
- LEGEND**
- CENTERLINE
  - PROPERTY LINE
  - - - EXIST. RIGHT OF WAY
  - - - PROPOSED RIGHT OF WAY
  - - - EXIST. LOT LINE
  - - - EXISTING SEWER
  - - - EXISTING WATER
  - - - OVERHEAD POWER
  - - - EXISTING GAS
  - - - EXISTING TELEPHONE
  - APN ASSESSOR'S PARCEL NUMBER
  - E'LY EASTERLY
  - N'LY NORTHERLY
  - S'LY SOUTHERLY
  - W'LY WESTERLY
  - AP ANGLE POINT
  - SFN SEARCHED FOUND NOTHING
  - C&G CURB AND GUTTER
  - SW SIDEWALK

- ①  $\Delta=04^{\circ}12'35'' R=1,500.00' L=110.21' (M \& R)$
- ②  $\Delta=02^{\circ}54'48'' R=1,500.00' L=76.27' (M \& R)$
- ③  $N89^{\circ}50'13'' E 100.00' (M \& R)$



SOURCE: Huitt-Zollars 2020

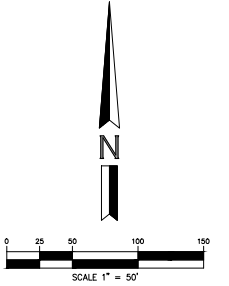
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- LEGEND**
- SD PROPOSED STORM DRAIN
  - WQMP ONSITE BOUNDARY
  - - - WQMP OFFSITE BOUNDARY
  - PROPOSED CURB OPENING INLET W/ FILTER INSERT
  - ▨ PROPOSED LANDSCAPING AREA - \*BMP SD-10 & SD-12
  - CB CATCH BASIN
  - FLOW DIRECTION
- WQMP BMP NOTES**
- ① INSTALL CONTECH INFILTRATION / DETENTION SYSTEM, SEE DETAIL ON SHEET 2
  - ② INSTALL FLOGARD CURB CATCH BASIN FILTER, SEE DETAIL HEREON
  - ③ INSTALL FLOGARD GRATE CATCH BASIN FILTER, SEE DETAIL HEREON
  - ④ INSTALL BI-CLEAN MODULAR WETLAND SYSTEM MODEL# MWS-L-4-4, SEE DETAIL ON SHEET 2
- \*\*NOTE:**  
ON-SITE UNDERGROUND INFILTRATION/ DETENTION SYSTEM WILL PROVIDE STORM WATER DETENTION CAPACITY WHILE REDUCING THE OVERALL DISCHARGE OF STORM WATER DURING ALL STORM EVENTS.

**WQMP MANAGEMENT**

	DMA Area (SF)	Imperviousness (%)	Runoff Coefficient	P 2yr-1hr	P6	Drawdown Rate (CZ)	Design Capture Volume (CF)	BMP	LID BMP Volume Provided (CF)
DMA A	368,530	0.83	0.63	0.601	0.89	1.963	33,802	Infiltration Basin 2	34,145
DMA B	239,970	0.81	0.61	0.601	0.89	1.963	21,312	Infiltration Basin 1	21,612
DMA C	532,483	0.83	0.64	0.601	0.89	1.963	48,840	Infiltration Basin 3	49,608



SOURCE: Huitt-Zollars 2020



**FIGURE 3-12**  
Storm Drainage Plan  
Mission Boulevard and Ramona Avenue Business Park Project

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# 4 Environmental Analysis

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This chapter provides analysis of 12 environmental issue areas as they pertain to the Mission Boulevard and Ramona Avenue Business Park Project (Project). Each section of this chapter describes existing environmental and regulatory conditions, presents the criteria used to determine whether an impact would be significant, analyzes significant impacts, identifies mitigation measures for each significant impact, discusses the significance of impacts after mitigation is applied, and discusses cumulative impacts.

This chapter includes a separate section for each of the following issue areas:

- Section 4.1, Air Quality
- Section 4.2, Biological Resources
- Section 4.3, Cultural Resources
- Section 4.4, Energy
- Section 4.5, Geology and Soils
- Section 4.6, Greenhouse Gas Emissions
- Section 4.7, Hazards and Hazardous Materials
- Section 4.8, Land Use and Planning
- Section 4.9, Noise
- Section 4.10, Transportation
- Section 4.11, Tribal Cultural Resources
- Section 4.12, Utilities and Service Systems

Issue areas that were determined to have less than significant impacts in the Initial Study (Appendix A) are summarized in Chapter 5, Effects Found Not to Be Significant.

## 4.01 Analysis Format

This Draft EIR assesses how the Project would impact the issue areas listed above. Each environmental issue addressed in this Draft EIR is presented in terms of the following subsections:

**Introduction.** Discusses the resource area to be evaluated and describes the methodology used for the analysis, including any surveys and documentation reviewed to conduct the analysis of existing conditions and potential impacts.

**Existing Conditions.** Describes the existing setting on or surrounding the Specific Plan area (Project site) that may be subject to change as a result of implementation of the Project. This setting describes the conditions that existed when the Notice of Preparation was sent to responsible agencies and the State Clearinghouse.

**Relevant Plans, Policies, and Ordinances.** Describes relevant federal, state, and local policies and regulations pertaining to a particular issue area.

**Thresholds of Significance.** Provides criteria for determining the significance of Project impacts for each environmental issue.

**Impact Analysis.** Provides a discussion of the characteristics of the Project that may have an impact on the environment, analyzes the nature and extent to which the Project is expected to change the existing environment, and indicates whether the Project’s impacts, including cumulative impacts, would meet or exceed the levels of significance thresholds.

**Mitigation Measures and Level of Significance After Mitigation.** Identifies mitigation measures to reduce significant adverse impacts to the extent feasible and provides a discussion of significant adverse environmental impacts that cannot be feasibly mitigated or avoided, significant adverse environmental impacts that can be feasibly mitigated or avoided, adverse environmental impacts that are not significant, and beneficial impacts.

**References Cited.** Lists the sources cited during preparation of the Draft EIR.

## 4.1 Air Quality

This section describes the existing air quality conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. Information contained in this section is based on the latest version of California Emissions Estimator Model (CalEEMod), Version 2016.3.2, to estimate the proposed Project's criteria air pollutant emissions from both construction and operations. In addition, a Health Risk Assessment (HRA) was performed to determine the potential cancer risk and non-cancer health impacts to existing sensitive residential receptors in proximity to the proposed Project due to toxic air contaminant (TAC) emissions from construction activities using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) Version 19191 and the Hotspots Analysis and Reporting Program Version 2 (HARP2). For the relevant data, refer to the following appendix:

**Appendix B-1** CalEEMod Outputs, prepared by Dudek

**Appendix B-2** Health Risk Assessment Outputs, prepared by Dudek

Other documentation used in this analysis includes the Transportation Impact Analysis, included as Appendix G of this Draft EIR, South Coast Air Quality Management District (SCAQMD) CEQA Handbook, the SCAQMD 2017 Final Air Quality Management Plan, and the SCAQMD Final Localized Significance Threshold Methodology. Other sources consulted are listed in Section 4.1.7, References Cited.

### 4.1.1 Existing Conditions

#### **Climate and Meteorology**

The Project site is located within the South Coast Air Basin (SCAB). The SCAB is a 6,745-square-mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The SCAB's air pollution problems are a consequence of the combination of emissions from the nation's second-largest urban area, meteorological conditions that hinder dispersion of those emissions, and mountainous terrain surrounding the SCAB that traps pollutants as they are pushed inland with the sea breeze (SCAQMD 2017a). Meteorological and topographical factors that affect air quality in the SCAB are described below.<sup>1</sup>

The SCAB is characterized as having a Mediterranean climate (typified as semiarid with mild winters, warm summers, and moderate rainfall). The general region lies in the semi-permanent high-pressure zone of the eastern Pacific; as a result, the climate is mild and tempered by cool sea breezes. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

Moderate temperatures, comfortable humidity, and limited precipitation characterize the climate in the SCAB. The average annual temperature varies little throughout the SCAB, averaging 75°F. However, with a less-pronounced oceanic influence, the eastern inland portions of the SCAB show greater variability in annual minimum and maximum temperatures. All portions of the SCAB have recorded temperatures over 100°F in recent years. Although the SCAB has a semiarid climate, the air near the surface is moist because of the presence of a shallow marine layer. Except for infrequent periods when dry air is brought into the SCAB by offshore winds, the ocean effect is

<sup>1</sup> The discussion of meteorological and topographical conditions of the SCAB is based on information provided in the Final 2016 Air Quality Management Plan (SCAQMD 2017a).

dominant. Periods with heavy fog are frequent, and low stratus clouds, occasionally referred to as “high fog,” are a characteristic climate feature. Annual average relative humidity is 70% at the coast and 57% in the eastern part of the SCAB. Precipitation in the SCAB is typically 9 to 14 inches annually and is rarely in the form of snow or hail because of typically warm weather. Most of the rainfall in Southern California occurs between late fall and early spring, with most rain typically in the months of January and February.

The City’s climate is characterized by relatively low rainfall, with warm summers and mild winters. Average temperatures range from a high of 89° F in August to a low of 40° F in January (WRCC 2018). Annual precipitation averages about 22 inches, falling mostly from October through April (WRCC 2018).

### Sunlight

The presence and intensity of sunlight are necessary prerequisites for the formation of photochemical smog. Under the influence of the ultraviolet radiation of sunlight, certain primary pollutants (mainly reactive hydrocarbons and oxides of nitrogen [NO<sub>x</sub>]<sup>2</sup>) react to form secondary pollutants (primarily oxidants). Since this process is time dependent, secondary pollutants can be formed many miles downwind of the emission sources. Southern California also has abundant sunshine, which drives the photochemical reactions that form pollutants such as ozone (O<sub>3</sub>) and a substantial portion of fine particulate matter (PM<sub>2.5</sub>, particulate matter equal to or less than 2.5 microns or less in diameter). In the SCAB, high concentrations of O<sub>3</sub> are normally recorded during the late spring, summer, and early autumn months, when more intense sunlight drives enhanced photochemical reactions. Because of the prevailing daytime winds and time-delayed nature of photochemical smog, oxidant concentrations are highest in the inland areas of Southern California.

### Temperature Inversions

Under ideal meteorological conditions and irrespective of topography, pollutants emitted into the air mix and disperse into the upper atmosphere. However, the Southern California region frequently experiences temperature inversions in which pollutants are trapped and accumulate close to the ground. The inversion, a layer of warm, dry air overlaying cool, moist marine air, is a normal condition in coastal Southern California. The cool, damp, and hazy sea air capped by coastal clouds is heavier than the warm, clear air, which acts as a lid through which the cooler marine layer cannot rise. The height of the inversion is important in determining pollutant concentration. When the inversion is approximately 2,500 feet above mean sea level, the sea breezes carry the pollutants inland to escape over the mountain slopes or through the passes. At a height of 1,200 feet above mean sea level, the terrain prevents the pollutants from entering the upper atmosphere, resulting in the pollutants settling in the foothill communities. Below 1,200 feet above mean sea level, the inversion puts a tight lid on pollutants, concentrating them in a shallow layer over the entire coastal basin. Usually, inversions are lower before sunrise than during the daylight hours.

Mixing heights for inversions are lower in the summer and inversions are more persistent, being partly responsible for the high levels of O<sub>3</sub> observed during summer months in the SCAB. Smog in Southern California is generally the result of these temperature inversions combining with coastal day winds and local mountains to contain the pollutants for long periods, allowing them to form secondary pollutants by reacting in the presence of sunlight. The SCAB has a limited ability to disperse these pollutants due to typically low wind speeds and the surrounding mountain ranges.

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<sup>2</sup> NO<sub>x</sub> is a general term pertaining to compounds of nitric oxide (NO), nitrogen dioxide (NO<sub>2</sub>) and other oxides of nitrogen.



As with other regions within the SCAB, San Bernardino County is susceptible to air inversions, which trap a layer of stagnant air near the ground where pollutants are further concentrated. These inversions produce haziness, which is caused by moisture, suspended dust, and a variety of chemical aerosols emitted by trucks, automobiles, furnaces, and other sources. Elevated concentrations of particulate matter equal to or less than 10 microns in diameter (PM<sub>10</sub>) and of PM<sub>2.5</sub> can occur in the SCAB throughout the year, but they occur most frequently in fall and winter. Although there are some changes in emissions by day of the week and by season, the observed variations in pollutant concentrations are primarily the result of seasonal differences in weather conditions.

## Pollutants and Effects

### Criteria Air Pollutants

Criteria air pollutants are defined as pollutants for which the federal and state governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. The national and California standards have been set, with an adequate margin of safety, at levels above which concentrations could be harmful to human health and welfare. These standards are designed to protect the most sensitive persons from illness or discomfort. Pollutants of concern include Ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), PM<sub>10</sub>, PM<sub>2.5</sub>, and lead. In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants. These pollutants, as well as toxic air contaminants (TACs), are discussed in the following paragraphs.<sup>3</sup>

**Ozone.** O<sub>3</sub> is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O<sub>3</sub> precursors. These precursors are mainly NO<sub>x</sub> and volatile organic compounds (VOCs). The maximum effects of precursor emissions on O<sub>3</sub> concentrations usually occur several hours after they are emitted and many miles from the source. Meteorology and terrain play major roles in O<sub>3</sub> formation, and ideal conditions occur during summer and early autumn on days with low wind speeds or stagnant air, warm temperatures, and cloudless skies. O<sub>3</sub> exists in the upper atmosphere O<sub>3</sub> layer (stratospheric O<sub>3</sub>) and at the Earth's surface in the troposphere (ground-level O<sub>3</sub>).<sup>4</sup> The O<sub>3</sub> that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to the ground level, where people live, exercise, and breathe. Ground-level O<sub>3</sub> is a harmful air pollutant that causes numerous adverse health effects and is thus considered "bad" O<sub>3</sub>. Stratospheric, or "good," O<sub>3</sub> occurs naturally in the upper atmosphere, where it reduces the amount of ultraviolet light (i.e., solar radiation) entering the Earth's atmosphere. Without the protection of the beneficial stratospheric O<sub>3</sub> layer, plant and animal life would be seriously harmed.

O<sub>3</sub> in the troposphere causes numerous adverse health effects; short-term exposures (lasting for a few hours) to O<sub>3</sub> at levels typically observed in Southern California can result in breathing pattern changes, reduction of breathing capacity, increased susceptibility to infections, inflammation of the lung tissue, and some immunological changes (EPA 2013).

Inhalation of O<sub>3</sub> causes inflammation and irritation of the tissues lining human airways, causing and worsening a variety of symptoms. Exposure to O<sub>3</sub> can reduce the volume of air that the lungs breathe in, thereby causing shortness of breath.

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<sup>3</sup> The descriptions of the criteria air pollutants and associated health effects are based on the U.S. Environmental Protection Agency's "Criteria Air Pollutants" (EPA 2018), as well as the California Air Resources Board's "Glossary" (CARB 2019a) and "Fact Sheet: Air Pollution Sources, Effects and Control" (CARB 2009).

<sup>4</sup> The troposphere is the layer of the Earth's atmosphere nearest to the surface of the Earth. The troposphere extends outward about 5 miles at the poles and about 10 miles at the equator.

O<sub>3</sub> in sufficient doses increases the permeability of lung cells, rendering them more susceptible to toxins and microorganisms. The occurrence and severity of health effects from O<sub>3</sub> exposure vary widely among individuals, even when the dose and the duration of exposure are the same. Research shows adults and children who spend more time outdoors participating in vigorous physical activities are at greater risk from the harmful health effects of O<sub>3</sub> exposure. While there are relatively few studies on the effects of O<sub>3</sub> on children, the available studies show that children are no more or less likely to suffer harmful effects than adults. However, there are a number of reasons why children may be more susceptible to O<sub>3</sub> and other pollutants. Children and teens spend nearly twice as much time outdoors and engaged in vigorous activities as adults. Children breathe more rapidly than adults and inhale more pollution per pound of their body weight than adults. Also, children are less likely than adults to notice their own symptoms and avoid harmful exposures. Further research may be able to better distinguish between health effects in children and adults. Children, adolescents and adults who exercise or work outdoors, where O<sub>3</sub> concentrations are the highest, are at the greatest risk of harm from this pollutant (CARB 2019b).

**Nitrogen Dioxide.** NO<sub>2</sub> is a brownish, highly reactive gas that is present in all urban atmospheres. The major mechanism for the formation of NO<sub>2</sub> in the atmosphere is the oxidation of the primary air pollutant nitric oxide (NO), which is a colorless, odorless gas. NO<sub>x</sub> plays a major role, together with VOCs, in the atmospheric reactions that produce O<sub>3</sub>. NO<sub>x</sub> is formed from fuel combustion under high temperature or pressure. In addition, NO<sub>x</sub> is an important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. The two major emissions sources are transportation and stationary fuel combustion sources such as electric utility and industrial boilers.

A large body of health science literature indicates that exposure to NO<sub>2</sub> can induce adverse health effects. The strongest health evidence, and the health basis for the ambient air quality standards for NO<sub>2</sub>, results from controlled human exposure studies that show that NO<sub>2</sub> exposure can intensify responses to allergens in allergic asthmatics. In addition, a number of epidemiological studies have demonstrated associations between NO<sub>2</sub> exposure and premature death, cardiopulmonary effects, decreased lung function growth in children, respiratory symptoms, emergency room visits for asthma, and intensified allergic responses. Infants and children are particularly at risk because they have disproportionately higher exposure to NO<sub>2</sub> than adults due to their greater breathing rate for their body weight and their typically greater outdoor exposure duration. Several studies have shown that long-term NO<sub>2</sub> exposure during childhood, the period of rapid lung growth, can lead to smaller lungs at maturity in children with higher levels of exposure compared to children with lower exposure levels. In addition, children with asthma have a greater degree of airway responsiveness compared with adult asthmatics. In adults, the greatest risk is to people who have chronic respiratory diseases, such as asthma and chronic obstructive pulmonary disease (CARB 2019c).

**Carbon Monoxide.** CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, such as the Project location, automobile exhaust accounts for the majority of CO emissions. CO is a nonreactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions—primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, which is a typical situation at dusk in urban areas from November to February. The highest levels of CO typically occur during the colder months of the year, when inversion conditions are more frequent.

CO is harmful because it binds to hemoglobin in the blood, reducing the ability of blood to carry oxygen. This interferes with oxygen delivery to the body's organs. The most common effects of CO exposure are fatigue, headaches, confusion and reduced mental alertness, light-headedness, and dizziness due to inadequate oxygen delivery to the brain. For people with cardiovascular disease, short-term CO exposure can further reduce their body's

already compromised ability to respond to the increased oxygen demands of exercise, exertion, or stress. Inadequate oxygen delivery to the heart muscle leads to chest pain and decreased exercise tolerance. Unborn babies whose mothers experience high levels of CO exposure during pregnancy are at risk of adverse developmental effects. Unborn babies, infants, elderly people, and people with anemia or with a history of heart or respiratory disease are most likely to experience health effects with exposure to elevated levels of CO (CARB 2019d).

**Sulfur Dioxide.** SO<sub>2</sub> is a colorless, pungent gas formed primarily from incomplete combustion of sulfur-containing fossil fuels. The main sources of SO<sub>2</sub> are coal and oil used in power plants and industries; as such, the highest levels of SO<sub>2</sub> are generally found near large industrial complexes. In recent years, SO<sub>2</sub> concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO<sub>2</sub> and limits on the sulfur content of fuels.

Controlled human exposure and epidemiological studies show that children and adults with asthma are more likely to experience adverse responses with SO<sub>2</sub> exposure, compared with the non-asthmatic population. Effects at levels near the 1-hour standard are those of asthma exacerbation, including bronchoconstriction accompanied by symptoms of respiratory irritation such as wheezing, shortness of breath, and chest tightness, especially during exercise or physical activity. Also, exposure at elevated levels of SO<sub>2</sub> (above 1 parts per million [ppm]) results in increased incidence of pulmonary symptoms and disease, decreased pulmonary function, and increased risk of mortality. The elderly and people with cardiovascular disease or chronic lung disease (such as bronchitis or emphysema) are most likely to experience these adverse effects (CARB 2019e).

SO<sub>2</sub> is of concern because it is a direct respiratory irritant and because it contributes to the formation of sulfate and sulfuric acid in particulate matter (CARB 2019e). People with asthma are of particular concern, both because they have increased baseline airflow resistance and because their SO<sub>2</sub>-induced increase in airflow resistance is greater than in healthy people, and it increases with the severity of their asthma (CARB 2019e). SO<sub>2</sub> is thought to induce airway constriction via neural reflexes involving irritant receptors in the airways (CARB 2019e).

**Particulate Matter.** Particulate matter pollution consists of very small liquid and solid particles floating in the air, which can include smoke, soot, dust, salts, acids, and metals. Particulate matter can form when gases emitted from industries and motor vehicles undergo chemical reactions in the atmosphere. PM<sub>2.5</sub> and PM<sub>10</sub> represent fractions of particulate matter. Coarse particulate matter (PM<sub>10</sub>) consists of particulate matter that is 10 microns or less in diameter and is about 1/7 the thickness of a human hair. Major sources of PM<sub>10</sub> include crushing or grinding operations; dust stirred up by vehicles traveling on roads; wood-burning stoves and fireplaces; dust from construction, landfills, and agriculture; wildfires and brush/waste burning; industrial sources; windblown dust from open lands; and atmospheric chemical and photochemical reactions. Fine particulate matter (PM<sub>2.5</sub>) consists of particulate matter that is 2.5 microns or less in diameter and is roughly 1/28 the diameter of a human hair. PM<sub>2.5</sub> results from fuel combustion (e.g., from motor vehicles and power generation and industrial facilities), residential fireplaces, and woodstoves. In addition, PM<sub>2.5</sub> can be formed in the atmosphere from gases such as sulfur oxides (SO<sub>x</sub>), NO<sub>x</sub>, and VOCs.

PM<sub>2.5</sub> and PM<sub>10</sub> pose a greater health risk than larger-size particles. When inhaled, these tiny particles can penetrate the human respiratory system's natural defenses and damage the respiratory tract. PM<sub>2.5</sub> and PM<sub>10</sub> can increase the number and severity of asthma attacks, cause or aggravate bronchitis and other lung diseases, and reduce the body's ability to fight infections. Very small particles of substances such as lead, sulfates, and nitrates can cause lung damage directly or be absorbed into the bloodstream, causing damage elsewhere in the body. Additionally, these substances can transport adsorbed gases such as chlorides or ammonium into the lungs, also causing injury. Whereas PM<sub>10</sub> tends to collect in the upper portion of the respiratory system, PM<sub>2.5</sub> is so tiny that it can penetrate

deeper into the lungs and damage lung tissue. Suspended particulates also damage and discolor surfaces on which they settle and produce haze and reduce regional visibility.

A number of adverse health effects have been associated with exposure to both  $PM_{2.5}$  and  $PM_{10}$ . For  $PM_{2.5}$ , short-term exposures (up to 24-hour duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases. In addition, of all of the common air pollutants,  $PM_{2.5}$  is associated with the greatest proportion of adverse health effects related to air pollution, both in the United States and worldwide based on the World Health Organization's Global Burden of Disease Project. Short-term exposures to  $PM_{10}$  have been associated primarily with worsening of respiratory diseases, including asthma and chronic obstructive pulmonary disease, leading to hospitalization and emergency department visits (CARB 2019a).

Long-term exposure (months to years) to  $PM_{2.5}$  has been linked to premature death, particularly in people who have chronic heart or lung diseases, and reduced lung function growth in children. The effects of long-term exposure to  $PM_{10}$  are less clear, although several studies suggest a link between long-term  $PM_{10}$  exposure and respiratory mortality. The International Agency for Research on Cancer published a review in 2015 that concluded that particulate matter in outdoor air pollution causes lung cancer (CARB 2019a).

**Lead.** Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prior to 1978, mobile emissions were the primary source of atmospheric lead. Between 1978 and 1987, the phaseout of leaded gasoline reduced the overall inventory of airborne lead by nearly 95%. With the phaseout of leaded gasoline, secondary lead smelters, battery recycling, and manufacturing facilities are becoming lead-emissions sources of greater concern.

Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient (IQ) performance, psychomotor performance, reaction time, and growth. Children are highly susceptible to the effects of lead.

**Sulfates.** Sulfates are the fully oxidized form of sulfur, which typically occur in combination with metals or hydrogen ions. Sulfates are produced from reactions of  $SO_2$  in the atmosphere and can result in respiratory impairment, as well as reduced visibility.

**Vinyl Chloride.** Vinyl chloride is a colorless gas with a mild, sweet odor, which has been detected near landfills, sewage plants, and hazardous waste sites, due to the microbial breakdown of chlorinated solvents. Short-term exposure to high levels of vinyl chloride in air can cause nervous system effects, such as dizziness, drowsiness, and headaches. Long-term exposure through inhalation can cause liver damage, including liver cancer.

**Hydrogen Sulfide.** Hydrogen sulfide is a colorless and flammable gas that has a characteristic odor of rotten eggs. Sources of hydrogen sulfide include geothermal power plants, petroleum refineries, sewers, and sewage treatment plants. Exposure to hydrogen sulfide can result in nuisance odors, as well as headaches and breathing difficulties at higher concentrations.

**Visibility-Reducing Particles.** Visibility-reducing particles are any particles in the air that obstruct the range of visibility. Effects of reduced visibility can include obscuring the viewshed of natural scenery, reducing airport safety, and discouraging tourism. Sources of visibility-reducing particles are the same as for PM<sub>2.5</sub>.

**Volatile Organic Compounds.** Hydrocarbons are organic gases that are formed from hydrogen and carbon and sometimes other elements. Hydrocarbons that contribute to formation of O<sub>3</sub> are referred to and regulated as VOCs (also referred to as reactive organic gases). Combustion engine exhaust, oil refineries, and fossil-fueled power plants are the sources of hydrocarbons. Other sources of hydrocarbons include evaporation from petroleum fuels, solvents, dry cleaning solutions, and paint.

The primary health effects of VOCs result from the formation of O<sub>3</sub> and its related health effects. High levels of VOCs in the atmosphere can interfere with oxygen intake by reducing the amount of available oxygen through displacement. Carcinogenic forms of hydrocarbons, such as benzene, are considered TACs. There are no separate health standards for VOCs as a group.

### Non-Criteria Air Pollutants

**Toxic Air Contaminants.** A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic noncancer health effects. A toxic substance released into the air is considered a TAC. TACs are identified by federal and state agencies based on a review of available scientific evidence. In the state of California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics “Hot Spots” Information and Assessment Act, Assembly Bill (AB) 2588, was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years.

Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic (i.e., cancer-causing) and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

**Diesel Particulate Matter.** Diesel particulate matter (DPM) is part of a complex mixture that makes up diesel exhaust. Diesel exhaust is composed of two phases, gas and particle, both of which contribute to health risks. More than 90% of DPM is less than 1 micrometer in diameter (about 1/70 the diameter of a human hair), and thus is a subset of PM<sub>2.5</sub> (CARB 2019f). DPM is typically composed of carbon particles (“soot,” also called black carbon) and numerous organic compounds, including over 40 known cancer-causing organic substances. Examples of these chemicals include polycyclic aromatic hydrocarbons, benzene, formaldehyde, acetaldehyde, acrolein, and 1,3-butadiene (CARB 2019f). The CARB classified “particulate emissions from diesel-fueled engines” (i.e., DPM) (17 CCR 93000) as a TAC in August 1998. DPM is emitted from a broad range of diesel engines: on-road diesel engines of trucks, buses, and cars and off-road diesel engines including locomotives, marine vessels, and heavy-duty construction equipment, among others. Approximately 70% of all airborne cancer risk in California is associated

with DPM (CARB 2000). To reduce the cancer risk associated with DPM, CARB adopted a diesel risk reduction plan in 2000 (CARB 2000). Because it is part of PM<sub>2.5</sub>, DPM also contributes to the same non-cancer health effects as PM<sub>2.5</sub> exposure. These effects include premature death; hospitalizations and emergency department visits for exacerbated chronic heart and lung disease, including asthma; increased respiratory symptoms; and decreased lung function in children. Several studies suggest that exposure to DPM may also facilitate development of new allergies (CARB 2019f). Those most vulnerable to non-cancer health effects are children, whose lungs are still developing, and the elderly, who often have chronic health problems.

**Odorous Compounds.** Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and overall is quite subjective. People may have different reactions to the same odor. An odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. In a phenomenon known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of receptors.

### Valley Fever

Coccidioidomycosis, more commonly known as “valley fever,” is an infection caused by inhalation of the spores of the *Coccidioides immitis* fungus, which grows in the soils of the southwestern United States. When fungal spores are present, any activity that disturbs the soil, such as digging, grading, or other earth-moving operations, can cause the spores to become airborne and thereby increase the risk of exposure. The ecologic factors that appear to be most conducive to survival and replication of the spores are high summer temperatures, mild winters, sparse rainfall, and alkaline sandy soils.

Valley fever is not considered highly endemic to San Bernardino County. Per the County of San Bernardino Department of Public Health, the total number of cases in the County for coccidioidomycosis cases is 104 in 2018, or 4.9 cases per 100,000 people per year (San Bernardino County Public Health 2019). Statewide incidences in 2019 were 22.5 per 100,000 people (CDPH 2019).

Even if present at a site, earth-moving activities may not result in increased incidence of valley fever. Propagation of *Coccidioides immitis* is dependent on climatic conditions, with the potential for growth and surface exposure highest following early seasonal rains and long dry spells. *Coccidioides immitis* spores can be released when filaments are disturbed by earth-moving activities, although receptors must be exposed to and inhale the spores to be at increased risk of developing valley fever. Moreover, exposure to *Coccidioides immitis* does not guarantee that an individual will become ill—approximately 60% of people exposed to the fungal spores are asymptomatic and show no signs of an infection (USGS 2000).

### Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. Facilities and structures where these air-pollution-sensitive people live or spend considerable amounts of time are known as sensitive receptors. Land uses where air-pollution-sensitive individuals are most likely to spend time include schools and schoolyards, parks

and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (sensitive sites or sensitive land uses) (CARB 2005). The SCAQMD identifies sensitive receptors as residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993).

As shown on Figure 3-3, Project Aerial and Existing Uses in Chapter 3 of this Draft EIR, the land uses surrounding the Project site consist of a mix of industrial, manufacturing, automotive, commercial, residential uses. Specific land uses located in the immediate vicinity of the Project site include the following:

- **North:** State Street, flood control channel, railroad tracks, water detention basin, and industrial uses
- **East:** Ramona Avenue, industrial uses, residential uses, and vacant land
- **South:** Mission Boulevard, commercial uses, and residential uses
- **West:** Industrial, manufacturing, and residential uses

The nearest sensitive receptors to the Project site include the residences adjacent to the western boundary (less than 25 feet) of the property.

### Disadvantaged Community/CalEnviroScreen

The State of California has placed additional emphasis on protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (discussed further in Section 4.1.2). Through its authority under Health and Safety Code section 39711, the California Environmental Protection Agency (CalEPA) is charged with the duty to identify disadvantaged communities. CalEPA bases its identification of these communities on geographic, socioeconomic, public health, and environmental hazard criteria (Health and Safety Code, section 39711, subsection (a)). In this capacity, CalEPA currently defines a disadvantaged community, from an environmental hazard and socioeconomic standpoint, as a community that scores within the top 25 percent of the census tracts, as analyzed by the California Communities Environmental Health Screening Tool Version 3.0 (CalEnviroScreen). CalEnviroScreen uses a screening methodology to help identify California communities currently disproportionately burdened by multiple sources of pollution. The census tract containing the Project is within the top 5 percent for Pollution Burden and is considered a disadvantaged community.

The CalEnviroScreen has been developed by the Office of Environmental Health Hazard Assessment (OEHHA) and CalEPA. While CalEnviroScreen can assist CalEPA in prioritizing resources and helping promote greater compliance with environmental laws, it is important to note some of its limitations. The tool's output provides a relative ranking of communities based on a selected group of available datasets, through the use of a summary score. Unlike a Health Risk Assessment (HRA) prepared for the Project, the CalEnviroScreen score is not an expression of health risk, and does not provide quantitative information on increases in cumulative impacts for specific sites or projects. Further, as a comparative screening tool, the results do not provide a basis for determining when differences between scores are significant in relation to public health or the environment. Accordingly, CalEnviroScreen is not intended to be used as a health or ecological risk assessment for a specific area or site.

While the CalEnviroScreen is a useful tool in assessing a communities risk, it is not an appropriate tool for evaluating a project's impact on the environment as required under CEQA. An air quality emissions impact analysis and health risk assessments were prepared for the proposed Project and incorporated into the EIR (as described in Section 4.1.4). Within the SCAQMD jurisdiction, a Project's localized impacts (i.e., impacts to sensitive receptors) are also evaluated using Localized Significance Thresholds that were developed in response to environmental

justice and health concerns raised by the general public regarding exposure of individuals to criteria pollutants in local communities. Additionally, the HRAs prepared for the Project quantify risk levels at nearby sensitive receptors.

## 4.1.2 Relevant Plans, Policies, and Ordinances

### Federal

#### *Federal Clean Air Act*

The federal Clean Air Act, passed in 1970 and last amended in 1990, forms the basis for the national air pollution control effort. EPA is responsible for implementing most aspects of the Clean Air Act, including setting National Ambient Air Quality Standards (NAAQS) for major air pollutants; setting hazardous air pollutant standards; approving state attainment plans; setting motor vehicle emissions standards; issuing stationary source emissions standards and permits; and establishing acid rain control measures, stratospheric O<sub>3</sub> protection measures, and enforcement provisions. NAAQS are established for criteria pollutants under the Clean Air Act, which are O<sub>3</sub>, CO, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead.

The NAAQS describe acceptable air quality conditions designed to protect the health and welfare of the citizens of the nation. The NAAQS (other than for O<sub>3</sub>, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and those based on annual averages or arithmetic mean) are not to be exceeded more than once per year. NAAQS for O<sub>3</sub>, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are based on statistical calculations over 1- to 3-year periods, depending on the pollutant. The Clean Air Act requires the EPA to reassess the NAAQS at least every 5 years to determine whether adopted standards are adequate to protect public health based on current scientific evidence. States with areas that exceed the NAAQS must prepare a State Implementation Plan that demonstrates how those areas will attain the NAAQS within mandated timeframes.

#### *Hazardous Air Pollutants*

The 1977 federal Clean Air Act amendments required the EPA to identify National Emission Standards for Hazardous Air Pollutants to protect public health and welfare. Hazardous air pollutants (HAPs) include certain VOCs, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. Under the 1990 federal Clean Air Act amendments, which expanded the control program for HAPs, 189 substances and chemical families were identified as HAPs.

### State

#### *California Clean Air Act*

The federal Clean Air Act delegates the regulation of air pollution control and the enforcement of the NAAQS to the states. In California, the task of air quality management and regulation has been legislatively granted to CARB, with subsidiary responsibilities assigned to air quality management districts and air pollution control districts at the regional and county levels. CARB, which became part of the California Environmental Protection Agency (CalEPA) in 1991, is responsible for ensuring implementation of the California Clean Air Act of 1988, responding to the federal Clean Air Act, and regulating emissions from motor vehicles and consumer products.

CARB has established California Ambient Air Quality Standards (CAAQS), which are generally more restrictive than the NAAQS. As stated previously, an ambient air quality standard defines the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harm to the public's health. For



each pollutant, concentrations must be below the relevant CAAQS before a geographical area can attain the corresponding CAAQS. Air quality is considered “in attainment” if pollutant levels are continuously below the CAAQS and violate the standards no more than once each year. The CAAQS for O<sub>3</sub>, CO, SO<sub>2</sub> (1-hour and 24-hour), NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded.

California air districts have based their thresholds of significance for California Environmental Quality Act (CEQA) purposes on the levels that scientific and factual data demonstrate that the air basin can accommodate without affecting the attainment date for the NAAQS or CAAQS. Since an ambient air quality standard is based on maximum pollutant levels in outdoor air that would not harm the public’s health, and air district thresholds pertain to attainment of the ambient air quality standard, this means that the thresholds established by air districts are also protective of human health.

The NAAQS and CAAQS are presented in Table 4.1-1.

**Table 4.1-1. Ambient Air Quality Standards**

Pollutant	Averaging Time	California Standards <sup>a</sup>	National Standards <sup>b</sup>	
		Concentration <sup>c</sup>	Primary <sup>c,d</sup>	Secondary <sup>c,e</sup>
Ozone (O <sub>3</sub> )	1 hour	0.09 ppm (180 µg/m <sup>3</sup> )	–	Same as Primary Standard <sup>f</sup>
	8 hours	0.070 ppm (137 µg/m <sup>3</sup> )	0.070 ppm (137 µg/m <sup>3</sup> ) <sup>f</sup>	
nitrogen dioxide (NO <sub>2</sub> ) <sup>g</sup>	1 hour	0.18 ppm (339 µg/m <sup>3</sup> )	0.100 ppm (188 µg/m <sup>3</sup> )	Same as Primary Standard
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	0.053 ppm (100 µg/m <sup>3</sup> )	
carbon monoxide (CO)	1 hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )	None
	8 hours	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )	
sulfur dioxide (SO <sub>2</sub> ) <sup>h</sup>	1 hour	0.25 ppm (655 µg/m <sup>3</sup> )	0.075 ppm (196 µg/m <sup>3</sup> )	–
	3 hours	–	–	0.5 ppm (1,300 µg/m <sup>3</sup> )
	24 hours	0.04 ppm (105 µg/m <sup>3</sup> )	0.14 ppm (for certain areas) <sup>g</sup>	–
	Annual	–	0.030 ppm (for certain areas) <sup>g</sup>	–
Course Particulate Matter (PM <sub>10</sub> ) <sup>i</sup>	24 hours	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	Same as Primary Standard
	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	–	
Fine Particulate Matter (PM <sub>2.5</sub> ) <sup>j</sup>	24 hours	–	35 µg/m <sup>3</sup>	Same as Primary Standard
	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	12.0 µg/m <sup>3</sup>	15.0 µg/m <sup>3</sup>
Lead <sup>j,k</sup>	30-day Average	1.5 µg/m <sup>3</sup>	–	–
	Calendar Quarter	–	1.5 µg/m <sup>3</sup> (for certain areas) <sup>k</sup>	Same as Primary Standard
	Rolling 3-Month Average	–	0.15 µg/m <sup>3</sup>	

Table 4.1-1. Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards <sup>a</sup>	National Standards <sup>b</sup>	
		Concentration <sup>c</sup>	Primary <sup>c,d</sup>	Secondary <sup>c,e</sup>
Hydrogen sulfide	1 hour	0.03 ppm (42 µg/m <sup>3</sup> )	—	—
Vinyl chloride <sup>f</sup>	24 hours	0.01 ppm (26 µg/m <sup>3</sup> )	—	—
Sulfates	24 hours	25 µg/m <sup>3</sup>	—	—
Visibility-reducing particles	8 hour (10:00 a.m. to 6:00 p.m. PST)	Insufficient amount to produce an extinction coefficient of 0.23 per kilometer due to particles when the relative humidity is less than 70%	—	—

Source: CARB 2016.

Notes: ppm = parts per million by volume; µg/m<sup>3</sup> = micrograms per cubic meter; mg/m<sup>3</sup> = milligrams per cubic meter.

- <sup>a</sup> California standards for O<sub>3</sub>, CO, SO<sub>2</sub> (1-hour and 24-hour), NO<sub>2</sub>, suspended particulate matter—PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility-reducing particles—are values that are not to be exceeded. All others are not to be equaled or exceeded. California Ambient Air Quality Standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- <sup>b</sup> National standards (other than O<sub>3</sub>, NO<sub>2</sub>, SO<sub>2</sub>, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The O<sub>3</sub> standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over 3 years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98% of the daily concentrations, averaged over 3 years, are equal to or less than the standard.
- <sup>c</sup> Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- <sup>d</sup> National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- <sup>e</sup> National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- <sup>f</sup> On October 1, 2015, the primary and secondary National Ambient Air Quality Standards for O<sub>3</sub> were lowered from 0.075 ppm to 0.070 ppm
- <sup>g</sup> To attain the 1-hour national standard, the 3-year average of the annual 98<sup>th</sup> percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 parts per billion (ppb). Note that the national 1-hour standard is in units of ppb. California standards are in units of ppm. To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
- <sup>h</sup> On June 2, 2010, a new 1-hour SO<sub>2</sub> standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99<sup>th</sup> percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO<sub>2</sub> national standards (24-hour and annual) remain in effect until 1 year after an area is designated for the 2010 standard, except that in areas designated nonattainment of the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.
- <sup>e</sup> On December 14, 2012, the national annual PM<sub>2.5</sub> primary standard was lowered from 15 µg/m<sup>3</sup> to 12.0 µg/m<sup>3</sup>. The existing national 24-hour PM<sub>2.5</sub> standards (primary and secondary) were retained at 35 µg/m<sup>3</sup>, as was the annual secondary standard of 15 µg/m<sup>3</sup>. The existing 24-hour PM<sub>10</sub> standards (primary and secondary) of 150 µg/m<sup>3</sup> also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
- <sup>j</sup> CARB has identified lead and vinyl chloride as TACs with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
- <sup>k</sup> The national standard for lead was revised on October 15, 2008, to a rolling 3-month average. The 1978 lead standard (1.5 µg/m<sup>3</sup> as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.

**Assembly Bill 617**

Assembly Bill (AB) 617 was approved by the Governor on July 26, 2017 and requires the state board to develop a uniform statewide system of annual reporting of emissions of criteria air pollutants and toxic air contaminants for use by certain categories of stationary sources. The bill requires those stationary sources to report their annual emissions of criteria air pollutants and toxic air contaminants, as specified.

This bill required the state board, by October 1, 2018, to prepare a monitoring plan regarding technologies for monitoring criteria air pollutants and toxic air contaminants and the need for and benefits of additional community air monitoring systems, as defined. The bill required the state board to select, based on the monitoring plan, the highest priority locations in the state for the deployment of community air monitoring systems. The bill required an air district containing a selected location, by July 1, 2019, to deploy a system in the selected location. The bill authorizes the air district to require a stationary source that emits air pollutants in, or that materially affect, the selected location to deploy a fence-line monitoring system, as defined, or other specified real-time, on-site monitoring. The bill authorized the state board, by January 1, 2020, and annually thereafter, to select additional locations for the deployment of the systems. The bill requires air districts that have deployed a system to provide to the state board air quality data produced by the system. By increasing the duties of air districts, this bill imposed a state-mandated local program. The bill requires the state board to publish the data on its Internet Web site.

This bill required the state board, by October 1, 2018, to prepare and update, at least once every 5 years, a statewide strategy to reduce emissions of toxic air contaminants and criteria pollutants in communities affected by a high cumulative exposure burden. The bill requires the state board to select locations around the state for the preparation of community emissions reduction programs, and to provide grants to community-based organizations for technical assistance and to support community participation in the programs. The bill requires an air district containing a selected location, within one year of the state board's selection, to adopt a community emissions reduction program. By increasing the duties of air districts, this bill imposes a state-mandated local program.

In response to AB 617, CARB established the Community Air Protection Program (CAPP or Program). The Program's focus is to reduce exposure in communities most impacted by air pollution. Communities around the State are working together to develop and implement new strategies to measure air pollution and reduce health impacts.

This first-of-its-kind statewide effort includes community air monitoring and community emissions reduction programs. In addition, the Legislature appropriated funding to support early actions to address localized air pollution through targeted incentive funding to deploy cleaner technologies in these communities, as well as grants to support community participation in the AB 617 process. AB 617 also includes new requirements for accelerated retrofit of pollution controls on industrial sources, increased penalty fees, and greater transparency and availability of air quality and emissions data, which will help advance air pollution control efforts throughout the State. This new effort provides an opportunity to continue to enhance our air quality planning efforts and better integrate community, regional, and State level programs to provide clean air for all Californians.

***Toxic Air Contaminant Identification and Control Act***

The state Air Toxics Program was established in 1983 under AB 1807. The California TAC list identifies more than 700 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state list includes the (federal) HAPs. In 1987, the Legislature enacted the Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) to address public concern over the release of TACs into the atmosphere.

AB 2588 law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over 5 years. TAC emissions from individual facilities are quantified and prioritized. “High-priority” facilities are required to perform a health risk assessment, and if specific thresholds are exceeded, the facility operator is required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines (CARB 2000). The regulation is anticipated to result in an 80% decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000. Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, the On-Road Heavy Duty (New) Vehicle Program, the In-Use Off-Road Diesel Vehicle Regulation, and the New Off-Road Compression-Ignition (Diesel) Engines and Equipment Program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. There are several airborne toxic control measures that reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 CCR 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

### ***California Health and Safety Code Section 41700***

Section 41700 of the Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

### **Regional and Local**

#### ***South Coast Air Quality Management District***

While CARB is responsible for the regulation of mobile emissions sources within the state, local air quality management districts and air pollution control districts are responsible for enforcing standards and regulating stationary sources. SCAQMD is the regional agency responsible for the regulation and enforcement of federal, state, and local air pollution control regulations in SCAB, where the Project is located. The SCAQMD operates monitoring stations in the SCAB, develops rules and regulations for stationary sources and equipment, prepares emissions inventory and air quality management planning documents, and conducts source testing and inspections. The SCAQMD’s Air Quality Management Plans (AQMPs) include control measures and strategies to be implemented to attain the CAAQS and NAAQS in the SCAB. The SCAQMD then implements these control measures as regulations to control or reduce criteria pollutant emissions from stationary sources or equipment.

The SCAQMD has initiated the development of the 2022 AQMP to address the attainment of the 2015 8-hour ozone standard (70 parts per billion) for the SCAB and the Coachella Valley. Preliminary rule development for the 2022 AQMP is expected to begin in July 2021 including control measures developed through Residential and Commercial Buildings and Mobile Source Working Groups.

The most-recently adopted AQMP is the 2016 AQMP (SCAQMD 2017a), which was adopted by the SCAQMD governing board on March 3, 2017. The 2016 AQMP is a regional blueprint for achieving air quality standards and

healthful air. The 2016 AQMP addresses criteria air pollutant emissions from ocean-going vessels, which are considered federal sources, and includes emissions associated with marine vessels and engines in the baseline year and future forecasts. The 2016 AQMP's overall control strategy is an integral approach relying on fair-share emission reductions from federal, state, and local levels. The 2016 AQMP is composed of stationary and mobile source emission reductions from traditional regulatory control measures, incentive-based programs, co-benefits from climate programs, mobile source strategies, and reductions from federal sources (SCAQMD 2017a). These control strategies are to be implemented in partnership with CARB and the EPA.

The previous AQMP was the 2012 AQMP, which was adopted in February 2013 (SCAQMD 2013). The 2012 AQMP proposed policies and measures to achieve national and California standards for improved air quality in the SCAB and those portions of the Salton Sea Air Basin (formerly named the Southeast Desert Air Basin) that are under SCAQMD jurisdiction. The 2012 AQMP is designed to meet applicable federal and state requirements for O<sub>3</sub> and particulate matter. The 2012 AQMP documents that attainment of the federal 24-hour PM<sub>2.5</sub> standard is impracticable by 2015 and the SCAB should be classified as a "Serious" nonattainment area along with the appropriate federal requirements. The 2012 AQMP includes the planning requirements to meet the 1-hour O<sub>3</sub> standard. The 2012 AQMP demonstrates attainment of the federal 24-hour PM<sub>2.5</sub> standard by 2014 in the SCAB through adoption of all feasible measures. Finally, the 2012 AQMP updates the EPA-approved 8-hour O<sub>3</sub> control plan with new measures designed to reduce reliance on the Clean Air Act section 18(c)(5) long-term measures for NO<sub>x</sub> and VOC reductions. The 2012 AQMP reduction and control measures, which are outlined to mitigate emissions, are based on existing and projected land use and development. The EPA, with a final ruling on April 14, 2016, approved the Clean Air Act planning requirements for the 24-hour PM<sub>2.5</sub> standard portion and on September 3, 2014, approved the 1-hour O<sub>3</sub> Clean Air Act planning requirements.

### ***Applicable Rules***

Emissions that would result from Project construction may be subject to SCAQMD rules and regulations, which may include the following:

**Rule 201 – Permit to Construct:** This rule requires written authorization for construction of equipment.

**Rule 203 – Permit to Operate:** This rule requires obtaining a written permit to operate prior to operation or use of equipment.

**Rule 401 – Visible Emissions.** This rule establishes the limit for visible emissions from stationary sources for a period or periods aggregating more than three minutes in any hour. This rule prohibits visible emissions dark or darker than Ringelmann No. 1 for periods greater than three minutes in any hour or such opacity which could obscure an observer's view to a degree equal or greater than does smoke.

**Rule 402 – Nuisance.** This rule prohibits the discharge of air pollutants from a facility that cause injury, detriment, nuisance, or annoyance to the public or damage to business or property.

**Rule 403 – Fugitive Dust.** This rule requires fugitive dust sources to implement best available control measures for all sources and prohibits all forms of visible particulate matter from crossing any property line. SCAQMD Rule 403 is intended to reduce PM<sub>10</sub> emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust.

**Rule 431.2 – Sulfur Content of Liquid Fuels.** The purpose of this rule is to limit the sulfur content in diesel and other liquid fuels for the purpose both of reducing the formation of SO<sub>x</sub> and particulates during combustion and of

enabling the use of add-on control devices for diesel-fueled internal combustion engines. The rule applies to all refiners, importers, and other fuel suppliers such as distributors, marketers, and retailers, as well as to users of diesel, low-sulfur diesel, and other liquid fuels for stationary-source applications in the SCAQMD. The rule also affects diesel fuel supplied for mobile source applications.

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

**Rule 1404 – New Source Review of Toxic Air Contaminants:** This rule specifies limits for maximum individual cancer risk, cancer burden, and noncancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units which emit toxic air contaminants. This rule establishes allowable risks for permit units requiring new permits pursuant to Rules 201 or 203.

**Regulation XIV – Rule 1403, Asbestos Emissions from Demolition/Renovation Activities.** This rule states that an owner or operator of any demolition or renovation activity is required to have an asbestos study performed prior to demolition and to provide notification to SCAQMD prior to commencing demolition activities.

**Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program.** The purpose of this rule is to reduce local and regional emissions of NO<sub>x</sub> and PM, and to facilitate local and regional emission reductions associated with warehouses and the mobile sources attracted to warehouses in order to assist in meeting state and federal air quality standards for O<sub>3</sub> and PM<sub>2.5</sub>. This rule applies to owners and operators of warehouses located in the SCAQMD jurisdiction with greater than or equal to 100,000 square feet of indoor floor space in a single building.

### ***Southern California Association of Governments***

The Southern California Association of Governments (SCAG) is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. SCAG serves as the federally designated metropolitan planning organization for the Southern California region and is the largest metropolitan planning organization in the United States.

With respect to air quality planning and other regional issues, SCAG has prepared the 2008 Regional Comprehensive Plan: Helping Communities Achieve a Sustainable Future (2008 RCP) for the region (SCAG 2008). The 2008 RCP sets the policy context in which SCAG participates in and responds to the SCAQMD air quality plans and builds off the SCAQMD AQMP processes that are designed to meet health-based criteria pollutant standards in several ways (SCAG 2008). First, it complements AQMPs by providing guidance and incentives for public agencies to consider best practices that support the technology-based control measures in AQMPs. Second, the 2008 RCP emphasizes the need for local initiatives that can reduce the region's greenhouse gas emissions that contribute to climate change, an issue that is largely outside the focus of local attainment plans. Third, the 2008 RCP emphasizes the need for better coordination of land use and transportation planning, which heavily influences the emissions inventory from the transportation sectors of the economy. This also minimizes land use conflicts, such as residential development near freeways, industrial areas, or other sources of air pollution.

On April 7, 2016, SCAG's Regional Council adopted the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS). The 2016 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2016 RTP/SCS charts a

course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The 2016 RTP/SCS was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. In June 2016, SCAG received its conformity determination from the Federal Highway Administration and the Federal Transit Administration indicating that all air quality conformity requirements for the 2016 RTP/SCS and associated 2015 Federal Transportation Improvement Program Consistency Amendment through Amendment 15-12 have been met (SCAG 2016). The SCAQMD 2016 AQMP applies the updated SCAG growth forecasts assumed in the 2016 RTP/SCS.

SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. Connect SoCal charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, planning strategies, and the people whose collaboration can improve the quality of life for Southern Californians. 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 Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura.

With regard to future growth included in the 2016 AQMP, SCAG prepared the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS), which provided population, housing, and employment projections for cities under its jurisdiction. The growth projections in the 2016-2040 RTP/SCS are based on projections originating in County and City General Plans, and are used in the preparation of the air quality forecasts and consistency analysis included in the SCAQMD’s AQMP. SCAG adopted the 2016-2040 RTP/SCS on April 7, 2016.<sup>5</sup> Notably, SCAG has adopted Connect SoCal, the 2020-2045 RTP/SCS on September 3, 2020,<sup>6</sup> but the updated growth projections have not yet been incorporated into an adopted AQMP.

### ***City of Montclair General Plan***

The City’s General Plan includes an Air Quality Element that discusses the issues, trends, policies and goals related to air quality in the City (City of Montclair 1999). The following provides a list of relevant goals and policies from the City’s Air Quality Element of the 1999 General Plan:

#### **Air Quality Goals**

**AQ-1.0.0.** To achieve coordination of air quality improvement within the portion of the South Coast Air Basin in San Bernardino County and improve air quality through reductions in pollutants.

**AQ-2.0.0.** To achieve a diverse and efficient ground transportation system which generates the minimum feasible pollutants.

**AQ-3.0.0.** To achieve a pattern of land uses which can be efficiently served by a diversified transportation system and development projects which directly and indirectly generate the minimum feasible air pollutants.

**AQ-4.0.0.** Reduce to a minimum 92 particulate emissions from such uses as construction, operation of roads, and buildings.

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<sup>5</sup> SCAG, 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, adopted April 7, 2016.

<sup>6</sup> SCAG, Connect SoCal, adopted September 3, 2020.

**Air Quality Objectives**

**AQ-1.1.0.** Coordinate with other jurisdictions in San Bernardino County to establish parallel air quality plans and implementation programs.

**AQ-1.2.0.** Involve environmental groups, the business community, special interests, and the general public in the formulation and implementation of programs which effectively reduce air-borne pollutants.

**AQ-1.3.0.** Advocate and support innovative strategies to improve air quality

**AQ-2.1.0.** Use market incentives, regulations, and Transportation Demand Management in cooperation with other jurisdictions in the South Coast Air Basin to eliminate unnecessary vehicle trips which would otherwise be made.

**AQ-2.2.0.** Use incentives, regulations, and transportation Demand Management in cooperation with other jurisdictions in the South Coast Air Basin to reduce the vehicle miles traveled for auto trips.

**AQ-2.3.0.** Improve traffic flow by implementing the State mandated Congestion Management Program (CMP), the AQMP, and other means to lessen roadway congestion.

**AQ-2.4.0.** Cooperate in efforts to expand bus, rail and other forms of transit in the portion of the South Coast Air Basin within San Bernardino County and the inter-county links to Los Angeles, Orange and Riverside Counties.

**AQ-2.5.0.** Manage the parking supply for public and private development to discourage auto use, while ensuring that economic development goals are not impacted.

**AQ-2.6.0.** Invest in clean fuel systems in future fleet vehicles, as feasible.

**AQ-3.1.0.** Continue to ensure that the fundamental City documents, including the General Plan, achieve a community which is efficiently balanced in terms of jobs/housing and which adequately prepares for management of growth.

**AQ-3.2.0.** Create and execute programs which control and manage the balance between jobs and housing.

**AQ-3.3.0.** Adopt an ordinance to establish criteria to assess the impacts of development projects upon air quality in terms of such factors as jobs created, traffic generated (by type), and direct/indirect pollutant emissions for certain size development.

**AQ-3.4.0.** Support mixed-use developments.

**AQ-4.1.0.** Reduce particulate emissions from roads, parking lots, construction sites, and agricultural lands.

**AQ-4.2.0.** Continue to sweep City streets.

**AQ-4.3.0.** Control particulate emissions from unpaved roads.

**AQ-4.4.0.** Adopt an ordinance amendment to control dust from vacant lands and erosions from storm water washing into streets.

**AQ-4.5.0.** Reduce emissions from building materials and methods of construction which generate excessive pollutants.



**AQ-1.1.1.** Participate on Planning Directors Committee of San Bernardino County to provide coordinated review and response to project proposals affecting air quality within the San Bernardino County portion of the South Coast Air Quality Management District.

**AQ-1.1.2.** Encourage regional financing of AQMP control measures by influencing San Bernardino Associated Governments, the South Coast Air Quality Management District, and other agencies to provide economic assistance for implementation of the measures.

**AQ-1.1.3.** Cooperate in establishing a process to integrate air quality programs, implementation, monitoring, and reporting which will affect air quality improvements in San Bernardino County.

**AQ-1.1.4.** Participate with San Bernardino Associated Governments to implement the Congestion Management Plan (CMP).

**AQ-1.1.5.** Work with Omnitrans/Metro/Foothill Transit to improve transit within Montclair and San Bernardino County.

**AQ-1.1.6.** Cooperate actively with Los Angeles, Orange, and Riverside Counties to comprehensively improve air quality at the emission source.

**AQ-1.2.1.** Prepare public participation programs which target City residents, businesses, and industries for the purpose of educating them about how they can reduce air pollution.

**AQ-1.2.2.** Work with the Chamber of Commerce to educate and incorporate AQMP programs and Montclair Air Quality Element actions into local business activities.

**AQ-1.3.1.** Support Tier III implementation of the AQMP by supporting new technology which is not available today but will improve air quality in the future.

**AQ-1.3.2.** Support new approaches to improving air quality through encouraging business/research companies to utilize financing mechanisms provided by federal, State, and local sources.

**AQ-1.3.3.** Support agencies/organizations who provide creative solutions to improve air quality, such as automobile buy-back programs and consumer product emissions fees.

**AQ-1.3.4.** Cooperate with local and regional agencies by preparing a memorandum of understanding for obtaining the minimum pollutant emissions while maintaining the city's economic viability.

**AQ-2.1.1.** Encourage and facilitate mixed use and self-sufficient development which are pedestrian- and transit-oriented. The areas north of the Montclair Plaza and within the Montclair Transcenter have been identified by "the North Montclair Specific Plan" as viable sites for such developments.

**AQ-2.1.2.** Encourage trip reduction through programs such as compressed work weeks, flex schedules, carpooling, and telecommunication.

**AQ-2.3.1.** Provide on-going participation in the CMP process within San Bernardino County.

**AQ-2.3.2.** Require interconnected signal control systems for all primary arterials including those which cross interjurisdictional boundaries (ACMP Control Measure No. 4.).

**AQ-2.4.1.** Lobby regional transportation agencies to expand regional transit systems between residential areas and employment centers in San Bernardino County.

**AQ-2.4.2.** Develop a City shuttle between regional land uses, park-n-ride facilities, and neighborhoods, in conjunction with Omnitrans existing service.

**AQ-2.4.3.** Provide bicycle and pedestrian pathways and facilities to encourage nonmotorized trips.

**AQ-2.5.1.** Provide incentives for ridesharing and non-single occupancy vehicles for those vehicles who use public parking lots.

**AQ-2.5.2.** Adopt an ordinance establishing a cap on the number of parking spaces permitted per square foot for particular uses.

**AQ-2.5.3.** Adopt an ordinance which requires employers/developers to provide preferential parking for rideshares.

**AQ-2.6.1.** Purchase vehicles which use clean fuels for use as part of the City fleet.

**AQ-3.1.1.** Prepare and annually update a Capital Improvement Plan (CIP) to include state mandated air quality requirements.

**AQ-3.1.2.** Complete the preparation of an economic development strategy which examines the available labor pool and targets/markets the City to those industries/businesses who best fit the labor pool characteristics.

**AQ-3.1.3.** Participate in the preparation of a Memorandum of Understanding between participating jurisdictions in the Regional Air Quality Element as to mutually acceptable approaches to improve and maintain the jobs/housing balance in the West Valley area.

### **Regional and Local Air Quality Conditions**

#### ***SCAB Attainment Designation***

Pursuant to the 1990 federal Clean Air Act amendments, the EPA classifies air basins (or portions thereof) as “attainment” or “nonattainment” for each criteria air pollutant based on whether the NAAQS have been achieved. Generally, if the recorded concentrations of a pollutant are lower than the standard, the area is classified as “attainment” for that pollutant. If an area exceeds the standard, the area is classified as “nonattainment” for that pollutant. If there is not enough data available to determine whether the standard is exceeded in an area, the area is designated as “unclassified” or “unclassifiable.” The designation of “unclassifiable/attainment” means that the area meets the standard or is expected to be meet the standard despite a lack of monitoring data. Areas that achieve the standards after a nonattainment designation are re-designated as maintenance areas and must have approved Maintenance Plans to ensure continued attainment of the standards. The California Clean Air Act, like its federal counterpart, called for the designation of areas as “attainment” or “nonattainment,” but based on CAAQS rather than the NAAQS. Table 4.1-2 depicts the current attainment status of the SCAB with respect to the NAAQS and CAAQS.

Table 4.1-2. South Coast Air Basin Attainment Classification

Pollutant	Designation/Classification	
	National Standards	California Standards
Ozone (O <sub>3</sub> ), 1-hour	No National Standard	<b>Nonattainment</b>
Ozone (O <sub>3</sub> ), 8-hour	<b>Extreme Nonattainment</b>	<b>Nonattainment</b>
Nitrogen Dioxide (NO <sub>2</sub> )	Unclassifiable/Attainment	Attainment
Carbon Monoxide (CO)	Attainment/Maintenance	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Unclassifiable/Attainment	Attainment
Coarse Particulate Matter (PM <sub>10</sub> )	Attainment/Maintenance	<b>Nonattainment</b>
Fine Particulate Matter (PM <sub>2.5</sub> )	<b>Serious Nonattainment</b>	<b>Nonattainment</b>
Lead	Nonattainment	Attainment
Hydrogen Sulfide	No National Standard	Unclassified
Sulfates	No National Standard	Attainment
Visibility-Reducing Particles	No National Standard	Unclassified
Vinyl Chloride	No National Standard	No designation

**Sources:** EPA 2020a (national); CARB 2019g (California).

**Notes:** Bold text = not in attainment; Attainment = meets the standards; Attainment/Maintenance = achieves the standards after a nonattainment designation; Nonattainment = does not meet the standards; Unclassified or Unclassifiable = insufficient data to classify; Unclassifiable/Attainment = meets the standard or is expected to be meet the standard despite a lack of monitoring data.

In summary, the SCAB is designated as a nonattainment area for federal and state O<sub>3</sub> standards and federal and state PM<sub>2.5</sub> standards. The SCAB is designated as a nonattainment area for state PM<sub>10</sub> standards; however, it is designated as an attainment area for federal PM<sub>10</sub> standards. The SCAB is designated as an attainment area for federal and state CO standards, federal and state NO<sub>2</sub> standards, and federal and state SO<sub>2</sub> standards. The San Bernardino County portion of the SCAB is designated as attainment for national and California lead standards; however, the Los Angeles County portion of the SCAB is the only area that has been designated as nonattainment for the national rolling 3-month average lead standard, though this area is designated attainment for the state lead standard (EPA 2020a; CARB 2019g).

Despite the current nonattainment status, air quality within the SCAB has generally improved since the inception of air pollutant monitoring in 1976. This improvement is mainly a result of lower-polluting on-road motor vehicles, more stringent regulation of industrial sources, and the implementation of emission reduction strategies by the SCAQMD. This trend toward cleaner air has occurred in spite of continued population growth. PM<sub>10</sub> levels have declined almost 50% since 1990, and PM<sub>2.5</sub> levels have also declined 50% since measurements began in 1999 (SCAQMD 2013). Similar improvements are observed with O<sub>3</sub>, although the rate of O<sub>3</sub> decline has slowed in recent years.

### Local Ambient Air Quality

CARB, air districts, and other agencies monitor ambient air quality at approximately 250 air quality monitoring stations across the state. SCAQMD monitors local ambient air quality at the Project site. Air quality monitoring stations usually measure pollutant concentrations 10 feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. The most recent background ambient air quality data from 2017 to 2019 are presented in Table 4.1-3.

In San Bernardino County, the CARB has twelve air quality monitoring stations. The closest station to the Project site is the Upland monitoring station, approximately 5.4 miles north-east from the Project site, which monitors for O<sub>3</sub>, NO<sub>2</sub>, and CO. The closest monitoring station to the Project site that monitors SO<sub>2</sub> and PM<sub>10</sub> is the Fontana

monitoring station, approximately 12.7 miles east of the Project site. The closest monitoring station to the Project site that monitors PM<sub>2.5</sub> is the Ontario monitoring station, approximately 5.6 miles south-east from the Project site. The data collected at these stations are considered representative of the air quality experienced in the Project vicinity. The number of days exceeding the ambient air quality standards is also shown in Table 4.1-3.

**Table 4.1-3. Local Ambient Air Quality Data**

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2017	2018	2019	2017	2018	2019
<b>Ozone (O<sub>3</sub>)</b>										
Upland	ppm	Maximum 1-hour concentration	California	0.09	0.150	0.133	0.131	9	6	31
	ppm	Maximum 8-hour concentration	California	0.070	0.128	0.112	0.107	89	54	54
National			0.070	0.127	0.111	0.107	87	52	52	
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b>										
Upland	ppm	Maximum 1-hour concentration	California	0.18	0.06	0.06	0.06	0	0	0
			National	0.100	0.06	0.06	0.06	0	0	0
	ppm	Annual concentration	California	0.030	0.02	0.01	–	0	0	–
			National	0.053	0.02	0.02	–	0	0	–
<b>Carbon Monoxide (CO)</b>										
Upland	ppm	Maximum 1-hour concentration	California	20	1.9	1.7	1.3	0	0	0
			National	35	1.9	1.7	1.3	0	0	0
	ppm	Maximum 8-hour concentration	California	9.0	1.4	1.2	1.1	0	0	0
			National	9	1.4	1.2	1.1	0	0	0
<b>Sulfur Dioxide (SO<sub>2</sub>)</b>										
Fontana	ppm	Maximum 1-hour concentration	National	0.075	0.004	0.003	0.002	0	0	0
	ppm	Maximum 24-hour concentration	National	0.14	0.001	0.001	0.001	0	0	0
	ppm	Annual concentration	National	0.030	0.0002	0.0004	0.0004	0	0	0
<b>Coarse Particulate Matter (PM<sub>10</sub>)<sup>b</sup></b>										
Fontana	µg/m <sup>3</sup>	Maximum 24-hour concentration	California	50	75.3	61.5	85.1	– (8)	– (8)	65.1 (11)
			National	150	75.3	64.1	88.8	0.0 (0)	0.0 (0)	0.0 (0)
	µg/m <sup>3</sup>	Annual concentration	California	20	39.8	34.6	33.7	0	0	0

Table 4.1-3. Local Ambient Air Quality Data

Monitoring Station	Unit	Averaging Time	Agency/ Method	Ambient Air Quality Standard	Measured Concentration by Year			Exceedances by Year		
					2017	2018	2019	2017	2018	2019
<i>Fine Particulate Matter (PM<sub>2.5</sub>)<sup>b</sup></i>										
Ontario	µg/m <sup>3</sup>	Maximum 24-hour concentration	National	35	67.8	60.4	57.7	9.2 (9)	7.0 (7)	6.0 (6)
	µg/m <sup>3</sup>	Annual concentration	California	12	14.6	14.5	12.8	—	—	—
			National	12.0	14.6	14.5	12.8	—	—	—

Sources: CARB 2020; EPA 2020b.

Notes: ppm = parts per million by volume; — = not available; µg/m<sup>3</sup> = micrograms per cubic meter; ND = insufficient data available to determine the value.

Data taken from CARB iADAM (<http://www.arb.ca.gov/adam>) and EPA AirData (<http://www.epa.gov/airdata/>) represent the highest concentrations experienced over a given year.

Exceedances of national and California standards are only shown for O<sub>3</sub> and particulate matter. Daily exceedances for particulate matter are estimated days because PM<sub>10</sub> and PM<sub>2.5</sub> are not monitored daily. All other criteria pollutants did not exceed national or California standards during the years shown. There is no national standard for 1-hour O<sub>3</sub>, annual PM<sub>10</sub>, or 24-hour SO<sub>2</sub>, nor is there a California 24-hour standard for PM<sub>2.5</sub>.

Upland Monitoring Station is located at 1350 San Bernardino Road, Upland, California.

Fontana Monitoring Station is located at 14360 Arrow Boulevard, Fontana, California.

Ontario Drive Monitoring Station is located at 2330 S. Castle Harbour, Ontario, California.

<sup>a</sup> Mean does not satisfy minimum data completeness criteria.

<sup>b</sup> Measurements of PM<sub>10</sub> and PM<sub>2.5</sub> are usually collected every 6 days and every 1 to 3 days, respectively. Number of days exceeding the standards is a mathematical estimate of the number of days concentrations would have been greater than the level of the standard had each day been monitored. The numbers in parentheses are the measured number of samples that exceeded the standard.

### 4.1.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to air quality are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to air quality would occur if the Project would:

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

Appendix G of the State CEQA Guidelines (14 CCR 15000 et seq.) indicates that, where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to determine whether the Project would have a significant impact on air quality.

The SCAQMD has established Air Quality Significance Thresholds, as revised in April 2019, that set forth quantitative emission significance thresholds below which a project would not have a significant impact on ambient air quality (SCAQMD 2019). The quantitative air quality analysis provided herein applies the SCAQMD thresholds identified in Table 4.1-4 to determine the potential for the Project to result in a significant impact under CEQA.

Table 4.1-4. SCAQMD Air Quality Significance Thresholds

Criteria Pollutants Mass Daily Thresholds		
Pollutant	Construction (Pounds per Day)	Operation (Pounds per Day)
VOCs	75	55
NO <sub>x</sub>	100	55
CO	550	550
SO <sub>x</sub>	150	150
PM <sub>10</sub>	150	150
PM <sub>2.5</sub>	55	55
Lead <sup>a</sup>	3	3
TACs and Odor Thresholds		
TACs <sup>b</sup>	Maximum incremental cancer risk $\geq 10$ in 1 million Cancer Burden > 0.5 excess cancer cases (in areas $\geq 1$ in 1 million) Chronic and acute hazard index $\geq 1.0$ (project increment)	
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402	
Ambient Air Quality Standards for Criteria Pollutants <sup>c</sup>		
NO <sub>2</sub> 1-hour average NO <sub>2</sub> annual arithmetic mean	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 0.18 ppm (state) 0.030 ppm (state) and 0.0534 ppm (federal)	
CO 1-hour average CO 8-hour average	SCAQMD is in attainment; project is significant if it causes or contributes to an exceedance of the following attainment standards: 20 ppm (state) and 35 ppm (federal) 9.0 ppm (state/federal)	
PM <sub>10</sub> 24-hour average PM <sub>10</sub> annual average	10.4 $\mu\text{g}/\text{m}^3$ (construction) <sup>d</sup> 2.5 $\mu\text{g}/\text{m}^3$ (operation) 1.0 $\mu\text{g}/\text{m}^3$	
PM <sub>2.5</sub> 24-hour average	10.4 $\mu\text{g}/\text{m}^3$ (construction) <sup>d</sup> 2.5 $\mu\text{g}/\text{m}^3$ (operation)	

Source: SCAQMD 2019.

Notes: SCAQMD = South Coast Air Quality Management District; VOC = volatile organic compounds; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; TAC = toxic air contaminant; NO<sub>2</sub> = nitrogen dioxide; ppm = parts per million by volume;  $\mu\text{g}/\text{m}^3$  = micrograms per cubic meter.

Greenhouse gas emissions thresholds for industrial projects, as added in the March 2015 revision to the SCAQMD Air Quality Significance Thresholds, were not included in this table as they are addressed within the greenhouse gas emissions analysis and not the air quality analysis.

<sup>a</sup> The phaseout of leaded gasoline started in 1976. Since gasoline no longer contains lead, the Project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

<sup>b</sup> TACs include carcinogens and noncarcinogens.

<sup>c</sup> Ambient air quality standards for criteria pollutants are based on SCAQMD Rule 1303, Table A-2, unless otherwise stated.

<sup>d</sup> Ambient air quality threshold are based on SCAQMD Rule 403.

The phasing out of leaded gasoline started in 1976. As gasoline no longer contains lead, the proposed Project is not anticipated to result in impacts related to lead; therefore, it is not discussed in this analysis.

The evaluation of whether the Project would conflict with or obstruct implementation of the applicable air quality plan (State CEQA Guidelines Appendix G Threshold 1) is based on the SCAQMD CEQA Air Quality Handbook (SCAQMD 1993), Chapter 12, Sections 12.2 and 12.3. The first criterion assesses if the Project would 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 of the interim emissions reductions specified in the AQMP, which is addressed in detail under Section 4.1.4(b) in Section 4.1.4, Impacts Analysis. The second criterion is if the Project would exceed the assumptions in the AQMP or increments based on the year of project buildout and phase, as discussed further in Section 4.1.4(a).

To evaluate the potential for the Project to result in a cumulatively considerable net increase of any criteria pollutant for which the region is nonattainment under an applicable federal or state ambient air quality standard (State CEQA Guidelines Appendix G Threshold 2), this analysis applies the SCAQMD's construction criteria pollutants mass daily thresholds, as shown in Table 4.1-4. A project would potentially result in a cumulatively considerable net increase in O<sub>3</sub>, which is a nonattainment pollutant, if the Project's construction or operational emissions would exceed the SCAQMD VOC or NO<sub>x</sub> thresholds shown in Table 4.1-4. These emissions-based thresholds for O<sub>3</sub> precursors are intended to serve as a surrogate for an "ozone significance threshold" (i.e., the potential for adverse O<sub>3</sub> impacts to occur). This approach is used because O<sub>3</sub> is not emitted directly, and the effects of an individual project's emissions of O<sub>3</sub> precursors (VOC and NO<sub>x</sub>) on O<sub>3</sub> levels in ambient air cannot be determined through air quality models or other quantitative methods.

The assessment of the Project's potential to expose sensitive receptors to substantial pollutant concentrations (State CEQA Guidelines Appendix G Threshold 3) includes a localized significance threshold (LST) analysis, as recommended by the SCAQMD, to evaluate the potential of localized air quality impacts to sensitive receptors in the immediate vicinity of the Project from construction and operation. For project sites of 5 acres or less, the SCAQMD LST Methodology (SCAQMD 2008) includes lookup tables that can be used to determine the maximum allowable daily emissions that would satisfy the localized significance criteria (i.e., the emissions would not cause an exceedance of the applicable concentration limits for NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>) without performing project-specific dispersion modeling.

The LST significance thresholds for NO<sub>2</sub> and CO represent the allowable increase in concentrations above background levels in the vicinity of a project that would not cause or contribute to an exceedance of the relevant ambient air quality standards, while the threshold for PM<sub>10</sub> represents compliance with Rule 403 (Fugitive Dust). The LST significance threshold for PM<sub>2.5</sub> is intended to ensure that construction or operational emissions do not contribute substantially to existing exceedances of the PM<sub>2.5</sub> ambient air quality standards. The allowable emission rates depend on the following parameters:

- a. Source-Receptor Area (SRA) in which the Project is located;
- b. Size of the Project site; and
- c. Distance between the Project site and the nearest sensitive receptor (e.g., residences, schools, hospitals).

The Project is within SRA 33 (Southwest San Bernardino Valley). LST pollutant screening level concentration data is currently published for 1-, 2-, and 5-acre sites for varying distances (25-, 50-, 100-, 200-, and 500-meters). The Project is a total of 27.74 acres. In accordance with the SCAQMD *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds*, the Project would disturb a maximum of 3 acres per day during the grading phase. LSTs are more stringent for smaller areas (i.e., 1-acre is more stringent than 2-acre and 5-acre LSTs); therefore, the use of a 2-acre LST is conservative.

As discussed above in Section 4.1, Existing Conditions, under the header "Sensitive Receptors", sensitive receptors near the Project site include residences located adjacent to the western boundary (less than 25 feet) of the Project site. As such, the closest LST available of 25 meters (82 feet) was applied. LST values for the Project in SRA 33 and for 25 meters for construction and operation are presented in Table 4.1-5.

**Table 4.1-5. Localized Significance Thresholds for Source-Receptor Area 33 (Southwest San Bernardino Valley)**

Pollutant	Thresholds (Pounds per Day)
	<i>2-Acre Project Site, 25 Meters</i>
<b>Construction</b>	
NO <sub>2</sub>	170
CO	1,232
PM <sub>10</sub>	6
PM <sub>2.5</sub>	5
<b>Operation</b>	
NO <sub>2</sub>	170
CO	1,232
PM <sub>10</sub>	2
PM <sub>2.5</sub>	2

**Source:** SCAQMD 2008.

**Notes:** SRA = Source-Receptor Area; NO<sub>2</sub> = nitrogen dioxide; CO = carbon monoxide; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; LST = localized significance threshold.

LSTs are shown for 2-acre Project sites corresponding to a distance to a sensitive receptor of 25 meters.

The assessment of the Project's potential to expose sensitive receptors to substantial pollutant concentrations (State CEQA Guidelines Appendix G Threshold 3) also includes a construction and operational health risk assessment (HRA). A qualitative CO hotspot analysis is also included under Section 4.1.4I, based on comparison to the SCAQMD 2003 AQMP CO hotspot analysis.

The potential for the Project to result in other emissions, specifically an odor impact (State CEQA Guidelines Appendix G Threshold 4), is based on the Project's land-use types and anticipated construction activity, and the potential for the Project to create an odor nuisance pursuant to SCAQMD Rule 402.

## Approach and Methodology

### *Environmental Baseline*

As discussed in Chapter 3, Project Description, the Project site currently contains several active uses. This Draft EIR does not consider the elimination of these uses in the calculation of projected Project-related operational emissions (i.e. the Project's operational emissions are not reduced to account for the elimination of these occupiable buildings); therefore, this Draft EIR provides a conservative assessment of operational impacts.

### *Construction*

Emissions from the construction phase of the Project were estimated using CalEEMod Version 2016.3.2. Construction scenario assumptions, including phasing, equipment mix, and vehicle trips, were based on information provided by the Project applicant and CalEEMod default values when Project specifics were not known.

For purposes of estimating Project emissions, and based on information provided by the Project applicant, it is assumed that construction of the Project would last approximately 28 months. At the time of the preparation of this analysis, it was anticipated that construction would begin in October 2021. However, due to delays, construction is now anticipated to begin in Summer 2022. To maintain consistency with other technical analysis herein, a start date of



October 2021 is maintained throughout the EIR because it represents a worst-case scenario for criteria air pollutant and GHG emissions. This is because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years. As such, while construction is anticipated to begin in Summer 2022, the analysis contained herein is based on the following assumptions:

- Demolition: October 4, 2021–November 12, 2021 (2 months)
- Site Preparation: November 13, 2021–December 10, 2021 (1 month)
- Grading: December 11, 2021–February 11, 2022 (3 months)
- Building Construction: February 12, 2022–October 20, 2023 (20 months)
- Paving: October 21, 2023–December 8, 2023 (2 months)
- Architectural Coating: December 9, 2023–January 26, 2024 (2 months)

There is an estimated 22,806 tons of demolition to be hauled offsite based on the current drive-in theater and swap meet on the site. Assuming a haul truck capacity of 20 cubic yards per truck, earth-moving activities would result in approximately 1,128 round trips (2,256 one-way truck trips) during the demolition phase. During the grading phase, there is an anticipated cut of 139,305 cubic yards, fill of 103,261 cubic yards, resulting in an export of 36,042 cubic yards. CalEEMod default trip length values were used for the distances for all construction-related trips. Construction worker, vendor, and haul truck trips are based on CalEEMod default assumptions where Project specific information was not available.

The construction equipment mix and vehicle trips used for estimating the Project-generated construction emissions are shown in Table 4.1-6.

**Table 4.1-6. Construction Scenario Assumptions**

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
Demolition	16	4	2,256	Concrete/Industrial Saws	1	8
				Excavators	3	8
				Rubber Tired Dozers	2	8
Site Preparation	18	4	0	Rubber Tired Dozers	3	8
				Tractors/Loaders/Backhoes	4	8
Grading	20	4	4,506	Graders	1	8
				Rubber Tired Dozers	1	8
				Scrapers	5	8
				Tractors/Loaders/Backhoes	2	8
Building Construction	508	198	0	Cranes	1	7
				Forklifts	3	8
				Generator Sets	1	8
				Tractors/Loaders/Backhoes	3	7

Table 4.1-6. Construction Scenario Assumptions

Construction Phase	One-Way Vehicle Trips			Equipment		
	Average Daily Worker Trips	Average Daily Vendor Truck Trips	Total Haul Truck Trips	Equipment Type	Quantity	Usage Hours
				Welders	1	8
Paving	16	4	0	Pavers	2	8
				Paving Equipment	2	8
				Rollers	2	8
				Air Compressors	1	6
Architectural Coating	102	4	0			

**Notes:** See Appendix B for details.

The Project would implement dust control strategies as a requirement in compliance with SCAQMD Rule 403. To reflect implementation of proposed dust control strategies, the following was assumed in CalEEMod:

- Water exposed area two times per day (55% reduction in PM<sub>10</sub> and PM<sub>2.5</sub>).
- Limit unpaved road travel to 15 miles per hour.

#### Construction Health Risk Assessment

A construction health risk assessment (HRA) was performed to evaluate potential health risk associated with construction of the Project. The following discussion summarizes the dispersion modeling and HRA methodology; supporting construction HRA documentation, including detailed assumptions, is presented in Appendix B-2.

For risk assessment purposes, PM<sub>10</sub> in diesel exhaust is considered DPM, originating mainly from off-road equipment operating at a defined location for a given length of time at a given distance from sensitive receptors. Less-intensive, more-dispersed emissions result from on road vehicle exhaust (e.g., heavy-duty diesel trucks). For the construction HRA, the CalEEMod scenario for the Project was adjusted to reduce diesel truck one-way trip distances to 1,000 feet to estimate emissions from trucks onsite.

The air dispersion modeling methodology was based on generally accepted modeling practices of SCAQMD (SCAQMD 2018). Air dispersion modeling was performed using the EPA's American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD) Version 19191 modeling system (computer software) with the Lakes Environmental Software implementation/user interface, AERMOD View Version 9.9.0. The HRA followed the Office of Environmental Health Hazard Assessment (OEHHA) 2015 guidelines (OEHHA 2015) and SCAQMD guidance to calculate the health risk impacts at all proximate receptors as further discussed below. The dispersion modeling included the use of standard regulatory default options. AERMOD parameters were selected consistent with the SCAQMD and EPA guidance and identified as representative of the Project site and Project activities. Principle parameters of this modeling are presented in Table 4.1-7.

**Table 4.1-7. American Meteorological Society/Environmental Protection Agency Regulatory Model Principle Parameters**

Parameter	Details
Meteorological Data	AERMOD-specific meteorological data for the Ontario Airport air monitoring station (KONT) was used for the dispersion modeling. A 5-year meteorological data set from 2012 through 2016 was obtained from the SCAQMD in a preprocessed format suitable for use in AERMOD (SCAQMD 2018).
Urban versus Rural Option	Urban dispersion option was selected due to the developed nature of the Project area and per SCAQMD guidelines. San Bernardino County's population 2,035,210 was used in the analysis (SCAQMD 2018).
Terrain Characteristics	The elevation of the site is 900 feet above sea level and the surrounding area is predominantly flat.
Elevation Data	Digital elevation data were imported into AERMOD and elevations were assigned to receptors and emission sources, as necessary. Digital elevation data were obtained through the AERMOD View in the United States Geological Survey's National Elevation Dataset format with a resolution of 1/3 degree (approximately 10 meters), consistent with the SCAQMD guidance (SCAQMD 2018).
Source Release Characterizations	The modeled line of adjacent volume sources was approximately 28 acres. Based on EPA methodology, the modeled sources would result in a release height of 2.5 meters, a plume height of 5 meters, and a plume width of 8.6 meters for off-road equipment and diesel trucks (EPA 2015).

**Note:** See Appendix B.

Regarding receptors, the construction scenario used a 6-kilometer by 6-kilometer Cartesian receptor grid with 300-meter spacing to establish the impact area and evaluate locations of maximum health risk impact. Fine Cartesian grids of 20 meter spacing were placed over residential receptors proximate to the Project site.

The health risk calculations were performed using the Hotspots Analysis and Reporting Program Version 2 (HARP2) Air Dispersion and Risk Tool (ADMRT, dated 19121). AERMOD was run with all sources emitting unit emissions (1 gram per second) to obtain the necessary input values for HARP2. The line of volume sources was partitioned evenly based on the 1 gram per second emission rate. The ground-level concentration plot files were then used to estimate the long-term cancer health risk to an individual, and the noncancerous chronic health indices. There is no reference exposure level (REL) for acute health impacts from DPM, and, thus, acute risk was not evaluated.

Cancer risk is defined as the increase in probability (chance) of an individual developing cancer due to exposure to a carcinogenic compound, typically expressed as the increased chances in one million. Maximum Individual Cancer Risk is the estimated probability of a maximally exposed individual potentially contracting cancer as a result of exposure to TACs over a period of 30 years for residential receptor locations. In accordance with SCAQMD guidance, the RMP Derived Method was evaluated for residential cancer risk. For the construction HRA, the TAC exposure period was assumed to be from third trimester of pregnancy for 28 months for all receptor locations (i.e., the assumed duration of Project construction). The exposure pathway for DPM is inhalation only.

The SCAQMD has also established noncarcinogenic risk parameters for use in HRAs since some TACs increase noncancerous health risk due to long-term (chronic) exposures and some TACs increase noncancerous health risk due to short-term (acute) exposures. Chronic exposure is evaluated in the construction HRA. Noncarcinogenic risks are quantified by calculating a hazard index, expressed as the ratio between the ambient pollutant concentration and its toxicity or REL, which is a concentration at or below which health effects are not likely to occur. The chronic hazard index is the sum of the individual substance chronic hazard indices for all TACs affecting the same target organ system. A

hazard index less than one (1.0) means that adverse health effects are not expected. No short-term, acute relative exposure values are established and regulated and are therefore not addressed in this assessment.

### **Operation**

Emissions from the operational phase of the Project were estimated using CalEEMod Version 2016.3.2. Operational year 2024 was assumed consistent with completion of Project construction. It is assumed consistent with the Project description that the buildings would not support refrigeration or cold-storage.

### **Area Sources**

CalEEMod was used to estimate operational emissions from area sources, including emissions from consumer product use, architectural coatings, and landscape maintenance equipment. Emissions associated with natural gas usage in space heating and water heating are calculated in the building energy use module of CalEEMod, as described in the following text.

Consumer products are chemically formulated products used by household and institutional consumers, including detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; aerosol paints; and automotive specialty products. Other paint products, furniture coatings, or architectural coatings are not considered consumer products (CAPCOA 2017). Consumer product VOC emissions are estimated in CalEEMod based on the floor area of non-residential buildings and on the default factor of pounds of VOC per building square foot per day. The CalEEMod default values for consumer products were assumed.

VOC off-gassing emissions result from evaporation of solvents contained in surface coatings such as in paints and primers used during building maintenance. CalEEMod calculates the VOC evaporative emissions from application of surface coatings based on the VOC emission factor, building square footage, assumed fraction of surface area, and reapplication rate. The VOC emission factor is based on the VOC content of the surface coatings, and SCAQMD's Rule 1113 (Architectural Coatings) governs the VOC content for interior and exterior coatings. The model default reapplication rate of 10% of area per year is assumed. Consistent with CalEEMod defaults for non-residential uses, it is assumed that the surface area for painting equals 2.0 times the floor square footage, with 75% assumed for interior coating and 25% assumed for exterior surface coating (CAPCOA 2017). The use of low VOC coating, 50 g/L were assumed for non-residential interior coatings and 100 g/L VOC for non-residential exterior.

Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chainsaws, and hedge trimmers. The emissions associated from landscape equipment use are estimated based on CalEEMod default values for emission factors (grams per square foot of building space per day) and number of summer days (when landscape maintenance would generally be performed) and winter days.

### **Energy Sources**

As represented in CalEEMod, energy sources include emissions associated with building electricity and natural gas usage (non-hearth). Electricity use would contribute indirectly to criteria air pollutant emissions; however, the emissions from electricity use are only quantified for greenhouse gases (GHGs) in CalEEMod, since criteria pollutant emissions occur at the power plant, which is typically off site.

CalEEMod default values for energy consumption for each land use (general office building, manufacturing, and refrigerated warehouse-no rail) were applied for the Project analysis because the Project would include cold storage.

The energy use from non-residential land uses is calculated in CalEEMod based on the California Commercial End-Use Survey database. Energy use in buildings (both natural gas and electricity) is divided by the program into end-use categories subject to Title 24 requirements (end uses associated with the building envelope, such as the heating, ventilation, and air conditioning (HVAC) system, water heating system, and integrated lighting) and those not subject to Title 24 requirements (such as appliances, electronics, and miscellaneous “plug-in” uses).

Title 24 of the California Code of Regulations serves to enhance and regulate California’s building standards. The current Title 24, Part 6 standards, referred to as the 2019 Title 24 Building Energy Efficiency Standards, became effective on January 1, 2020. Non-residential construction is expected to use approximately 30% less energy under the 2019 Title 24 standard compared to the 2016 Title 24 standard (CEC 2020).

### **Mobile Sources**

Mobile sources for the Project would primarily be motor vehicles (passenger vehicles and heavy-duty trucks<sup>7</sup>) traveling to and from the Project site. Emissions from the mobile sources during operation of the Project were estimated using a spreadsheet-based model and emission factors from the CARB EMFAC2021 and EPA AP-42 factors for paved road dust generation. Vehicle trip lengths were assumed to be 40 miles for truck trips (in accordance with SCAQMD guidance) and the passenger car trip length was assumed to be 16.6 miles (CalEEMod default) for the Project.

Based on the TIA (Appendix G), the Project would generate a total of 1,249 daily trips; 762 trips would be passenger vehicle (61%) and 487 trips would be heavy-duty trucks (39%). The Project was conservatively estimated to operate 365 days per year.

Vehicle emissions occur during startup, operation (running), and idling, as well as from evaporative losses when the engines are resting. The emissions factors for trucks and passenger vehicles were determined using EMFAC2021, which generates emissions factors, expressed in grams per mile, grams per trip, and grams per vehicle per day, for the fleet in a class of motor vehicles within a region for a particular study year. For this analysis, San Bernardino County was selected for the region and calendar year 2024 was selected in EMFAC to represent the Project’s operational start year.

A composite, or weighted-average, emissions factor was developed for Project vehicle types if more than one vehicle category in EMFAC is anticipated to be representative of the Project vehicle. The composite emission factors are weighted by VMT, population, or trips depending on the emissions process, which is the physical mechanism that results in the emissions of a pollutant. The trips by vehicle type were provided by the TIA (Appendix G) and 4-axle trucks were assumed to be heavy-duty trucks, 3-axle trucks were assumed to be medium-heavy-duty trucks, and 2-axle trucks were assumed to be of light-heavy-duty trucks. For the passenger vehicles, the composite emission factor represents the weighted average emission rate for passenger vehicles, light-duty trucks, and motorcycles. All trucks and passenger vehicles were assumed to be a composite mix of gasoline, diesel-fueled, natural gas, and electric consistent with the default EMFAC vehicle mix.

Truck idling would be limited to 5 minutes in accordance with CARB’s adopted Airborne Toxic Control Measure; however, for modeling purposes, it was conservatively assumed that the heavy-duty trucks would idle for a total of 15 minutes; entering the site, at the loading dock, and prior to exiting the site. Transport refrigeration unit (TRU) emissions were included in the emission inventory, but discussed under Off-road Equipment, Stationary Sources, and Other Sources of Emissions, below.

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<sup>7</sup> “Heavy-duty trucks” include light-heavy-duty trucks (categories 1 and 2 in EMFAC, 2-axle), medium-heavy-duty trucks (3-axle), and heavy-heavy-duty trucks (4+-axle).

### ***Off-Road Equipment***

Based on the type of Project, there are additional emission sources that are either not captured in CalEEMod or specifics are not available to accurately estimate emissions using CalEEMod.

For most of these sources, because specifics are not available to accurately estimate emissions from these anticipated sources under the Project, associated emissions are not included in the estimated emissions presented herein. However, in a good faith effort to include sources typically associated with warehouse/industrial land uses (i.e., warehousing, high cube cold storage warehouse, and manufacturing), forklifts and yard trucks are included in the Project's emission inventory. Methods and assumptions to estimate these sources of emissions are discussed below.

#### **Forklifts**

The SCAQMD published a high cube warehouse truck trip study white paper summary of business survey results (SCAQMD Survey), which summarizes various operational results from 34 operating high cube warehouses (SCAQMD 2014). The SCAQMD Survey reported an average of 0.12 forklifts/pallet jacks per 1,000 square feet of building area, which was applied to the proposed Project. Note that this estimate is for total forklifts and pallet jacks while pallet jacks are small as they are primarily used to lift small loads in tight quarters (and are electric or manual); therefore, assuming all pieces of equipment are forklifts is conservative. While manufacturing includes a different operation than warehousing, because there is no factor available for manufacturing, the high cube warehouse factor of 0.12 forklifts/pallet jacks per 1,000 square feet of building area was applied. For the Project, a total of 63 forklifts were assumed. All indoor forklifts are anticipated to be electric-powered and while the majority of forklifts are anticipated to be used indoors, to conservatively capture the potential for outdoor forklift usage, 75% of the forklifts were assumed to be indoor and 25% were assumed to be outdoor. The indoor forklifts were modeled as 89-horsepower electric forklifts that would operate at 8 hours per day, 365 days per year. The outdoor forklifts were modeled as 100-horsepower diesel rough terrain forklifts that would operate at 8 hours per day, 365 days per year. CalEEMod was used to estimate emissions from forklifts.

#### **Yard Trucks**

Industrial warehouse building operation may require cargo handling equipment to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers, which is commonly done by yard trucks. Yard trucks, which are also called yard goats, utility tractors, hustlers, yard hostlers, and yard tractors, were reported at the majority of the 34 high cube warehouses in the SCAQMD Survey with an average usage of 3.6 hostlers per million square feet of building area. The 3.6 hostlers per million square feet of building area was applied to the Proposed Project – both warehouse and manufacturing land uses – with the Project totaling 2 yard trucks. All yard trucks were assumed to be diesel-powered, 200 horsepower, and would operate for four hours per day, 365 days per year. CalEEMod was used to estimate emissions from yard trucks.

### **Operational Health Risk Assessment**

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* encourages consideration of the health impacts of distribution centers that accommodates more than 100 trucks per day on sensitive receptors sited within 1,000 feet from the source in the land use decision-making process (CARB 2005). For the operational health risk, the operation year 2024 was assumed consistent with completion of Project construction. Emissions from the operation of the Project include forklifts, yard trucks, truck trips, and truck idling emissions. For risk assessment purposes, PM<sub>10</sub> in diesel exhaust is considered DPM, originating mainly from truck traveling on site

and off site and truck idling located at the loading docks. Truck travel and idling emission rates were obtained from CARB’s EMFAC2021. Emission factors representing the vehicle mix and emissions for 2024 were used to estimate emissions associated with operation of the Project. Truck idling would be limited to 5 minutes in accordance with CARB’s adopted Airborne Toxic Control Measure; however, truck idling was conservatively assumed to idle for 15 minutes.<sup>8</sup> Therefore, the analysis conservatively overestimates DPM emissions from idling. All deliveries would occur Monday through Sunday. Diesel-powered forklifts will be operated in the loading dock areas.

Conservatively, a 2024 EMFAC2021 run was conducted and a constant 2024 emission factor data set was used for the entire duration of the analysis (i.e., 30 years). Use of the 2024 emission factors would overstate potential impacts since this approach does not include reductions in emissions due to fleet turnover or cleaner technology with lower emissions. The truck travel DPM emissions were calculated by applying the exhaust PM<sub>10</sub> emission factor from EMFAC2021 and the total truck trip number over the length of the distance traveled. In addition, the on-site truck idling exhaust emissions were calculated by applying the idle exhaust PM<sub>10</sub> emission factor from EMFAC2021 and total truck trip over the total idling time (i.e., 15 minutes). Similarly, emissions from yard trucks and TRUs were estimated and included in the assessment.

The dispersion modeling was performed using AERMOD (version 19191). The truck traffic was modeled as a line of adjacent volume sources from Interstate (I-) 10 and 60-freeway to the Project site and truck travel on site to estimate emissions at proximate receptors. Yard trucks were modeled as adjacent volume sources onsite. Truck idling was modeled as a point source.

As previously described, health effects from carcinogenic air toxics are usually described in terms of cancer risk. The SCAQMD recommends a carcinogenic (cancer) risk threshold of 10 in one million. Some TACs increase noncancer health risk due to long-term (chronic) exposures. A hazard index less than one (1.0) means that adverse health effects are not expected. Within this analysis, noncarcinogenic exposures of less than 1.0 are considered less than significant. The exhaust from diesel engines is a complex mixture of gases, vapors, and particles, many of which are known human carcinogens. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts. No short-term, acute relative exposure values are established and regulated and are therefore not addressed in this assessment.

Dudek evaluated the Project’s potential cancer and noncancer health impacts using exposure periods appropriate to evaluate long-term emission increases (third trimester of pregnancy to 30 years). Emissions dispersion of DPM was modeled using AERMOD, then cancer risk and noncancer health impacts subsequently using the CARB HARP2 (ADMRT, version 19121). The chemical exposure results were then compared to SCAQMD thresholds to assess project significance. Principal parameters of this modeling are presented in Table 4.1-8.

**Table 4.1-8. Operational Health Risk Assessment American Meteorological Society/U.S. Environmental Protection Agency Regulatory Model Operational Principal Parameters**

Parameter	Details
Meteorological Data	The SCAQMD requires the use of AERMOD for air dispersion modeling. The latest 5-year meteorological data for the Ontario International Airport station (KONT) from SCAQMD were downloaded, then input to AERMOD (SCAQMD 2018). For cancer or chronic noncancer risk assessments, the average cancer risk of all years modeled was used.

<sup>8</sup> Although the Project is required to comply with CARB’s idling limit of 5 minutes, on-site idling emissions was estimated for 15 minutes of truck idling, which would take into account on-site idling while the trucks are waiting to pull up to the loading dock, idling at the loading dock, and idling during check-in and check-out.

**Table 4.1-8. Operational Health Risk Assessment American Meteorological Society/U.S. Environmental Protection Agency Regulatory Model Operational Principal Parameters**

Parameter	Details
Urban versus Rural Option	Urban dispersion option was selected due to the developed nature of the Project area and per SCAQMD guidelines. San Bernardino County's population 2,035,210 was used in the analysis (SCAQMD 2018).
Terrain Characteristics	Digital elevation model files were imported into AERMOD so that complex terrain features were evaluated as appropriate. Per SCAQMD guidance, the National Elevation Dataset (NED) dataset with resolution of 1/3 arc-second was used (SCAQMD 2018).
Emission Sources and Release Parameters	Air dispersion modeling of off-site and on-site truck travel and truck idling were conducted using emissions generated using EMFAC2021. Off-road equipment emissions were estimated using CalEEMod.
Source Release Characterizations	Off-site and on-site truck travel were modeled as a line of adjacent volume sources, and based on EPA methodology, the modeled sources would result in a release height of 3.4 meters, a plume height of 6.8 meters, and a plume width of 9.3 meters (SBCAPCD 2020; EPA 2015). The truck idling emissions were modeled as a point source with a 4-meter exhaust height and 0.1 meters exhaust diameter (EPA 2015; SCAQMD 2003a; SJVAPCD 2006). The proposed Project buildings were modeled to account for building downwash for point sources. Yard trucks and forklifts were modeled as a line of adjacent volume sources assuming a plume height of 3.16 meters, plume width of 3.12 meters, and release height of 3.4 meters (EPA 2015).

**Note:** AERMOD = American Meteorological Society/Environmental Protection Agency Regulatory Model; SCAQMD = South Coast Air Quality Management District; EPA = U.S. Environmental Protection Agency.  
See Appendix B-2

Regarding receptors, the construction scenario used a 6-kilometer by 6-kilometer Cartesian receptor grid with 300-meter spacing to establish the impact area and evaluate locations of maximum health risk impact. Fine Cartesian grids of 20 meter spacing were placed over residential receptors proximate to the Project site.

#### 4.1.4 Impacts Analysis

##### **Threshold 4.1A**      **Would the Project conflict with or obstruct implementation of the applicable air quality plan?**

**Significant and Unavoidable Impact.** As previously discussed, the Project site is located within the SCAB under the jurisdiction of the SCAQMD, which is the local agency responsible for administration and enforcement of air quality regulations for the area. The SCAQMD has established criteria for determining consistency with the AQMP, currently the 2016 AQMP, in Chapter 12, Sections 12.2 and 12.3, in the SCAQMD CEQA Air Quality Handbook (SCAQMD 1993). The criteria are as follows (SCAQMD 1993):

- **Consistency Criterion No. 1:** The proposed 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 of the interim emissions reductions specified in the AQMP.
- **Consistency Criterion No. 2:** The proposed project will not exceed the assumptions in the AQMP or increments based on the year of project buildout and phase.



**Consistency Criterion No. 1**

Threshold 4.1B evaluates the Project's potential impacts in regards to State CEQA Guidelines Appendix G Threshold 2 (the Project's potential to violate any air quality standard or contribute substantially to an existing or projected air quality violation impact analysis). As discussed in Threshold 4.1B, the Project would exceed the SCAQMD significance threshold for VOC during construction and NO<sub>x</sub> during operation prior to mitigation. With implementation of mitigation measures MM-AQ-2 through MM-AQ-7, the Project would still exceed the SCAQMD significance threshold for No<sub>x</sub> during operation. Therefore, the Project would result in an increase in the frequency or severity of existing air quality violations. Therefore, the Project would conflict with Consistency Criterion No. 1 of the SCAQMD CEQA Air Quality Handbook.

**Consistency Criterion No. 2**

While striving to achieve the NAAQS for O<sub>3</sub> and PM<sub>2.5</sub> and the CAAQS for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> through a variety of air quality control measures, the 2016 AQMP also accommodates planned growth in the SCAB. Projects are considered consistent with, and would not conflict with or obstruct implementation of, the AQMP if the growth in socioeconomic factors (e.g., population, employment) is consistent with the underlying regional plans used to develop the AQMP (per Consistency Criterion No. 2 of the SCAQMD CEQA Air Quality Handbook).

The SCAQMD primarily uses demographic growth forecasts for various socioeconomic categories (e.g., population, housing, employment by industry) developed by the Southern California Association of Governments (SCAG) for its RTP/SCS (SCAG 2016), which is based on general plans for cities and counties in the SCAB, for the development of the AQMP emissions inventory (SCAQMD 2017a).<sup>9</sup> The SCAG 2016 RTP/SCS, and associated Regional Growth Forecast, are generally consistent with the local plans; therefore, the 2016 AQMP is generally consistent with local government plans. The City's General Plan designates the entire Project site as General Commercial. According to the City's Zoning Map, the Project site contains a mix of zoning designations including C3 General Commercial, MIP Manufacturing Industrial, and M1 Limited Manufacturing (City of Montclair 2013; City of Montclair 2018). The Project would require a General Plan Amendment and zone change. Therefore, the Project is not consistent with the underlying zoning for the site.

Because the future tenants are not known yet, the number of jobs that the Project would generate cannot be precisely determined, but can be estimated. For purposes of this analyses, employment estimates were calculated using average employment density factors reported by SCAG. SCAG reports that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). The Project would include approximately 514,269 square feet of flexible industrial space. As such, the estimated number of employees required for operation would be approximately 244 persons.

As mentioned previously, SCAG has adopted Connect SoCal, the 2020-2045 RTP/SCS, but the growth projections have not yet been incorporated into an adopted AQMP. SCAQMD is currently developing the 2022 AQMP, which will incorporate these updated regional growth projections. According to SCAG's 2016-2040 RTP/SCS which is incorporated into the SCAQMD 2016 AQMP, the City is expected to have an employment population of 16,500 in

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<sup>9</sup> Information necessary to produce the emission inventory for the SCAB is obtained from the SCAQMD and other governmental agencies, including CARB, Caltrans, and SCAG. Each of these agencies is responsible for collecting data (e.g., industry growth factors, socioeconomic projections, travel activity levels, emission factors, emission speciation profile, and emissions) and developing methodologies (e.g., model and demographic forecast improvements) required to generate a comprehensive emissions inventory. SCAG incorporates these data into their Travel Demand Model for estimating/projecting vehicle miles traveled (VMT) and driving speeds. SCAG's socioeconomic and transportation activities projections in their 2016 RTP/SCS are integrated in the 2016 AQMP (SCAQMD 2017a).

2012 and 19,000 in 2040, for an annual growth rate of 104 employees. The Project would employ 244 persons in 2024. As such, the Project’s designed employment exceeds the annual growth projections for the City.

As the Project would contribute to local population and employment growth and associated VMT that is not anticipated for the Project site in the existing General Plan, the Project is not accounted for in the State Implementation Plan (SIP) and the Regional Air Quality Strategy (RAQS), and the Project potentially would not be consistent with local air quality plans. The impact would be eliminated once the SCAQMD completes a future update to the RAQS, which would be based on updated SCAG population and growth projections for the region. Mitigation Measure MM-AQ-1 is provided to ensure population growth and vehicle trips generated from the Project are provided to SCAG for incorporation into the future AQMP update. This update will likely occur following Project approval; therefore, at this time the impact is considered potentially significant.

### Summary

As described previously, the Project would result in an increase in the frequency and severity of existing air quality violations and would conflict with Consistency Criterion No. 1. The Project would also not be consistent with the General Plan and growth projections of the SCAG 2016 RTP/SCS. Thus, the Project would conflict with Consistency Criterion No. 2. Therefore, impacts related to the Project’s potential to conflict with or obstruct implementation of the applicable air quality plan would be potentially significant.

**Threshold 4.1B**            **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 federal or state ambient air quality standard?**

**Significant and Unavoidable Impact.** As discussed below, Project construction would result in less than significant cumulatively considerable net increase of criteria pollutants for which the Project region is non-attainment; however, Project operation would result in a significant and unavoidable cumulatively considerable net increase.

### Construction Emissions

Construction of the Project would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (i.e., on-road haul trucks, vendor trucks, and worker vehicle trips). Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and for dust, the prevailing weather conditions. Therefore, such emission levels can only be approximately estimated with a corresponding uncertainty in precise ambient air quality impacts.

As discussed in Section 4.1.3.1, criteria air pollutant emissions associated with temporary construction activity were quantified using CalEEMod. Construction emissions were calculated for the estimated worst-case day over the construction period associated with each phase and reported as the maximum daily emissions estimated during each year of construction (2021 through 2024). Construction schedule assumptions, including phase type, duration, and sequencing, were based on information provided by the Project applicant and is intended to represent a reasonable scenario based on the best information available. Default values provided in CalEEMod were used where detailed Project information was not available.

Implementation of the Project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, architectural coatings, and asphalt pavement application. Entrained dust results from the exposure of earth surfaces to wind from the direct disturbance and movement of soil, resulting in PM<sub>10</sub> and PM<sub>2.5</sub> emissions. The Project

would implement various dust control strategies and would be required to comply with SCAQMD Rule 403 to control dust emissions generated during the grading activities. Proposed construction practices that would be employed to reduce fugitive dust emissions include watering of the active sites and unpaved roads two times per day depending on weather conditions. Internal combustion engines used by construction equipment, vendor trucks (i.e., delivery trucks), and worker vehicles would result in emissions of VOCs, NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. The application of architectural coatings, such as exterior application/interior paint and other finishes, and application of asphalt pavement would also produce VOC emissions; however, the contractor is required to procure architectural coatings from a supplier in compliance with the requirements of SCAQMD's Rule 1113 (Architectural Coatings).

Table 4.1-9 presents the estimated maximum daily construction emissions generated during construction of the Project. The values shown are the maximum summer or winter daily emissions results from CalEEMod. Details of the emission calculations are provided in Appendix B-1.

**Table 4.1-9. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Unmitigated**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	pounds per day					
2021	7.37	100.28	51.88	0.18	11.70	6.41
2022	6.49	86.19	48.06	0.17	9.19	4.71
2023	73.56	29.09	36.40	0.12	7.70	2.58
2024	73.53	1.72	4.95	0.01	1.23	0.38
<b>Maximum Daily Emissions</b>	<b>73.56</b>	<b>100.28</b>	<b>51.88</b>	<b>0.18</b>	<b>11.70</b>	<b>6.41</b>
<i>SCAQMD Threshold</i>	75	100	550	150	150	55
<b>Threshold Exceeded?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; SCAQMD = South Coast Air Quality Management District.

See Appendix B for complete results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod. These emissions reflect CalEEMod "mitigated" output, which accounts for compliance with SCAQMD Rule 1113 (Architectural Coatings) and implementation of the Project's fugitive dust control strategies, including watering of the Project site and unpaved roads two times per day.

As shown in Table 4.1-9, Maximum daily construction emissions would exceed the SCAQMD significance threshold for Nox in 2021. Therefore, impacts would be considered potentially significant and mitigation is required.

Mitigation measure MM-AQ-2 is required to reduce emissions of NO<sub>x</sub> during construction. Table 4.1-10 presents the estimated maximum daily construction emissions generated during construction of the Project with mitigation measure MM-AQ-2. The values shown are the maximum summer or winter daily emissions results from CalEEMod. Details of the emission calculations are provided in Appendix B-1.

**Table 4.1-10. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Mitigated**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	pounds per day					
2021	2.48	52.82	59.66	0.18	8.96	4.59
2022	3.28	50.81	59.52	0.17	7.11	2.56
2023	73.43	25.62	38.03	0.11	6.73	1.91
2024	73.41	1.56	4.97	0.01	1.18	0.32

**Table 4.1-10. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions – Mitigated**

Year	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>pounds per day</i>					
<b>Maximum Daily Emissions</b>	<b>73.43</b>	<b>52.82</b>	<b>59.66</b>	<b>0.18</b>	<b>8.96</b>	<b>4.59</b>
<i>SCAQMD Threshold</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; SCAQMD = South Coast Air Quality Management District.

See Appendix B for complete results.

The values shown are the maximum summer or winter daily emissions results from CalEEMod. These emissions reflect CalEEMod “mitigated” output.

As shown in Table 4.1-10, after implementation of mitigation measure MM-AQ-2, the Project would not exceed significance thresholds for NO<sub>x</sub> during construction and thus would have a less than significant impact with mitigation.

### Operational Emissions

The proposed Project would include the construction of 514,269 square feet of warehouse and industrial park. Operation of the Project would generate VOC, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from mobile sources, including vehicle trips from customers, employees, and delivery trips; area sources, including the use of consumer products, architectural coatings for repainting, and landscape maintenance equipment; off-road equipment; and energy sources, including combustion of fuels used for space and water heating and cooking appliances. As discussed in Section 4.1.3.1, pollutant emissions associated with long-term operations were quantified using CalEEMod and mobile emissions were quantified using EMFAC2021 in a spreadsheet model.

Table 4.1-11 presents the maximum daily area, energy, off-road equipment, and mobile source emissions associated with operation (year 2024) of the Project. The values shown are the maximum summer or winter daily emissions results from CalEEMod. Details of the emission calculations are provided in Appendix B-1.

**Table 4.1-11. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions – Unmitigated**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>pounds per day</i>					
Area	11.80	0.00	0.12	0.00	0.00	0.00
Energy	0.04	0.36	0.30	0.00	0.03	0.03
Mobile	3.59	119.43	81.05	0.79	82.08	21.26
Off-road	1.90	23.74	38.39	0.06	0.73	0.68
<b>Total</b>	<b>17.33</b>	<b>143.53</b>	<b>119.86</b>	<b>0.85</b>	<b>82.84</b>	<b>21.97</b>
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; SCAQMD = South Coast Air Quality Management District; PDF = project design feature.

See Appendix B for complete results.

Totals may not sum due to rounding.

The values shown are the maximum summer or winter daily emissions results from CalEEMod. These emissions reflect CalEEMod “mitigated” output and operational year 2024, which accounts for compliance with SCAQMD Rule 1113 (Architectural Coatings).

As shown in Table 4.1-11, the combined daily area, energy, off-road, and mobile source emissions would not exceed the SCAQMD operational thresholds for VOC, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. However, the Project would exceed the operational significance threshold for NO<sub>x</sub> emissions, primarily due to mobile sources. Therefore, the Project would result in a potentially significant impact during operation and mitigation is required.

Mitigation measures MM-AQ-3 through MM-AQ-7 shall be implemented to reduce emissions of Nox and DPM generated during operation of the Proposed Project.

Table 4.1-12 presents the mitigated daily area, energy, off-road equipment, and mobile source emissions associated with operation (year 2024) of the Project. Mitigation measures MM-AQ-4, MM-AQ-5, and MM-AQ-7 were included in the calculation. Mitigation measures MM-AQ-3 and MM-AQ-6 do not have reliable quantifiable methodologies for reducing criteria air pollutants and thus, were not included in the mitigated emissions. Although mitigation measures MM-AQ-3 and MM-AQ-6 were not quantified, they will result in a reduction in criteria air pollutants from the Project in and around the Project site. The values shown are the maximum summer or winter daily emissions results from CalEEMod. Details of the emission calculations are provided in Appendix B.

**Table 4.1-12. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions – Mitigated**

Emission Source	VOC	NO <sub>x</sub>	CO	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
	<i>pounds per day</i>					
Area	11.64	0.00	0.13	0.00	0.00	0.00
Energy	0.03	0.26	0.21	0.00	0.02	0.02
Mobile	4.08	111.85	69.27	0.73	76.34	19.82
Off-road	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total</b>	<b>15.75</b>	<b>112.11</b>	<b>69.61</b>	<b>0.73</b>	<b>76.36</b>	<b>19.84</b>
<i>SCAQMD Threshold</i>	<i>55</i>	<i>55</i>	<i>550</i>	<i>150</i>	<i>150</i>	<i>55</i>
<b>Threshold Exceeded?</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

**Notes:** VOC = volatile organic compound; NO<sub>x</sub> = oxides of nitrogen; CO = carbon monoxide; SO<sub>x</sub> = sulfur oxides; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; SCAQMD = South Coast Air Quality Management District; PDF = project design feature.

See Appendix B for complete results.

Totals may not sum due to rounding.

The values shown are the maximum summer or winter daily emissions results from CalEEMod. These emissions reflect CalEEMod “mitigated” output and operational year 2024, which accounts for compliance with SCAQMD Rule 1113 (Architectural Coatings).

As shown in Table 4.1-12, while mitigation would reduce proposed Project-generated operational emissions, NO<sub>x</sub> emissions were not reduced below the SCAQMD mass daily threshold for NO<sub>x</sub>. Therefore, the potential for the Proposed Project to result in a cumulatively considerable net increase of any criteria pollutant for which the Proposed Project region is non-attainment under an applicable national or California ambient air quality standard is significant and unavoidable.

## Summary

As discussed in Section 4.1.1, the SCAB has been designated as a national nonattainment area for O<sub>3</sub> and PM<sub>2.5</sub> and a California nonattainment area for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. The nonattainment status is the result of cumulative emissions from various sources of air pollutants and their precursors within the SCAB, including motor vehicles, off-road equipment, and commercial and industrial facilities. Construction and operation of the proposed Project would generate VOC and NO<sub>x</sub> emissions (which are precursors to O<sub>3</sub>) and emissions of PM<sub>10</sub> and PM<sub>2.5</sub>. As indicated in

Tables 4.1-9 and 4.1-11, Project-generated construction and operational emissions would exceed the SCAQMD emission-based threshold for NO<sub>x</sub> prior to mitigation. With mitigation, the Project would result in less than significant construction-related NO<sub>x</sub> emissions; however, the Project would still exceed the SCAQMD threshold for NO<sub>x</sub> during operation, as shown in Tables 4.1-10 and 4.1-12, respectively.

Cumulative localized impacts would potentially occur if a construction project were to occur concurrently with another off-site project. Construction schedules for potential future projects near the Proposed Project site are currently unknown; therefore, potential construction impacts associated with two or more simultaneous projects would be considered speculative.<sup>10</sup> However, future projects would be subject to CEQA and would require air quality analysis and, where necessary, mitigation if the Project would exceed SCAQMD thresholds. Criteria air pollutant emissions associated with construction activity of future projects would be reduced through implementation of control measures required by the SCAQMD. Cumulative PM<sub>10</sub> and PM<sub>2.5</sub> emissions would be reduced because all future projects would be subject to SCAQMD Rule 403 (Fugitive Dust), which sets forth general and specific requirements for all construction sites in the SCAQMD. In addition, cumulative VOC emissions would be subject to SCAQMD Rule 1113 (Architectural Coatings).

The Project is also subject to SCAQMD Rule 2305 (WAIRE) which may further reduce emissions below what is shown in Table 4.1-12. However, as the rule has various pathways for compliance, including payment of an in-lieu fee that would not have a direct effect on emissions, this analysis conservatively does not quantify the reduction in emissions that would be realized through compliance with the rule.

Based on the Project-generated construction and operational emissions of VOC, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> the Project would result in a cumulatively considerable increase in emissions of nonattainment pollutants. Impacts would be potentially significant and, thus, require mitigation.

As discussed above, prior to mitigation, the Project would result in emissions that would exceed the SCAQMD thresholds for NO<sub>x</sub> during operations. Notably, since the emission-based thresholds used in this analysis were established to provide Proposed Project-level estimates of criteria air pollutant quantities that the SCAB can accommodate without affecting the attainment dates for the ambient air quality standards, and since the EPA and CARB have established the ambient air quality standards at levels above which concentrations could be harmful to human health and welfare, with an adequate margin of safety, elevated levels of criteria air pollutants above adopted thresholds as a result of the Project's construction and operation could cause adverse health effects associated with these pollutants. (The effects typically associated with unhealthy levels of criteria air pollutant exposure are described in Section 4.1.1.2, Pollutants and Effects, above.) However, as detailed in the Appendix B-2, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days. In addition, methods available for conducting health impact assessments (see Appendix B-2, for method details) require project emissions that are estimated with a high-level of accuracy, which is not possible for the Project due to the nature of it being a specific plan. Nonetheless, because the Project would exceed the SCAQMD mass daily thresholds of NO<sub>x</sub> during construction and operation, the Project could have a potentially significant impact on public health.

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<sup>10</sup> The State CEQA Guidelines state that if a particular impact is too speculative for evaluation, the agency should note its conclusion and terminate discussion of the impact (14 CCR 15145). This discussion is nonetheless provided in an effort to show good-faith analysis and comply with CEQA's information disclosure requirements.

**Threshold 4.1C**      **Would the Project expose sensitive receptors to substantial pollutant concentrations?**

**Less than Significant Impact with Mitigation Incorporated.** As discussed in detail below, impacts are less than significant as the Project would not expose sensitive receptors to substantial pollutant concentrations with incorporation of mitigation.

**Localized Significance Thresholds Analysis**

As discussed above in Section 4.1, Existing Conditions, under the header “Sensitive Receptors”, sensitive receptors are those individuals more susceptible to the effects of air pollution than the population at large. People most likely to be affected by air pollution include children, the elderly, and people with cardiovascular and chronic respiratory diseases. According to the SCAQMD, sensitive receptors include residences, schools, playgrounds, childcare centers, long-term healthcare facilities, rehabilitation centers, convalescent centers, and retirement homes (SCAQMD 1993). Sensitive receptors near the Project site include residences adjacent to the Project site on the western boundary (less than 25 feet).

An LST analysis has been prepared to determine potential impacts to nearby sensitive receptors during construction of the Project. As indicated in the discussion of the thresholds of significance (Section 4.1.3), the SCAQMD also recommends the evaluation of localized NO<sub>2</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> impacts as a result of construction activities to sensitive receptors in the immediate vicinity of the Project site. The impacts were analyzed using methods consistent with those in the SCAQMD’s *Final Localized Significance Threshold Methodology* (2008). According to the *Final Localized Significance Threshold Methodology*, “off-site mobile emissions from the Project should not be included in the emissions compared to the LSTs” (SCAQMD 2008). Hauling of soils and construction materials associated with Project construction are not expected to cause substantial air quality impacts to sensitive receptors along off-site roadways. Localized emissions from the trucks would be relatively brief in nature and would cease once the trucks pass through the main streets.

Construction activities associated with the Project would result in temporary sources of on-site fugitive dust and construction equipment emissions. Operational emissions include use of off-road equipment and mobile sources onsite. The maximum allowable daily emissions that would satisfy the SCAQMD localized significance criteria for SRA 33 are presented in Table 4.1-13 and compared to the maximum daily on-site construction and operational emissions generated during the Project.

**Table 4.1-13. Localized Significance Thresholds Analysis for Project – Unmitigated**

	NO <sub>2</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Maximum On-Site Emissions	<i>Pounds per Day</i>			
Construction Emissions	74.20	45.35	10.17	6.35
SCAQMD LST	200	1,877	19	8
LST Exceeded?	No	No	No	No
Operational Emissions	80.38	86.36	1.30	0.89
SCAQMD LST	200	1,877	5	2
LST Exceeded?	No	No	No	No

**Source:** SCAQMD 2008.

**Notes:** NO<sub>2</sub> = nitrogen dioxide; CO = carbon monoxide; PM<sub>10</sub> = coarse particulate matter; PM<sub>2.5</sub> = fine particulate matter; SCAQMD = South Coast Air Quality Management District; LST = localized significance threshold.

See Appendix B for complete results.

Localized significance thresholds are shown for a 2-acre Project sites corresponding to a distance to a sensitive receptor of 25 meters.

These estimates implementation of the Project's fugitive dust control strategies, including watering of the Project site and unpaved roads two times per day.

As shown in Table 4.1-13, construction and operational activities would not generate emissions in excess of site-specific LSTs; therefore, localized impacts during construction and operation of the Project would be less than significant. No mitigation is required.

### Health Impacts of Carbon Monoxide

Mobile source impacts occur on two scales of motion. Regionally, proposed Project-related travel would add to regional trip generation and increase the vehicle miles traveled within the local airshed and the SCAB. Locally, traffic generated by the Proposed Project would be added to the City's roadway system near the Proposed Project site. If such traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and is operating on roadways already crowded with non-Proposed Project traffic, there is a potential for the formation of microscale CO hotspots in the area immediately around points of congested traffic. Because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, as described above, the potential for CO hotspots in the SCAB is steadily decreasing.

At the time that the SCAQMD 1993 Handbook was published, the SCAB was designated nonattainment under the CAAQS and NAAQS for CO. In 2007, the SCAQMD was designated in attainment for CO under both the CAAQS and NAAQS as a result of the steady decline in CO concentrations in the SCAB due to turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities. The SCAQMD conducted CO modeling for the 2003 AQMP (Appendix V: Modeling and Attainment Demonstrations, SCAQMD 2003b) for the four worst-case intersections in the SCAB: (1) Wilshire Boulevard and Veteran Avenue, (2) Sunset Boulevard and Highland Avenue, (3) La Cienega Boulevard and Century Boulevard, and (4) Long Beach Boulevard and Imperial Highway. At the time the 2003 AQMP was prepared, the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day. Using CO emission factors for 2002, the peak modeled CO 1-hour concentration was estimated to be 4.6 ppm at the intersection of Wilshire Boulevard and Veteran Avenue. When added to the maximum 1-hour CO concentration from 2017 through 2019 at the Upland monitoring station (see Table 4.1-3, Local Ambient Air Quality Data), which was 1.9 ppm in 2017, the 1-hour CO would be 6.5 ppm, while the CAAQS is 20 ppm.

The 2003 AQMP also projected 8-hour CO concentrations at these four intersections for 1997 and from 2002 through 2005. From years 2002 through 2005, the maximum 8-hour CO concentration was 3.8 ppm at the Sunset Boulevard and Highland Avenue intersection in 2002; the maximum 8-hour CO concentration was 3.4 ppm at the Wilshire Boulevard and Veteran Avenue in 2002. Adding the 3.8 ppm to the maximum 8-hour CO concentration from 2017 through 2019 at the Upland monitoring station (see Table 4.1-3), which was 1.4 ppm in 2017, the 8-hour CO would be 5.2 ppm, while the CAAQS is 9.0 ppm.

Accordingly, CO concentrations at congested intersections would not exceed the 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least over 100,000 vehicles per day. Because the Proposed Project would not increase daily traffic volumes at any study intersection to more than 100,000 vehicles per day (Appendix G),<sup>11</sup> a CO hotspot is not anticipated to occur and associated impacts would be less than significant. No mitigation is required.

<sup>11</sup> For each study intersection in each scenario evaluated in the TIA, the daily volumes were estimated by assuming that the AM peak hour intersection volumes represent 8% of the daily traffic volumes and the total PM peak hour intersection volumes represent



## Health Impacts of Toxic Air Contaminants

### Construction Health Risk

As discussed in Section 4.1.3, a construction HRA was performed to estimate the Maximum Individual Cancer Risk and the Chronic Hazard Index for residential receptors as a result of Project construction. Results of the construction HRA are presented in Table 4.1-14.

**Table 4.1-14. Construction Health Risk Assessment Results – Unmitigated**

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	51.9	10	Potentially Significant
Chronic Hazard Index – Residential	Index Value	0.03	1.0	Less than Significant

Source: SCAQMD 2015.

Note: CEQA = California Environmental Quality Act.  
See Appendix B.

As shown in Table 4.1-14, Project construction activities would result in a Residential Maximum Individual Cancer Risk of 51.9 in 1 million, which is greater than the significance threshold of 10 in 1 million. Project construction would result in a Residential Chronic Hazard Index of 0.03, which is below the 1.0 significance threshold. The Project construction TAC health risk impacts would be potentially significant and mitigation is required. Mitigation measure MM-AQ-2 shall be implemented to reduce emissions of DPM generated during construction of the Proposed Project.

As shown in Table 4.1-15, with implementation of MM-AQ-2, Project construction activities would result in a Residential Maximum Individual Cancer Risk of 5.5 in 1 million, which is less than the significance threshold of 10 in 1 million. Project construction would result in a Residential Chronic Hazard Index of 0.003, which is below the 1.0 significance threshold. The Project construction TAC health risk impacts would be less than significant with mitigation.

**Table 4.1-15. Construction Health Risk Assessment Results – Mitigated**

Impact Parameter	Units	Project Impact	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	5.5	10	Less than Significant
Chronic Hazard Index – Residential	Index Value	0.003	1.0	Less than Significant

Source: SCAQMD 2015.

Note: CEQA = California Environmental Quality Act.  
See Appendix B-2.

### Operational Health Risk

As discussed in Section 4.1.3.1, a HRA was performed to estimate the Maximum Individual Cancer Risk and Chronic Hazard Index for residential receptors as a result of emissions from the Project during operation on sensitive receptors proximate of the Project. Results of the operational HRA are presented in Table 4.1-16.

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10% of the daily traffic volumes. Using this method, all 28 study intersections were estimated to result in less than 100,000 vehicles per day in every scenario evaluated (ranging from 8,060 vehicles to 84,663 vehicles).

**Table 4.1-16. Operational Health Risk Assessment Results – Unmitigated**

Impact Parameter	Units	Impact Level	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	65.7	10	Potentially Significant
Chronic Hazard Index – Residential	Index Value	0.02	1.0	Less than Significant.

Source: SCAQMD 2015.

Notes: CEQA = California Environmental Quality Act  
See Appendix B-2.

As shown in Table 4.1-16, the DPM emissions from operation of the Project would result in a Residential Maximum Individual Cancer Risk of 65.7 in 1 million and a Residential Chronic Hazard Index of 0.02. These impact levels would be greater than the SCAQMD significance threshold resulting in a potentially significant impact. Therefore, mitigation is required.

As determined above, since the cancer risk at the maximally exposed individual resident (MEIR) exceeds 1 in a million, cancer burden, for which a SCAQMD significance threshold of 0.5, is evaluated. Unlike cancer risk, which is the lifetime probability (chances) of an individual developing cancer due to exposure to a carcinogenic compound, cancer burden estimates the number of theoretical cancer cases in a defined population resulting from a lifetime exposure to carcinogenic TACs. As described in the OEHHA guidance manual:

The cancer burden can be calculated by multiplying the cancer risk at a census block centroid by the number of people who live in the census block, and adding up the estimated number of potential cancer cases across the zone of impact. The result of this calculation is a single number that is intended to estimate of the number of potential cancer cases within the population that was exposed to the emissions for a lifetime (70 years) (OEHHA 2015).

The SCAQMD has established a procedural screening approach for estimating cancer burden (SCAQMD 2017b), which includes the following steps:

- Recalculate cancer risk from all TACs using a 70-year exposure duration
- Estimate the distance at which the at which maximum individual cancer risk from a 70-year exposure duration falls below 1 in a million
- Define a zone of impact in the shape of a circle, with the radius equal to the distance between the TAC source and the point at which the risk falls below 1 in a million
- Estimate the residential population within this zone of impact based on census data or a worst-case estimate
- Calculate the screening level cancer burden by multiplying the total residential population in the zone of impact by the maximum individual cancer risk

Accordingly, the maximum estimated 70-year cancer risk for the unmitigated project was estimated at 190.4 in a million with HARP2 using the Population-Wide option in the model, which is specified for use in cancer burden estimates. The zone of impact was estimated to be 24.71 square-kilometers. The total population in this area was estimated to be approximately 172,970 persons, based on the average densities of 7,000 persons/km<sup>2</sup> that would be within the zone of impact (SCAQMD 2017b). Multiplying the maximum estimated 70-year cancer risk by the Project population gives a cancer burden of 32.9. Accordingly, the cancer burden indicates that more than one

person could contract cancer assuming a 70-year exposure under the modeled scenario of TAC emissions and provided that other factors related to an individual's susceptibility to contracting cancer would occur. This would be greater than the SCAQMD cancer burden threshold of 0.5. Thus, the impact with respect to potential cancer burden due to operation of the Project would be potentially significant. Therefore, mitigation is required.

Mitigation measures MM-AQ-3 through MM-AQ-7 shall be implemented to reduce emissions of DPM generated during operation of the Proposed Project.

Results of the operational HRA are presented in Table 4.1-17, which accounts for mitigation measures MM-AQ-4, MM-AQ-5, and MM-AQ-7. Mitigation measures MM-AQ-3 and MM-AQ-6 do not have reliable quantifiable methodologies for reducing DPM emissions and thus, were not included in the mitigated emissions. Although mitigation measures MM-AQ-3 and MM-AQ-6 were not quantified, they will result in a reduction in TAC emissions from the Project in and around the Project site.

**Table 4.1-17. Operational Health Risk Assessment Results – Mitigated**

Impact Parameter	Units	Impact Level	CEQA Threshold	Level of Significance
Maximum Individual Cancer Risk – Residential	Per Million	9.2	10	Less than Significant.
Chronic Hazard Index – Residential	Index Value	0.003	1.0	Less than Significant.

Source: SCAQMD 2015.

Notes: CEQA = California Environmental Quality Act.  
See Appendix B-2.

As shown in Table 4.1-17, the DPM emissions from operation of the Project would result in a Residential Maximum Individual Cancer Risk of 9.2 in 1 million, which would be less than the SCAQMD significance threshold of 10 in 1 million, resulting in a less than significant impact.

#### **Health Effects of Other Criteria Air Pollutants**

Without mitigation, construction of the Project would result in emissions that would exceed the SCAQMD threshold for NO<sub>x</sub>. Project construction would not exceed SCAQMD thresholds for VOC, CO, SO<sub>x</sub>, PM<sub>10</sub>, or PM<sub>2.5</sub>. With mitigation, the Project would not exceed the SCAQMD thresholds during construction. However, the Project would exceed the SCAQMD threshold for NO<sub>x</sub> during operation even with mitigation.

VOCs and NO<sub>x</sub> are precursors to O<sub>3</sub>, for which the SCAB is designated as nonattainment with respect to the NAAQS and CAAQS. The health effects associated with O<sub>3</sub> are generally associated with reduced lung function. The contribution of VOCs and NO<sub>x</sub> to regional ambient O<sub>3</sub> concentrations is the result of complex photochemistry. The increases in O<sub>3</sub> concentrations in the SCAB due to O<sub>3</sub> precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O<sub>3</sub> concentrations would also depend on the time of year that the VOC emissions would occur because exceedances of the O<sub>3</sub> CAAQS/NAAQS tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O<sub>3</sub> precursors is speculative due to the lack of quantitative methods to assess this impact. Because operation of the Project would exceed SCAQMD threshold for NO<sub>x</sub>, implementation of the Project could minimally contribute to regional O<sub>3</sub> concentrations and the associated health effects.

Operation of the Project would contribute to exceedances of the NAAQS and CAAQS for NO<sub>2</sub>. Health effects that result from NO<sub>2</sub> and NO<sub>x</sub> include respiratory irritation, which could be experienced by nearby receptors during the periods of heaviest use of off-road construction equipment. However, Project construction would be relatively short term, and off-road construction equipment would be operating at various portions of the site and would not be concentrated in one portion of the site at any one time. In addition, existing NO<sub>2</sub> concentrations in the area are well below the NAAQS and CAAQS standards. Operation of the Project would not create substantial, localized NO<sub>x</sub> impacts. However, due to exceedances in operation-generated emissions of NO<sub>x</sub>, the Project could result in potential health effects associated with NO<sub>2</sub> and NO<sub>x</sub>. As discussed previously under Threshold 4.1B, implementation of MM-AQ-3 through MM-AQ-7 would reduce the Project's NO<sub>x</sub> emissions, but not to below a level of significance.

CO tends to be a localized impact associated with congested intersections. The associated potential for CO hotspots were discussed previously and are determined to be a less-than-significant impact. Thus, the Project's CO emissions would not contribute to significant health effects associated with this pollutant.

Construction and operation of the Project would also not exceed thresholds for PM<sub>10</sub> or PM<sub>2.5</sub> and would not contribute to exceedances of the NAAQS and CAAQS for particulate matter or would obstruct the SCAB from coming into attainment for these pollutants. The Project would also not result in substantial DPM emissions during construction and operation, and therefore, would not result in significant health effects related to DPM exposure. Additionally, the Project would implement dust control strategies and be required to comply with SCAQMD Rule 403, which limits the amount of fugitive dust generated during construction. Due to the minimal contribution of particulate matter during construction and operation, the Project is not anticipated to result in health effects associated with PM<sub>10</sub> or PM<sub>2.5</sub>.

In summary, because operation of the proposed Project would result in exceedances of the SCAQMD significance threshold for NO<sub>x</sub> despite implementation of MM-AQ-3 through MM-AQ-7, the potential health effects associated with criteria air pollutants, specifically O<sub>3</sub>, are considered potentially significant. Notably, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days, and there are currently no modeling tools that could provide reliable and meaningful additional information regarding health effects from criteria air pollutants generated by individual projects.

**Threshold 4.1D:            Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Less than Significant Impact.** The occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Odors would be potentially generated from vehicles and equipment exhaust emissions during construction of the Project. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment, architectural coatings, and asphalt pavement application. Such odors would disperse rapidly from the Project site and generally occur at magnitudes that would not affect substantial numbers of people. In addition, the Project would be required to comply with the California Code of Regulations, Title 13, sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. This would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also comply with the

SCAQMD Regulation XI, Rule 1113 – Architectural Coating, which would minimize odor impacts from ROG emissions during architectural coating. According to the local meteorological data at the Ontario Airport, the predominant wind direction is blowing from the west and would therefore blow odors away from the nearest sensitive receptors. Furthermore, as the Project is required to implement mitigation measure MM-AQ-2, Tier 4 Interim equipment must be utilized. Tier 4 equipment is equipped with diesel particulate filters to reduce emissions, which also limits odors. Implementation of mitigation measure MM-AQ-2 would further reduce the Project’s already less than significant odor impacts to sensitive receptors. Therefore, impacts associated with odors during construction would be less than significant. No mitigation is required.

Land uses and industrial operations associated with odor complaints include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (SCAQMD 1993). The Project would not include land uses that generate odors as discussed above during operation. Therefore, Project operations would result in an odor impact that is less than significant. No mitigation is required.

### 4.1.5 Cumulative Impacts Analysis

Regional air pollution by nature is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and the SCAQMD develops and implements plans for future attainment of ambient air quality standards. In addition to the SCAQMD efforts, CARB has comprehensive regulatory programs in place for new and existing sources of air pollution. Local policies, such as land use decisions that involve siting, zoning, and permitting actions, in conjunction with air agency efforts have the potential to greatly enhance the effectiveness of these programs by addressing cumulative impacts in local areas. Project-specific emissions associated with implementation of the Project could result in regional and localized impacts. Regional pollutants such as O<sub>3</sub> and PM<sub>2.5</sub> are derived from complex interactions of emissions from many sources. In contrast, localized, or near-source, pollutants such as SO<sub>2</sub> are mainly derived from a single source or group of sources. Cumulative air quality impacts are the effect of long-term emissions of the Project plus any existing emissions at the same location, as well as the effect of long-term emissions of reasonably foreseeable similar projects, on the Projected regional air quality or localized air pollution in the SCAB and surrounding areas. Accordingly, impacts can be localized or far-reaching and the geographic scope of air quality impacts varies based on the type of emission source.

Based on the cumulative nature of air pollution and the various mechanisms in place to reduce cumulative air pollutant emissions, Project-level thresholds of significance for criteria pollutants, as analyzed in Threshold 4.1B, are relevant in the determination of whether the Project’s individual emissions would have a cumulatively significant impact on air quality. This approach is supported by the SCAQMD which indicates that if a project’s emissions would exceed the SCAQMD significance thresholds, it would be considered to have a cumulatively considerable contribution; conversely, projects that do not exceed the Project-specific thresholds are generally not considered to be cumulatively significant.<sup>12</sup>

This section provides an analysis of cumulative impacts from construction and operation of the Project and other past, present, and reasonably foreseeable future projects, as required by Section 15130 of the State CEQA

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<sup>12</sup> SCAQMD. 2003a. White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution. August 2003. <http://www.aqmd.gov/docs/default-source/Agendas/Environmental-Justice/cumulative-impacts-working-group/cumulative-impacts-white-paper.pdf?sfvrsn=2>.

Guidelines. The past, present, and reasonably foreseeable future projects (i.e., related projects) used for this analysis are presented in Section 3, Project Description, Table 3-2, Cumulative Projects, of this Draft EIR.

### **Construction-Related Cumulative Impacts**

The potential for the Project to result in a cumulatively considerable air quality impact is evaluated in Threshold 4.1B. As discussed under this threshold, construction of the Project would not exceed the SCAQMD mass daily emission-based construction thresholds with the incorporation of MM-AQ-2. In addition, as discussed under Threshold 4.1C, construction of the Project would not exceed the SCAQMD's LST threshold. The Project's short-term construction-related TAC emissions would be less than significant with incorporation of MM-AQ-2. It is reasonable to assume that construction emissions of the related projects listed in from Table 3-2, Cumulative Projects would be limited by applicable SCAQMD thresholds and rules. Therefore, because of the less than significant amount of Project-related emissions relative to significance thresholds, and because of compliance with SCAQMD rules, Project-generated construction emissions would not be cumulatively considerable. Regarding odors, no significant construction-related odors are anticipated, and the Project's cumulative odor impact would not be cumulatively considerable.

### **Operation-Related Cumulative Impacts**

As discussed under Threshold 4.1A, the Project requires implementation of MM-AQ-1 because it would conflict with the SCAQMD 2016 AQMP, which addresses the cumulative emissions in the SCAB. Because the SCAQMD air quality plans consider the cumulative emissions of existing and projected development, it may be concluded that a project is not in conformance with the applicable air quality plan and has a direct air quality impact would also have a cumulative regional air quality impact. Therefore, even with incorporation of the mitigation identified in this Draft EIR, the Project would still conflict with the 2016 Air Quality Management Plan, and impacts would be significant and unavoidable.

As discussed under Threshold 4.1B above, the Project would result in less than significant long-term operational air quality impacts for all criteria pollutants, with the exception of NO<sub>x</sub>. Mitigation measures MM-AQ-4, MM-AQ-5, and MM-AQ-7 were included in the calculation for mitigation of operational NO<sub>x</sub> emissions. Mitigation measures MM-AQ-3 and MM-AQ-6 do not have reliable quantifiable methodologies for reducing criteria air pollutants and thus, were not included in the mitigated emissions. Although mitigation measures MM-AQ-3 and MM-AQ-6 were not quantified, they will result in a reduction in criteria air pollutants from the Project in and around the Project site. Even with mitigation, the emissions of NO<sub>x</sub> would exceed applicable thresholds of significance and impacts would be significant and unavoidable. Therefore, the proposed Project would result in a cumulatively considerable net increase of NO<sub>x</sub>, for which the Project region is non-attainment under an applicable national or California ambient air quality standard, and cumulative impacts would also be significant and unavoidable.

The analysis for operational health risk impacts under Threshold 4.1C would be less than significant with mitigation. MM-AQ-4, MM-AQ-5, and MM-AQ-7 were included in the calculation of mitigation for operational impacts. Mitigation measures MM-AQ-3 and MM-AQ-6 do not have reliable quantifiable methodologies for reducing DPM emissions and thus, were not included in the mitigated emissions. Although mitigation measures MM-AQ-3 and MM-AQ-6 were not quantified, they will result in a reduction in TAC emissions from the Project in and around the Project site.

The Project is not anticipated to generate nuisance operational odors; therefore, the Project would result in a less than cumulatively considerable operational odor impact.

## 4.1.6 Mitigation Measures and Level of Significance After Mitigation

Implementation of MM-AQ-1 shall be implemented to ensure that the appropriate employment growth projections at the Project site would be incorporated into the next SCAG RTP/SCS and would thereby, be incorporated into the following SCAQMD AQMP. Mitigation measure MM-AQ-2 shall be implemented to reduce emissions of DPM generated during construction of the Proposed Project. Mitigation measures MM-AQ-3 through MM-AQ-7 shall be implemented to reduce emissions of NO<sub>x</sub> and DPM generated during operation of the Proposed Project. MM-AQ-5 is focused on energy conservation measures that reduce emissions associated with natural gas and electricity use; however, emissions from Proposed Project electricity use is only quantified in the GHG emissions analysis.

**MM-AQ-1** Prior to Southern California Association of Governments (SCAG's) next update to the regional growth forecast as part of the Regional Transportation Plan/Sustainable Communities Strategy, the City of Montclair (City) shall prepare a revised employment forecast for SCAG that reflects anticipated growth generated from the proposed Project. The updated forecast provided to SCAG shall be used to inform the South Coast Air Quality Management District's update to the Air Quality Management Plan. The City shall prepare and submit a letter notifying the South Coast Air Quality Management District of this revised forecast for use in the future update to the Air Quality Management Plan as required.

**MM-AQ-2** **Construction Equipment.** Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase to minimize diesel particulate matter emissions:

- a. Heavy-duty diesel-powered construction equipment shall be equipped with Tier 4 Interim or better diesel engines for engines 75 horsepower or greater. The City shall verify and approve all pieces within the construction fleet that would not meet Tier 4 Interim standards.
- b. Vehicles in loading and unloading queues shall not idle for more than 5 minutes and shall turn their engines off when not in use to reduce vehicle emissions.
- c. All construction equipment shall be properly tuned and maintained in accordance with manufacturer's specifications.
- d. When construction equipment units that are less than 50 horsepower would be employed, that equipment shall be electrical or natural-gas powered, where available.
- e. A Construction Traffic Control Plan shall be developed to ensure construction traffic and equipment use is minimized to the extent practicable. The Construction Traffic Control Plan shall include measures to reduce the amount of large pieces of equipment operating simultaneously during peak construction periods, schedule vendor and haul truck trips to occur during non-peak hours, establish dedicated construction parking areas to encourage carpooling and efficiently accommodate construction vehicles, identify alternative routes to reduce traffic congestion during peak activities, and increase construction employee carpooling.

**MM-AQ-3** **Vehicle Miles Traveled Reduction Strategies.** Prior to the approval of any construction-related permits, the Project applicant or its designee shall prepare a Transportation Demand Management (TDM) Program to facilitate increased opportunities for transit, bicycling, and pedestrian travel, as well as provide the resources, means, and incentives for ride-sharing and carpooling to reduce vehicle

miles traveled and associated criteria air pollutant emissions. The Plan shall be subject to the City's review and approval. The following components are to be included in the TDM Program:

### **Bicycle and Pedestrian Travel**

- a) Develop a comprehensive pedestrian network designed to provide safe bicycle and pedestrian access between the various internal Proposed Project land uses, which will include design elements to enhance walkability and connectivity and shall minimize barriers to pedestrian access and interconnectivity. Physical barriers, such as walls or landscaping, that impede pedestrian circulation shall be eliminated.
- b) The Proposed Project design shall include a network that connects the Proposed Project uses to the existing off-site facilities (e.g., existing off-site bike paths).
- c) Proposed Project design shall include pedestrian/bicycle safety and traffic calming measures in excess of jurisdiction requirements. Roadways shall be designed to reduce motor vehicle speeds and encourage pedestrian and bicycle trips with traffic calming features. Traffic calming features may include: marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.
- d) Provide bicycle parking facilities along main travel corridors: one bike rack space per 20 vehicle/employee parking spaces or to meet demand, whichever results in the greater number of bicycle racks.
- e) Provide shower and locker facilities to encourage employees to bike and/or walk to work: one shower and three lockers per every 25 employees.

### **Ride-Sharing and Commute Reduction**

- f) Promote ridesharing programs through a multi-faceted approach, such as designating a certain percentage of parking spaces for ridesharing vehicles; designating adequate passenger loading and unloading and waiting areas for ridesharing vehicles; or providing a website or message board for coordinating rides.
- g) Implement marketing strategies to reduce commute trips. Information sharing and marketing are important components to successful commute trip-reduction strategies. Implementing commute trip-reduction strategies without a complementary marketing strategy would result in lower VMT reductions. Marketing strategies may include: new employee orientation of trip reduction and alternative mode options; event promotions; or publications.
- h) One percent (1%) of vehicle/employee parking spaces shall be reserved for preferential spaces for car pools and van pools.
- i) Coordinate with the Southern California Association of Governments (SCAG) for carpool, vanpool, and rideshare programs that are specific to the Proposed Project.
- j) Implement a demand-responsive shuttle service that provides access throughout the GCSP area, to the park-and-ride lots, and to the nearby transit centers.



**Transit**

- k) Bus pull-ins shall be constructed where appropriate within the Proposed Project area.
- l) Coordinate with SCAG on the future siting of transit stops/stations within or near the Project.

**MM-AQ-4 Encourage Electric Vehicles.** Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction:

- a) Install Level 2 EV charging stations in 10% of all parking spaces, with a minimum of 43 EV charging stalls for the Project site.
- b) Install EV infrastructure at truck loading bays for trucks to plug-in when commercially available.

**MM-AQ-5 Idling Restriction.** For proposed Project land uses that include truck idling, the Project shall minimize idling time of all vehicles and equipment to the extent feasible and shall include such restrictions in the Covenants, Conditions, and Restrictions (CCRs) for tenants of the Project; idling for periods of greater than five (5) minutes shall be prohibited. Signage shall be posted at truck parking spots, entrances, and truck bays advising that idling time shall not exceed five (5) minutes per idling location. To the extent feasible, the tenant shall restrict idling emission from trucks by using auxiliary power units and electrification.

**MM-AQ-6 Energy Conservation.** Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during each construction phase:

- a) Install a solar-ready rooftop to facilitate the installation of solar photovoltaic panels in the future.
- b) Purchase 100% renewable electricity through SCE.
- c) Install Energy Star rated heating, cooling, lighting, and appliances.
- d) Outdoor lighting shall be light emitting diodes (LED) or other high-efficiency lightbulbs.
- e) Provide information on energy efficiency, energy efficient lighting and lighting control systems, energy management, and existing energy incentive programs to future tenants of the Proposed Project.
- f) Non-residential structures shall meet the U.S. Green Building Council standards for cool roofs. This is defined as achieving a 3-year solar reflective index (SRI) of 64 for a low-sloped roof and 32 for a high-sloped roof.
- g) Outdoor pavement, such as walkways and patios, shall include paving materials with 3-year SRI of 0.28 or initial SRI of 0.33.
- h) Construction of modest cool roof, defined as Cool Roof Rating Council (CRRC) Rated 0.15 aged solar reflectance and 0.75 thermal emittance.
- i) Use of Heating, Ventilation and Air Conditioning (HVAC) equipment with a Seasonal Energy Efficiency Ratio (SEER) of 12 or higher.
- j) Installation of water heaters with an energy factor of 0.92 or higher.

- k) Maximize the use of natural lighting and include daylighting (e.g., skylights, windows) in rooms with exterior walls that would normally be occupied.
- l) Include high-efficacy artificial lighting in at least 50% of unit fixtures.
- m) Install low-NOx water heaters and space heaters, solar water heaters, or tank-less water heaters.
- n) Use passive solar cooling/heating.
- o) Strategically plant trees to provide shade.
- p) Structures shall be equipped with outdoor electric outlets in the front and rear of the structure to facilitate use of electrical lawn and garden equipment.

**MM-AQ-7 Electric Forklifts and Yard-Trucks.** Proposed Project warehouse and manufacturing tenants shall require that all forklifts and yard-trucks are electric-powered or utilize other zero-emission technology. These requirements shall be included in the Project’s Covenants, Conditions, and Restrictions (CCRs).

**Threshold 4.1A Would the Project conflict with or obstruct implementation of the applicable air quality plan?**

As shown in Table 4.1-15, construction emissions would be reduced to below SCAQMD’s thresholds with the implementation of mitigation measure MM-AQ-2. However, mitigated operational emissions shown in Table 4.1-16 would not be reduced to below significance levels. Therefore, the Project would conflict with the SCAQMD Consistency Criterion No. 1. Furthermore, the Project would exceed the growth projections within the 2016 SCAG RTP/SCS and 2016 SCAQMD AQMP. Implementation of MM-AQ-1 would ensure that the appropriate employment growth projections at the Project site would be incorporated into the next SCAG RTP/SCS (anticipated to be in 2024) and would thereby, be incorporated into the following SCAQMD AQMP. As the SCAQMD is in process of preparing their 2022 AQMP based on the SCAG 2020 RTP/SCS, there is an anticipated interim period where the SCAG RTP/SCS growth projections and the SCAQMD AQMP do not reflect the appropriate employment growth at the Project site; however, this will eventually be resolved with updates of both plans. As such, the Project would still conflict with SCAQMD Consistency Criterion No. 2. Therefore, impacts would remain **significant and unavoidable**.

**Threshold 4.1B 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 federal or state ambient air quality standard?**

**Short-Term Construction Impacts**

With implementation of MM-AQ-2, Project impacts associated with potentially significant cumulatively considerable net increase of criteria pollutants would be **less than significant with mitigation incorporated**.

**Long-Term Operational Impacts**

Implementation of MM-AQ-3 through MM-AQ-7 would reduce the Project’s impacts associated with a significant cumulatively considerable net increase of criteria pollutants; however impacts would remain **significant and unavoidable**.

**Threshold 4.1C Would the Project expose sensitive receptors to substantial pollutant concentrations?**

With implementation of MM-AQ-2 through MM-AQ-7, impacts associated with exposing sensitive receptors to substantial pollutant concentrations would be **less than significant**.

**Threshold 4.1D:**            **Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

The Project would not generate other emissions (such as those leading to odors) adversely affecting a substantial number of people; therefore, impacts would be **less than significant**.

## 4.1.7            References Cited

14 CCR 15000–15387 and Appendices A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

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## 4.2 Biological Resources

This section describes the existing biological resources conditions of the Project site and vicinity, identifies associated regulatory standards, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project. The biological resources described in this section have been compiled from a literature review of mapping, databases, and general plans, as well as a biological reconnaissance conducted on the Project site by Dudek’s biologist Tommy Molioo in February 2020. For records search data for the preparation of this section, refer to the following appendices:

**Appendix C-1:** Compendium of Species Observed or Detected During February 2020 Biological Reconnaissance Survey

**Appendix C-2:** Special-Status Species whose Geographic Ranges Fall within the Vicinity of the General Biological Study Area

**Appendix C-3:** Potential for Special-Status Plants and Wildlife to Occur within the Biological Study Area

**Appendix C-4:** Arborist Report for the Mission and Ramona Business Park Project prepared by Dudek in March 2020

Other sources consulted are listed in Section 4.2.7, References Cited.

### 4.2.1 Existing Conditions

#### Regional Setting

The Project site is in the City of Montclair, along the western boundary of San Bernardino County. As shown on Figure 4.2-1, Biological Resources, the study area for biological resources includes the Project site and a 100-foot buffer (survey area) from the property line. The study area generally occurs between the San Bernardino National Forest to the north with Chino Hills State Park and the Prado Basin to the south. The site is located in the Pomona Valley, which lies between the San Gabriel Mountains to the north and the Chino Hills to the south. The Pomona Valley is dominated by urban and suburban development with development most intense along regional highways. Significant naturalized features in the region include the Puddingstone Reservoir to the northwest and Tonner Canyon to the southwest. Both features provide habitat opportunities for regionally common and sensitive species to occur. However, these regional habitat blocks are limited in distribution and are separated by intervening development. The nearest habitat block to the Project site is Puddingstone Reservoir, located approximately 4.5 miles to the west. Chino Hills State Park is located approximately 5 miles south of the Project site. The region experiences a Mediterranean-like climate with hot, dry summers and mild, wet winters.

#### Local Setting

The Project site is located within a predominantly urban area within the Pomona Valley and the area immediately surrounding the Project site is entirely developed. As shown on Figure 3-3, Project Aerial and Existing Uses, in Section 3.2, Environmental Setting, of this Draft EIR, the land uses surrounding the Project site include a mix of industrial, manufacturing, automotive, commercial, and residential uses. Undeveloped areas immediately surrounding the site are sparse except for local parks and scattered undeveloped parcels. The West State Street Storm Drain Channel, a concrete-lined open flood control channel that conveys local runoff to San Antonio Creek to the west, is located immediately north of the Project site beyond State Street. The Brooks Street Groundwater

Recharge Basin, a large earthen groundwater recharge basin owned and operated by the Inland Empire Utilities Agency, is also located to the north of the Project site and is separated from the Project site by Union Pacific railroad tracks. Specific land uses in the immediate vicinity of the Project site include the following:

- **North:** State Street, State Street Storm Drain Channel, Union Pacific railroad tracks, Brooks Street Groundwater Recharge Basin, and industrial uses
- **East:** Ramona Avenue, industrial, commercial, and residential uses, and vacant land
- **South:** Mission Boulevard, commercial and residential uses
- **West:** Industrial, manufacturing, and residential uses

### Project Site Conditions

#### *Topography and Soils*

The topography within the Project site is relatively flat, ranging from approximately 985 feet above mean sea level in the southern portion of the site to approximately 920 feet above mean sea level in the northern portion of the site. No significant topographic features, including hills, valleys, or drainages, occur on the site. No bodies of water or blue-line streams were noted on the U.S. Geological Survey Ontario, California 7.5-minute topographic quadrangle map upon which the Project site is depicted.

According to the U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey (USDA 2019), the Project site occurs within the San Bernardino County Southwestern Part, California. Two soil types are mapped within the study area: Hanford coarse sandy loam, 2 to 9 percent slopes, and Tujunga loamy sand, 0 to 5 percent slopes.

**Hanford soils** consist of very deep, well-drained soils formed in moderately coarse textured alluvium dominantly from granite. Hanford soils typically occur on stream bottoms, floodplains, and alluvial fans with slopes ranging from 0 to 15 percent.

**Tujunga soils** consist of very deep, somewhat excessively drained soils that formed in alluvium from granitic sources. Tujunga soils are on alluvial fans and floodplains, including urban areas with slopes ranging from 0 to 12 percent.

#### *Vegetation Communities and Land Covers*

Native plant community classifications used in this section follow A Manual of California Vegetation (Sawyer et al. 2009, a publication of the California Native Plant Society [CNPS]) where feasible, with modifications to accommodate the lack of conformity of the observed communities. The Project site is almost entirely developed with asphalt pavement, concrete, and a few buildings and structures, with the exception of landscaping grass, trees, and shrubs lining approximately half of the perimeter of the property. The Project's study area includes primarily "Non-natural and Unvegetated Land Covers Areas," which include parks and ornamental plantings, disturbed habitat, non-vegetated channel, and urban/developed land. No natural vegetation communities were mapped within the Project site or study area. The West State Street Storm Drain Channel (concrete-lined) is mapped as non-vegetated channel north of the Project site but within the study area.

Table 4.2-1 summarizes the extent of each mapped vegetation community and land cover within the study area. The area within the Project site boundary is mapped as "parks and ornamental plantings" and "urban/developed."



The area within the 100-foot buffer outside of the Project site is mapped as “non-vegetated channel,” “non-vegetated channel,” “disturbed habitat,” and “parks and ornamental plantings.”

**Table 4.2-1. Vegetation Communities and Land Covers within the Study Area**

Vegetation Community or Land Cover	Map Code	Project Site Acres	Buffer Acres	Total
<b><i>Non-Natural and Unvegetated Land Covers</i></b>				
Disturbed Habitat	DH	0.00	0.44	0.44
Parks and Ornamental Plantings	ORN	3.14	0.75	3.89
Urban/Developed	DEV	24.6	9.4	34
Non-Vegetated Channel	NVC	0	0.48	0.48
<b>Total</b>		<b>27.74</b>	<b>11.07</b>	<b>38.81</b>

**Note:** See Figure 4.2-1.

Non-natural land covers and unvegetated communities are generally not recognized by the Natural Community List (CDFW 2020). These mapping units are used to differentiate areas that have been significantly disturbed, lack native or natural occurring habitats, or have been constructed upon and lack vegetation. These non-natural and unvegetated communities do not typically support sensitive species, therefore none of these land cover types are considered sensitive by California Department of Fish and Wildlife (CDFW).

Disturbed Habitat. Disturbed habitat typically occurs in areas where soils have been recently or repeatedly disturbed by grading or compaction, resulting in the growth of very few native perennials. It is usually dominated by bare ground or non-native dicotyledonous species including redstem stork’s bill (*Erodium cicutarium*), black mustard (*Brassica nigra*), thistles (e.g., artichoke thistle [*Cynara cardunculus*], Italian plumeless thistle [*Carduus pycnocephalus*], and Maltese star-thistle [*Centaurea melitensis*]), dove weed (*Croton setigerus*), and others. Within the study area, disturbed habitat occurs outside the Project site, but within the 100-foot buffer to the east and west within undeveloped lots.

Parks and Ornamental Plantings. Parks and ornamental plantings include a mix of non-native woodland and non-native grassland vegetation but is specific to vegetation that has been planted for aesthetic purposes or recreational use. The parks and ornamental plantings community was mapped for the sections of the southern and eastern Project boundary where ornamental landscaped vegetation has been planted. Species observed in this community include blue gum (*Eucalyptus globulus*), red gum (*Eucalyptus camaldulensis*), California fan palm (*Washingtonia filifera*), cypress (*Cupressus sempervirens*), mesquite (*Prosopis* sp.), Bermuda grass (*Cynodon dactylon*), red brome (*Bromus rubens*), and filaree (*Erodium* sp.).

Urban/Developed Lands. The developed mapping unit is not recognized by the Natural Community List (CDFW 2020) but is described by Oberbauer (2008). Developed land typically includes areas that have been constructed upon and do not contain any naturally occurring vegetation. These areas are generally characterized as graded land with asphalt and concrete placed upon it. Developed areas mapped for the study area include the vast majority of the Project site that contains the existing drive-in theatre and buildings. No vegetation was observed within developed areas on the study area.

Non-Vegetated Channel. Although not recognized by the Manual of California Vegetation (CNPS 2020b) or the Natural Community List (CDFW 2020), unvegetated channels (or non-vegetated floodplains) are described by Oberbauer (2008). Oberbauer describes non-vegetated floodplains or channels as sandy, gravelly, or rocky areas along waterways

or flood channels that are unvegetated on a relatively permanent basis due to variable water levels. Vegetation, if present, comprises non-native grasses at the outer edges with usually less than 10% absolute cover.

Within the study area, the West State Street Storm Drain Channel, located north of the Project site beyond State street and the Union Pacific rail lines, is mapped as a non-vegetated channel. However, this non-vegetated channel is concrete lined and devoid of vegetation and earthen media. This mapping unit would not be considered a sensitive natural community by CDFW.

### Plants

A total of 8 vascular plant species, consisting of 1 native species (13 percent) and 7 non-native species (88 percent), were recorded within the study area during surveys. The single native species observed was California fan palm. While this species is native to the study area, the single native species is located within the parks and ornamental plantings vegetation community. Due to the limited number of individuals and lack of additional native species, the population of California fan palm does not form a cohesive native vegetation community. A full list of plant species observed is provided in Appendix C-1 of this Draft EIR.

### Wildlife

Wildlife species observed during the biological reconnaissance, include common species typically observed in upland habitats and urban settings. A total of 3 native wildlife species were recorded within the study area during surveys. The avian species observed during the surveys are very common in the habitats found within the study area and include lesser goldfinch (*Spinus psaltria*), Heermann's gull (*Larus heermanni*), and house wren (*Troglodytes aedon*). No active bird nests were observed during the field visit; however, the study area could support migratory birds. No amphibians, reptiles, insects, or mammals were detected during the survey; however, mammal species such as the California ground squirrel (*Otospermophilus beechevi*) would be expected to occur within the survey area. A full list of wildlife species observed or detected is provided in Appendix C-1.

### Special-Status Species

Appendix C-2 provides the database query of all special-status species whose geographic ranges fall within the general study area vicinity (CDFW 2021c; CNPS 2021). These species are analyzed for their potential to occur on the Project site in Appendix C-3. Species potentially occurring based on habitat relationships are identified as having moderate or high potential to occur based on habitat conditions, and species for which there is little or no suitable habitat are identified as not expected to occur or having low potential to occur.

### Special-Status Plant Species

Special-status plants include those listed, or candidates for listing, as threatened or endangered by the United States Fish and Wildlife Service (USFWS) and CDFW, and species identified as rare by CNPS. Of particular concern are those species with a California Rare Plant Rank (CRPR) 1A, presumed extinct in California, CRPR 1B, rare, threatened, or endangered throughout its range, CRPR 2, rare or endangered in California, more common elsewhere, and CRPR 3, those appearing on a review list for plants that require more information. CRPR 4 species are those with limited distribution in California. For the purposes of this report, CRPR rank 4 are not considered special-status and are omitted from further discussion.

Based on the results of the literature review and database searches, 69 special-status plant species were reported in the CNDDDB and CNPS databases as occurring in the vicinity of the study area. Special-status plant species

previously documented in the region and have a potential to occur on the study area are provided in Appendix C-3. Appendix C-3 details the special-status plant species that were included in these databases. For each species evaluated, a determination was made regarding the potential for the species to occur on site based on information gathered during the field reconnaissance, including the location of the site, habitats present, current site conditions, and past and present land use.

Of the 69 special-status plant species listed in the CNDDDB (CDFW 2021c) and CNPS (CNPS 2021) databases as occurring in the vicinity of the study area, none are expected to occur within the study area due to a lack of suitable habitat. Therefore, these species are omitted from further discussion. This determination was made based on an evaluation of elevation and existing vegetation communities within the study area.

### ***Special-Status Wildlife Species***

Special-status wildlife include those listed, or candidate for listing, as threatened or endangered by the USFWS and CDFW, and designated as species of special concern (SSC) by CDFW. Based on the results of the literature review and database searches, 66 special-status wildlife species were reported in the CNDDDB and USFWS databases as occurring in the vicinity of the study area. Special-status wildlife species that were documented in the region are provided in Appendix C-2. Appendix C-3 details the special-status wildlife species that were included in these databases. For each special evaluated, a determination was made regarding the potential for the species to occur on site based on information gathered during the field reconnaissance, including the location of the site, habitats present, current site conditions, and past and present land use.

All 66 special-status wildlife species that are documented in the region were determined to have no or low potential to occur within the study area based on an evaluation of elevation and vegetation communities known to occur within the study area. The only wildlife species that may occur within the Project site include common and migratory bird species protected by the Migratory Bird Treaty Act and California Fish and Game Code Section 3500. Bird species have the potential to nest within the ornamental landscaped trees on the Project site, as well as on existing buildings and structures.

### **Jurisdictional Waters**

The study area includes an entirely developed area that was previously used as a drive-in movie theatre, and as such, the entire Project site contains asphalt and associated buildings. No historic blue-line streams or any other water bodies are mapped within the study area on topographic maps. No drainages, creeks, rivers, lakes, or streams were observed on the study area. A concrete-lined flood control channel and man-made basin occur to the north of the study area that may be considered jurisdictional. There is no evidence of connectivity to these water features to the Project site or study area. Therefore, no waters of the U.S., state, or waters subject to CDFW jurisdiction occur on the study area.

### **Wildlife Corridors and Habitat Linkages**

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Wildlife corridors contribute to population viability by assuring continual exchange of genes between populations, providing access to adjacent habitat areas for foraging and mating, and providing routes for recolonization of habitat after local extirpation or ecological catastrophes (e.g., fires). Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation. Habitat linkages provide a potential route for gene flow and long-term dispersal of plants and animals and may also serve

as primary habitat for smaller animals, such as reptiles and amphibians. Habitat linkages may be continuous habitat or discrete habitat islands that function as steppingstones for dispersal.

The study area is located within a developed portion of the City of Montclair, and is bounded by development to the north, south, east, and west. The existing drive-in theater within the study area is entirely paved with several buildings and structures. There are no natural areas that could support wildlife movement on the Project site. The West State Street Storm Drain Channel occurs to the immediate north of the Project site and San Antonio Creek occurs approximately 1,850 feet to the west of the Project site. These features could support medium-sized wildlife moving through the region. However, these features are concrete lined and bound by chain link fences that act as impediments for wildlife entering the Project site. Additionally, State Street and the Union Pacific rail lines separate the Project site from these features. Puddingstone Reservoir occurs approximately 4.5 miles to the northwest and acts as a stopover site for wildlife moving through the area as it is an isolated stand of native habitat. Similarly, Tonner Canyon, which also facilitates the movement of wildlife through the region, is situated approximately 5 miles to the southwest of the Project site. However, the Project site is separated from these features by approximately 4.5 to 5 miles of urban development, precluding the possibility for wildlife occupying these natural areas to access the Project site.

### **Local Policies and Ordinances**

The study area occurs within the City of Montclair and is therefore subject to the goals and provisions of the City of Montclair General Plan, as well as the local ordinances included in the City of Montclair Municipal Code. These policies and ordinances are discussed in further detail in Section 4.2.2 below.

### **Regional Resources Planning Context**

The study area occurs within the City of Montclair, in San Bernardino County. The study area does not occur within any local or regional Habitat Conservation Plans or Natural Community Conservation Plans that would authorize take for special-status biological resources.

## 4.2.2 Relevant Plans, Policies, and Ordinances

### **Federal**

#### ***Federal Endangered Species Act***

The federal Endangered Species Act (FESA) of 1973 (16 USC 1531 et seq.), as amended, is administered by the USFWS for most plant and animal species and by the National Oceanic and Atmospheric Administration National Marine Fisheries Service for certain marine species. The FESA is intended to provide a means to conserve the ecosystems upon which endangered and threatened species depend and provide programs for the conservation of those species, thus preventing the extinction of plants and wildlife. The FESA defines an endangered species as “any species that is in danger of extinction throughout all or a significant portion of its range.” A threatened species is defined as “any species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” Under FESA, it is unlawful to “take” any listed species, and “take” is defined as, “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.”

FESA allows for the issuance of incidental take permits for listed species under Section 7, which is generally available for projects that also require other federal agency permits or other approvals, and under Section 10, which provides for the approval of Habitat Conservation Plans on private property without any other federal agency involvement.

No federally endangered plants or wildlife are expected to occur in the vicinity of the study area (Appendix C-2 and C-3).

### ***Migratory Bird Treaty Act***

The Migratory Bird Treaty Act was originally passed in 1918 as four bilateral treaties, or conventions, for the protection of a shared migratory bird resource. The primary motivation for the international negotiations was to stop the “indiscriminate slaughter” of migratory birds by market hunters and others. The Migratory Bird Treaty Act protects over 800 species of birds (including their parts, eggs, and nests) from killing, hunting, pursuing, capturing, selling, and shipping unless expressly authorized or permitted by the USFWS.

### ***Clean Water Act***

The Clean Water Act (CWA) provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation’s waters. Section 401 of the CWA requires the local Regional Water Quality Control Board (RWQCB) (for this Project, the Santa Ana RWQCB) certify that actions receiving authorization under Section 404 of the CWA also meet state water quality standards. The RWQCB requires projects to avoid impacts to wetlands if feasible and requires that projects do not result in a net loss of wetland acreage or a net loss of wetland function and values. Compensatory mitigation for impacts to wetlands and/or waters of the state is required. Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the United States. Section 404 establishes a permit program administered by the United States Army Corps of Engineers (ACOE) that regulates the discharge of dredged or fill material into waters of the United States, including wetlands. ACOE implementing regulations are found at 33 CFR 320 and 330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines, which were developed by the United States Environmental Protection Agency in conjunction with ACOE (40 CFR 230). The guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

### ***Wetlands and Other Waters of the United States***

Aquatic resources, including riparian areas, wetlands, and certain aquatic vegetation communities, are considered sensitive biological resources and can fall under the jurisdiction of several regulatory agencies. ACOE exerts jurisdiction over waters of the United States, including all waters that are subject to the ebb and flow of the tide; wetlands and other waters such as lakes, rivers, streams (including intermittent or ephemeral streams), mudflats, sandflats, sloughs, prairie potholes, vernal pools, wet meadows, playa lakes, or natural ponds; and tributaries of the above features. The extent of waters of the United States is generally defined as that portion that falls within the limits of the ordinary high-water mark. Typically, the ordinary high-water mark corresponds to the two-year flood event.

Wetlands, including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas, are defined by ACOE as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b]; 40 CFR 230.3[t]). Indicators of three wetland parameters (i.e., hydric soils, hydrophytic vegetation, and wetlands hydrology), as determined by field investigation, must be present for a site to be classified as a wetland by ACOE (ACOE 1987).

### State

#### ***California Endangered Species Act***

The California Endangered Species Act (CESA) (California Fish and Game Code, Section 2050 et seq.) provides protection and prohibits the take of plant, fish, and wildlife species listed by the State of California. Unlike FESA, state-listed plants have the same degree of protection as wildlife, but insects and other invertebrates may not be listed. Take is defined similarly to FESA and is prohibited for both listed and candidate species. Take authorization may be obtained by the Project applicant from the CDFW under the CESA Section 2081, which allows take of a listed species for educational, scientific, or management purposes. In this case, private developers consult with CDFW to develop a set of measures and standards for managing the listed species, including full mitigation for impacts, funding of implementation, and monitoring of mitigation measures.

#### ***California Fully Protected Species***

Sections 3511, 4700, 5050, and 5515 of the Fish and Game Code outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or possessed at any time. CDFW cannot issue permits or licenses that authorize the “take” of any fully protected species, except under certain circumstances, such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock. Furthermore, it is the responsibility of the CDFW to maintain viable populations of all native species. Toward that end, the CDFW has designated certain vertebrate species as Species of Special Concern, because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.

#### ***California Native Plant Protection Act***

The Native Plant Protection Act of 1977 directed the CDFW to carry out the Legislature's intent to “preserve, protect and enhance rare and endangered plants in this State.” The Native Plant Protection Act gave the California Fish and Game Commission the power to designate native plants as “endangered” or “rare” and protect endangered and rare plants from take. The CESA expanded on the original Native Plant Protection Act and enhanced legal protection for plants, but the Native Plant Protection Act remains part of the Fish and Game Code. To align with federal regulations, the CESA created the categories of “threatened” and “endangered” species. It converted all “rare” animals into the act as threatened species, but did not do so for rare plants. Thus, there are three listing categories for plants in California: rare, threatened, and endangered. Because rare plants are not included in the CESA, mitigation measures for impacts to rare plants are specified in a formal agreement between CDFW and the Project proponent.

#### ***California Environmental Quality Act***

California Environmental Quality Act (CEQA) requires identification of a project's potentially significant impacts on biological resources and ways that such impacts can be avoided, minimized, or mitigated. The act also provides guidelines and thresholds for use by lead agencies for evaluating the significance of proposed impacts.

CEQA Guidelines Section 15380(b)(1) defines endangered animals or plants as species or subspecies whose “survival and reproduction in the wild are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, disease, or other factors.” A rare animal or plant is defined in Section 15380(b)(2) as a species that, although not presently threatened with extinction, exists “in such

small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens; or ... [t]he species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range and may be considered “threatened” as that term is used in the federal Endangered Species Act.” Additionally, an animal or plant may be presumed to be endangered, rare, or threatened if it meets the criteria for listing, as defined further in CEQA Guidelines Section 15380(c).

CDFW has developed a list of “Special Species” as “a general term that refers to all of the taxa the California Natural Diversity Database (CNDDDB) is interested in tracking, regardless of their legal or protection status.” This is a broader list than those species that are protected under the FESA, CESA, and other Fish and Game Code provisions, and includes lists developed by other organizations, including for example the Audubon Watch List Species. Guidance documents prepared by other agencies, including the Bureau of Land Management Sensitive Species and USFWS Birds of Special Concern, are also included on this CDFW Special Species list. Additionally, CDFW has concluded that plant species included on the CNPS’s CRPR List 1 and 2, and potentially some List 3 plants, are covered by CEQA Guidelines Section 15380.

Section IV, Appendix G (Environmental Checklist Form), of the CEQA Guidelines requires an evaluation of impacts to “any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.”

### ***California Fish and Game Code Section 1602***

Under this section of the California Fish and Game Code, the Project operator is required to notify CDFW prior to any project that would divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Pursuant to the code, a “stream” is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel having banks and supporting fish or other aquatic life. Based on this definition, a watercourse with surface or subsurface flows that supports or has supported riparian vegetation is a stream and is subject to CDFW jurisdiction. Altered or artificial watercourses valuable to fish and wildlife are subject to CDFW jurisdiction. CDFW also has jurisdiction over dry washes that carry water during storm events.

Preliminary notification and project review generally occur during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a Streambed Alteration Agreement, which becomes part of the plans, specifications, and bid documents for the project.

### ***California Wetland Definition***

Unlike the federal government, California has adopted the Cowardin et al. (1979) definition of wetlands (“Cowardin Definition”). For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes (at least 50% of the aerial vegetative cover); (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and saturated with water or covered by shallow water at some time during the growing season of each year.

Under normal circumstances, the federal definition of wetlands requires all three wetland identification parameters to be met, whereas the Cowardin definition requires the presence of at least one of these parameters. For this reason, identification of wetlands by State agencies consists of the union of all areas that are periodically inundated or saturated or in which at least seasonal dominance by hydrophytes may be documented or in which hydric soils are present.

***Porter-Cologne Water Quality Control Act***

The RWQCB has jurisdiction over waters deemed ‘isolated’ or not subject to Section 404 jurisdiction. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste to waters of the state and prospective dischargers are required obtain authorization through an Order of Waste Discharge or waiver thereof from the RWQCB and comply with other requirements of Porter-Cologne Act.

**Local**

***City of Montclair General Plan***

Chapter 4 of the City of Montclair General Plan describes goals and policies to protect Biotic Resources (wildlife and vegetation) with the city. The following conservation goals are applicable to this analysis.

**Conservation Goal CO-1.0.0.**

To promote the conservation of natural and cultural resources with economic or public significance in a manner which will ensure their productivity and utility for present and future generations.

**Conservation Objectives**

**CO-1.1.0.** To recognize the value of any remaining biologically significant habitats and to preserve, protect or recreate those habitats where feasible or desirable.

**CO-1.2.0.** To promote the conservation of water and groundwater resources to ensure that adequate supplies of water will be available with the highest water quality attainable.

**Conservation Implementing Policies**

**CO-1.1.1.** Protect areas capable of replenishing groundwater supplies.

**CO-1.1.4.** Preserve the biologically significant habitats contained in the San Antonio Wash retention basins and elsewhere as desired.

***City of Montclair Municipal Code***

**Tree Policy**

Chapter 9.28.010, Trees, of the City’s Municipal Code protects and preserves trees planted within the City rights-of-way and at City facilities. Furthermore, per Chapter 19.16.120, trees located between the property line and the curb or street are designated as City trees and the pruning, planting and removal of City trees are regulated pursuant to the City Tree Policy Manual. Per the City Tree Policy, City trees shall be replaced at a minimum ratio of 1:1 for each tree removed. Furthermore, mitigation may be required for the removal of trees on private property and is at the discretion of the City.



### 4.2.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to biological resources are based on Appendix G of the CEQA Guidelines (14 CCR 15000-15387). According to Appendix G of the CEQA Guidelines, a significant impact related to biological resources would occur if the Project would:

- A. 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 California Department of Fish and Game or U.S. Fish and Wildlife Service.
- B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- D. 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.
- E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

### 4.2.4 Impacts Analysis

This section addresses direct, indirect, and cumulative impacts to biological resources that would result from implementation of the proposed Project. Full buildout of the Project was considered for this impact analysis.

For purposes of this analysis, direct impacts refer to areas where vegetation clearing, grubbing, or grading would replace biological resources. Direct impacts were quantified by overlaying the proposed impact limits on the biological resources map of the Project site (Figure 4.2-1). Potential direct impacts would occur from grading and development of the site.

Indirect impacts are reasonably foreseeable effects caused by Project implementation on remaining or adjacent biological resources outside the direct construction disturbance zone. Indirect impacts may affect areas within the Project site but outside the construction disturbance zone, including open space and areas outside the Project. Indirect impacts may be short-term and construction-related or long-term in nature and associated with development in proximity to biological resources. Short-term indirect impacts could include dust, which could disrupt plant vitality in the short term; construction-related soil erosion and water runoff; and construction-related vibration and noise and lighting, which could disturb wildlife species. Long-term indirect impacts could include invasion by exotic plants and domestic pets, lighting, noise, traffic collisions, exposure to urban pollutants (e.g., fertilizers, pesticides, herbicides, and other hazardous materials), soil erosion, and hydrologic changes (e.g., surface and groundwater level and quality).

**Threshold 4.2A**            **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 California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**Less than Significant with Mitigation Incorporated.** The Project site is entirely developed and contains no natural or native habitat capable of supporting special-status plant or wildlife species known to occur in the region. The vast majority of the Project site contains concrete and asphalt, and buildings associated with the previous drive-in movie theatre. Disturbed habitats with bare ground are limited and restricted to undeveloped parcels in the western and eastern portion of the study area, within off-site areas. As discussed in Section 4.2.1, Existing Conditions, no special-status plant and wildlife species have the potential to occur within the study area due to a lack of suitable habitat (Appendix C-3). Additionally, the Project site is surrounded by development and the nearest naturalized area with native plant communities is approximately 5 miles from the Project site, further reducing the potential for any special-status species from moving onto the Project site. Therefore, the Project will result in no impacts to special-status plant and wildlife species.

The Project site does provide suitable nesting habitat for a number of common and migratory bird species known to occur in the region. Specifically, bird species adapted to nesting in upland areas in urban settings have the potential to nest within the ornamental landscaped trees on site. Therefore, if Project activities commence during the general avian nesting season of February through August, potential direct and indirect impacts may occur during site preparation. Mitigation Measure MM BIO-1 would be implemented during the site preparation phase of the Project to identify the presence of any nesting birds and set forth avoidance/minimization measures to reduce impacts to a less than significant level.

**Threshold 4.2B**            **Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**No Impact.** The study area is located in an entirely developed upland area that contains no natural or man-made drainages that could support riparian habitat. Additionally, the entire study area is developed with asphalt, concrete, or landscaped ornamental vegetation and does not support any native or natural habitats. There are no riparian or other hydrophytic vegetation communities on or immediately adjacent to the Project site; nor are there any sensitive natural communities. Therefore, construction of the proposed Project would have no impact on any riparian habitats or sensitive natural communities.

**Threshold 4.2C**            **Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact.** The study area is located in an entirely developed upland area that contains no natural or man-made drainages that could support state and federally protected water ways, or topographical depressions that could support state and federally protected wetlands. The concrete-lined West State Street storm drain channel occurs to the north of the Project site and the concrete-lined San Antonio Creek occurs further to the west of the site; however, the Project site is separated from these features by a State Street, the Union Pacific rail lines, and a chain link fence. There is no on-site connectivity to these features. Additionally, the Brooks Street Groundwater Recharge Basin is located to the further north of the site but does not have any connectivity with the Project site. The proposed impact area for the Project site is restricted to the existing developed areas of the existing drive-in theatre and no

direct or indirect impacts will occur to off-site drainages or basins. Therefore, the Project would have no impacts to any state or federally protected waters or wetlands.

**Threshold 4.2D**            **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?**

**No Impact.** The Project site is surrounded by development and does not function as a wildlife movement corridor. A concrete-lined flood control channel occurs to the north of the Project site and further to the west that could facilitate the movement of wildlife in the region. The West State Street Storm Drain Channel occurs to the immediate north of the Project site and San Antonio Creek occurs approximately 1,850 feet to the west of the Project site. These features could support medium-sized wildlife moving through the region. However, these features are concrete lined and bound by chain link fences that act as impediments for wildlife entering the Project site. Additionally, State Street and the Union Pacific rail lines separate the Project site from these features. The Project would have no impact on these features as Project impacts would be limited to the existing developed areas on site. Additionally, the Project site does not function as a stopover site for wildlife moving through the area, particularly avian species, given the highly developed nature of the Project site. Lastly, the site does not function as a corridor between two larger patches of native habitat. While there are natural habitat blocks within the greater Project region (such as Tonner Canyon, Puddingstone Reservoir, and Chino Hills State Park), the Project site is separated from these features by approximately 4.5 to 5 miles of urban development, precluding the possibility for wildlife occupying these natural areas to access the Project site. Therefore, the proposed Project would have no impacts to wildlife movement or migratory corridors.

**Threshold 4.2E**            **Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less-than Significant Impact.** Chapter 9.28.010 of the City of Montclair Municipal Code protects street trees located in the public right-of-way. Additionally, per the City Tree Policy Manual, mitigation may be required for the removal of trees on private property and the extent of mitigation is at the discretion of the City.

As discussed in the Arborist Report for the Project, the Project would directly impact approximately 131 privately owned trees within the boundary of the Project site (Appendix C-4). Because these trees are not located within the City rights-of-way, the removal of these trees would not conflict with Chapter 9.28.010 of the City of Montclair Municipal Code. Per the City Tree Policy Manual, the removal of these 131 private trees may require the replacement of trees or payment of a fee at the discretion of the City. As part of the Project, a landscaping plan has been prepared. According to the Project's landscape plan, as shown on Figure 3-10 in Section 3, Project Description, of this Draft EIR, the Project would plant approximately 293 24-inch box trees and 44 15-gallon box trees. In total, the Project would result in the planting of approximately 337 trees, which equates to an approximate 3:1 tree removal to replacement ratio. It should be noted that the City may require an alternate mitigation and/or replacement size for the removal of non-City trees. Because the proposed Project would replace the impacted trees that would be removed due to Project implementation, with new trees in accordance with the Landscaping Plan, and because the approval of the Landscaping Plan is subject to the City's review and approval, the proposed Project would not conflict with the City's municipal code or other requirements related to trees on private property.

In addition, the City of Montclair General Plan includes goals and policies to protect areas capable of replenishing groundwater supplies, and to preserve the biological significant habitats contained in the San Antonio Wash retention basins. The Project would not result in any impacts to groundwater basins or the San Antonio Wash and

its tributaries (as discussed in Chapter 5, Effects Found Not To Be Significant), and as such, would be consistent with the goals and policies of the City of Montclair General Plan because the Project would not result in any impacts to groundwater basins or the San Antonio Wash and its tributaries.

Therefore, the Project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant.

**Threshold 4.2F**            **Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** The Project is not located within the limits of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; therefore, there would be no impact.

### 4.2.5 Cumulative Impacts Analysis

As currently designed, the proposed Project may only result in a potential impact to nesting birds if Project construction and vegetation removal occur during the nesting season. MM-BIO-1 would reduce potential impacts to nesting birds through breeding season avoidance, pre-construction surveys, buffers, and monitoring during construction. With implementation of MM-BIO-1 any potential Project-related impacts to biological resources will be reduced to a less than significant level on a Project-level scale. When considered with the cumulative list of projects depicted in Figure 3-7, Cumulative Projects, found in Chapter 3, Project Description, of this Draft EIR, the Project is located in an existing developed area, surrounded by development, and will not result in the removal of any native habitats or natural resources. Impacts related to nesting birds would be mitigated, as would any other project in the cumulatively scope. Therefore, the Project would not contribute to a cumulatively considerable impact on biological resources and construction of the proposed Project would be considered cumulatively less than significant with mitigation.

### 4.2.6 Mitigation Measures and Level of Significance

**Threshold 4.2A**            **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 California Department of Fish and Game or U.S. Fish and Wildlife Service?**

The Project would not 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 California Department of Fish and Game or U.S. Fish and Wildlife Service, and impacts would be less than significant.

The Project could have an adverse effect on bird species that could nest in on-site ornamental landscaped trees and existing buildings and structures. Implementation of MM-BIO-1 would reduce impacts to a less than significant level with mitigation incorporated.

**MM-BIO-1** The construction contractors contract specifications shall include the following requirements: “Construction activities should avoid the migratory bird nesting season (typically February 1 through August 31), to reduce any potential significant impact to birds that may be nesting on the study area. If construction activities must occur during the migratory bird nesting season, an avian nesting survey of the Project site and contiguous habitat within 500 feet of all impact areas must be conducted for protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist within 72 hours prior to the start of construction in accordance with the Migratory Bird Treaty Act (16 USC 703–712) and California Fish and Game Code, Sections 3503, 3503.5, and 3513. If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate no disturbance buffer, which will be determined by the biologist based on the species’ sensitivity to disturbance (typically 300 feet for passerines and 500 feet for raptors and special-status species). The nest area shall be avoided until the nest is vacated and the juveniles have fledged. The nest area shall be demarcated in the field with flagging and stakes or construction fencing.”

**Threshold 4.2B** Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The Project would have no impact on riparian habitats or sensitive natural communities and no mitigation is required.

**Threshold 4.2C** Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Project would have no impact on state or federally protected waters or wetlands and no mitigation is required.

**Threshold 4.2D** 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?

The Project would have no impact on wildlife movement or migratory corridors and no mitigation is required.

**Threshold 4.2E** Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The Project would not conflict with any local policies or ordinances protecting biological resources. Impacts would be less than significant and no mitigation is required.

**Threshold 4.2F** Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The Project is not located within the limits of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan; therefore, no impact would occur and no mitigation is required.

## 4.2.7 References Cited

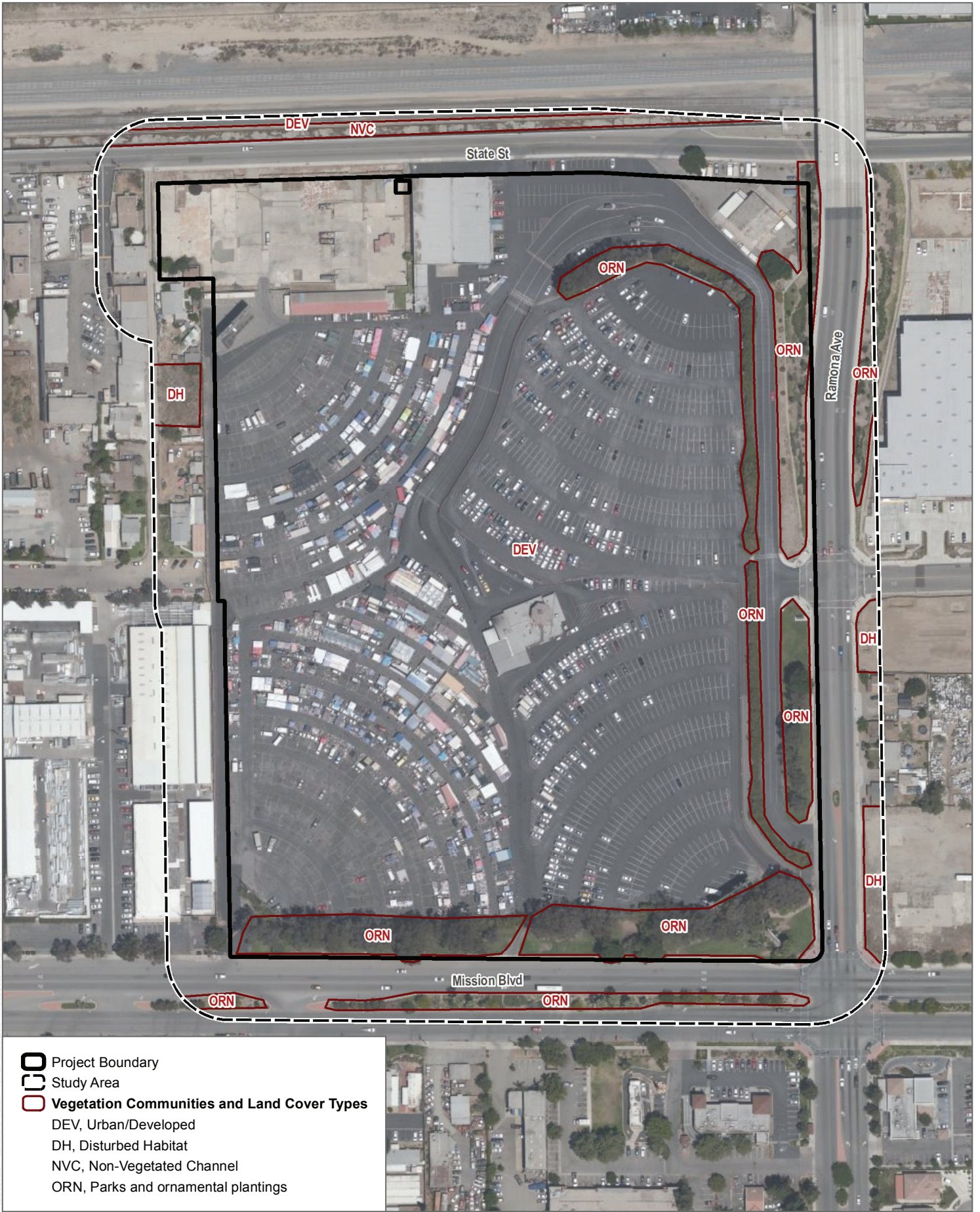
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Project Boundary  
 Study Area  
**Vegetation Communities and Land Cover Types**  
 DEV, Urban/Developed  
 DH, Disturbed Habitat  
 NVC, Non-Vegetated Channel  
 ORN, Parks and ornamental plantings

SOURCE: Bing Maps 2020; Open Street Maps 2020

FIGURE 4.2-1

Biological Resources

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## 4.3 Cultural Resources

This section describes the existing cultural resources conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. Information sources used to prepare this section includes information from the following appendices:

**Appendix D:** Historical Resources Technical Report for the Mission Boulevard and Ramona Avenue Business Park Project, Montclair, California, prepared by Dudek, dated November 2021.

Other sources consulted are listed in Section 4.3.7, References Cited.

### 4.3.1 Existing Conditions

The following is summarized from the Historical Resources Technical Report. Refer to Appendix D for additional detail.

#### **Prehistoric Overview**

Evidence for continuous human occupation in Southern California spans the last 10,000 years. Various attempts to parse out variability in archaeological assemblages over this broad period have led to the development of several cultural chronologies; some of these are based on geologic time, most are based on temporal trends in archaeological assemblages, and others are interpretive reconstructions. However, given the direction of research and differential timing of archaeological study following intensive development in the County, chronology building in the Inland Empire must rely on data from neighboring regions to fill the gaps. To be more inclusive, this research employs a common set of generalized terms used to describe chronological trends in assemblage composition: Paleoindian (pre-5500 BC), Archaic (8000 BC–AD 500), Late Prehistoric (AD 500–1769), and Ethnohistoric (post-AD 1769).

#### ***Paleoindian Period (pre-5500 BC)***

Evidence for Paleoindian occupation in the region is tenuous. Knowledge of associated cultural patterns is informed by a relatively sparse body of data that has been collected from within an area extending from coastal San Diego, through the Mojave Desert, and beyond. One of the earliest dated archaeological assemblages in the region is located in coastal Southern California (though contemporaneous sites are present in the Channel Islands) derives from SDI-4669/W-12 in La Jolla. A human burial from SDI-4669 was radiocarbon dated to 9,590–9,920 years before present (95.4% probability) (Appendix D). The burial is part of a larger site complex that contained more than 29 human burials associated with an assemblage that fits the Archaic profile (i.e., large amounts of ground stone, battered cobbles, and expedient flake tools). In contrast, typical Paleoindian assemblages include large stemmed projectile points, high proportions of formal lithic tools, bifacial lithic reduction strategies, and relatively small proportions of ground stone tools. Prime examples of this pattern are sites that were studied by Emma Lou Davis (1978) on Naval Air Weapons Station China Lake near Ridgecrest, California. These sites contained fluted and unfluted stemmed points and large numbers of formal flake tools (e.g., shaped scrapers, blades). Other typical Paleoindian sites include the Komodo site (MNO-679)—a multi-component fluted point site, and MNO-680—a single component Great Basined Stemmed point site (Appendix D). At MNO-679 and -680, ground stone tools were rare while finely made projectile points were common.

Warren et al. (Appendix D) claimed that a biface manufacturing tradition present at the Harris site complex (SDI-149) is representative of typical Paleoindian occupation in the region that possibly dates between 10,365 and 8,200 BC (Appendix D). Termed San Dieguito (Appendix D), assemblages at the Harris site are qualitatively distinct from most others in region because the site has large numbers of finely made bifaces (including projectile points), formal flake tools, a biface reduction trajectory, and relatively small amounts of processing tools (Appendix D). Despite the unique assemblage composition, the definition of San Dieguito as a separate cultural tradition is hotly debated. Gallegos (1987) suggested that the San Dieguito pattern is simply an inland manifestation of a broader economic pattern. Gallegos's interpretation of San Dieguito has been widely accepted in recent years, in part because of the difficulty in distinguishing San Dieguito components from other assemblage constituents. In other words, it is easier to ignore San Dieguito as a distinct socioeconomic pattern than it is to draw it out of mixed assemblages.

The large number of finished bifaces (i.e., projectile points and non-projectile blades), along with large numbers of formal flake tools at the Harris site complex, is very different than nearly all other assemblages throughout the region, regardless of age. Warren et al. made this point, tabulating basic assemblage constituents for key early Holocene sites (Appendix D). Producing finely made bifaces and formal flake tools implies that relatively large amounts of time were spent for tool manufacture. Such a strategy contrasts with the expedient flake-based tools and cobble-core reduction strategy that typifies non-San Dieguito Archaic sites. It can be inferred from the uniquely high degree of San Dieguito assemblage formality that the Harris site complex represents a distinct economic strategy from non-San Dieguito assemblages.

San Dieguito sites are rare in the inland valleys, with one possible candidate, RIV-2798/H, located on the shore of Lake Elsinore. Excavations at Locus B at RIV-2798/H produced a toolkit consisting predominately of flaked stone tools, including crescents, points, and bifaces, and lesser amounts of groundstone tools, among other items (Appendix D). A calibrated and reservoir-corrected radiocarbon date from a shell produced a date of 6630 BC. Grenda suggested this site represents seasonal exploitation of lacustrine resources and small game and resembles coastal San Dieguito assemblages and spatial patterning (Appendix D). If San Dieguito truly represents a distinct socioeconomic strategy from the non-San Dieguito Archaic processing regime, its rarity implies that it was not only short-lived, but that it was not as economically successful as the Archaic strategy. Such a conclusion would fit with other trends in Southern California deserts, where hunting-related tools were replaced by processing tools during the early Holocene (Appendix D).

### ***Archaic Period (8000 BC – AD 500)***

The more than 2,500-year overlap between the presumed age of Paleoindian occupations and the Archaic period highlights the difficulty in defining a cultural chronology in Southern California. If San Dieguito is the only recognized Paleoindian component in the coastal Southern California, then the dominance of hunting tools implies that it derives from Great Basin adaptive strategies and is not necessarily a local adaptation. Warren et al. (2004) admitted as much, citing strong desert connections with San Dieguito. Thus, the Archaic pattern is the earliest local socioeconomic adaptation in the region (Appendix D).

The Archaic pattern, which has also been termed the Millingstone Horizon (among others), is relatively easy to define with assemblages that consist primarily of processing tools, such as millingstones, handstones, battered cobbles, heavy crude scrapers, incipient flake-based tools, and cobble-core reduction. These assemblages occur in all environments across the region with little variability in tool composition. Low assemblage variability over time and space among Archaic sites has been equated with cultural conservatism (Appendix D). Despite enormous amounts of archaeological work at Archaic sites, little change in assemblage composition occurred until the bow and arrow were adopted around AD 500, as well as ceramics at approximately the same time (Appendix D). Even

then, assemblage formality remained low. After the bow was adopted, small arrow points appear in large quantities and already low amounts of formal flake tools are replaced by increasing amounts of expedient flake tools. Similarly, shaped millingstones and handstones decreased in proportion relative to expedient, unshaped ground stone tools (Appendix D). Thus, the terminus of the Archaic period is equally as hard to define as its beginning because basic assemblage constituents and patterns of manufacturing investment remain stable, complemented only by the addition of the bow and ceramics.

### ***Late Prehistoric Period (AD 500-1769)***

The period of time following the Archaic and before Ethnohistoric times (AD 1769) is commonly referred to as the Late Prehistoric (Appendix D); however, several other subdivisions continue to be used to describe various shifts in assemblage composition. In general, this period is defined by the addition of arrow points and ceramics, as well as the widespread use of bedrock mortars. The fundamental Late Prehistoric assemblage is very similar to the Archaic pattern but includes arrow points and large quantities of fine debitage from producing arrow points, ceramics, and cremations. The appearance of mortars and pestles is difficult to place in time because most mortars are on bedrock surfaces. Some argue that the Ethnohistoric intensive acorn economy extends as far back as AD 500 (Appendix D). However, there is no substantial evidence that reliance on acorns, and the accompanying use of mortars and pestles, occurred before AD 1400. In San Bernardino County and the surrounding region, millingstones and handstones persisted in higher frequencies than mortars and pestles until the last 500 years (Appendix D); even then, weighing the economic significance of millingstone-handstone versus mortar-pestle technology is tenuous due to incomplete information on archaeological assemblages.

### **Historic Period Overview**

#### ***Historic Period***

Post-Contact history for the State of California is generally divided into three periods: the Spanish Period (1769–1821), Mexican Period (1821–1848), and American Period (1846–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican–American War, signals the beginning of the American Period when California became a territory of the United States.

#### ***Spanish Period***

Spanish explorers conducted sailing expeditions along the coast of Southern California between the mid-1500s and mid-1700s. In search of the legendary Northwest Passage, Juan Rodríguez Cabrillo stopped in 1542 at present-day San Diego Bay. With his crew, Cabrillo explored the shorelines of present-day Catalina Island as well as San Pedro and Santa Monica Bays.

More than 200 years passed before Spain began the colonization and inland exploration of Alta California. In July of 1769, while Portolá was exploring Southern California, Franciscan Fr. Junípero Serra founded Mission San Diego de Alcalá at Presidio Hill, the first of the 21 missions that would be established in Alta California by the Spanish and the Franciscan Order between 1769 and 1823 (Appendix D).

Mission San Gabriel Arcángel, in San Gabriel Valley (modern day Alhambra), was established in 1771 as the fourth mission. The mission, like many other Spanish occupations, used Spanish military forces to compel the local Tongva population into the mission's service, baptizing them as neophytes and renaming them the Gabrieliños. The San Gabriel Mission lands extended from Los Angeles east as far as San Bernardino de Sena Estancia (1810), and the San Bernardino Valley (Appendix D).

### ***Mexican Period***

In the early 1820s, Spanish control over its expansive subjugated territories began unraveling, which greatly affected the political and national identity of the Southern California territory. Mexico established independence from Spain in 1821, secured California as a Mexican territory in 1822, and became a federal republic in 1824. Secularization of the mission system began in 1834, and in 1836, Alvarado commenced with subdividing the former mission lands into large land grants called ranchos (Appendix D).

Extensive land grants were established in the interior during the Mexican Period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts. During the supremacy of the ranchos (1834–1848), landowners largely focused on the cattle industry and devoted large tracts to grazing. Cattle hides became a primary southern California export, providing a commodity to trade for goods from the east and other areas in the United States and Mexico (Appendix D).

During this time, however, the future City of Montclair and the Project site location fell outside of the ranchos. In 1841, the Rancho Santa Ana del Chino, south of the Project area, was awarded to Antonio Maria Lugo. Lugo turned over management to Isaac Williams in 1842, who was operating the rancho during the Battle of Chino. West of the Project area Rancho San Jose, encompassing the adjacent City of Pomona, portions of City of Claremont, and Cities of La Verne, San Dimas, Azusa, and Glendora was awarded to Ygnacio Palomares and Ricardo Vejar. Because the subject property was not part of a rancho, the land was not in dispute when Anglo–American settlers began to settle the region in the American Period, establishing the citrus orchards that the area was known for (Appendix D).

### ***American Period***

The Mexican–American War ended with the Treaty of Guadalupe Hidalgo in 1848, ushering California into its American Period. California officially became a state with the Compromise of 1850, which also designated Utah and New Mexico (with present-day Arizona) as U.S. Territories. Horticulture and livestock, based primarily on cattle as the currency and staple of the rancho system, continued to dominate the southern California economy through 1850s. The Gold Rush began in 1848, and with the influx of people seeking gold, cattle were no longer desired mainly for their hides but also as a source of meat and other goods. During the 1850s there was a significant cattle boom in the Los Angeles basin and Southern California at large, and rancho vaqueros drove large herds from southern to northern California to feed that region's burgeoning mining and commercial boom.

Meanwhile the County of San Bernardino was established in 1853, formalizing its border with Los Angeles County. The incorporated small city of Pomona was the eastern-most city in Los Angeles County, and the San Antonio Wash, just east of the subject property, served as a makeshift border between the two counties at the outset. In the 1860s railroads became the driving force for selecting town locations, as many industries would come to rely on railroads for shipping.

### Historical Overview of the City of Montclair

Montclair was originally founded as the town of Marquette in 1887 and its initial growth is tied to its role as a rail shipping hub for local citrus packing houses. In 1907 a real estate speculator purchased Marquette and renamed the town Monte Vista. From 1907 through the 1930s, citriculture was the dominant local industry of Monte Vista, even during devastating agricultural emergencies such as two destructive freezes in 1913 and 1936, and major floods in 1914, 1927, and 1938. Citriculture work remained relatively stable through the economic downturns preceding World War I, and during the Great Depression as well. As with many agricultural industries, citriculture in Monte Vista had a diverse immigrant workforce, employing Chinese, Japanese Mexican, Filipino, and Sikh farm laborers through different periods. These immigrant communities permanently settled in cultural enclaves in and nearby Monte Vista, Ontario, Chino, and Pomona (Appendix D).

Like many communities in Southern California, the Monte Vista area experienced a building and population boom after World War II due to the influx of veterans returning to California with families, or veterans and their families relocating to California after having spent service time in the state. This transformed Monte Vista into a post-war suburban sprawl for the surrounding towns, pushing out previously lucrative open agricultural lands and orchards. Interstate 10 (then also called US 99), which bisected Monte Vista, was completed by 1958. Citizens voted to approve incorporation of the City of Monte Vista approved on April 25, 1956. The U.S. Postal Service initially refused to grant the new city its own post office because a town by the name of Monte Vista already existed in Northern California. On April 8, 1958, residents fixed this issue by voting to change the town's name to Montclair. (Appendix D).

### Mission Tiki Drive-In Theater

Drive-in movie theaters first became a phenomenon in 1933 and were immediately popular. In 1934, the first Drive-In Theater in Los Angeles was the Pacific Drive-In (later the Pico Drive-In) located in present day West Los Angeles on Pico Boulevard. Drive-in theater popularity grew after World War II and the advent of in-car speakers and retained immense popularity through the late 1960s. The Mission Drive-In Theater was one of several established in the Inland Empire including the Valley Drive-In Theater in Montclair located at Holt Boulevard and Central Avenue (1948-1977), the Foothill Drive-In Theater in Rialto (1948-1988), the Mt. Baldy Drive-In Theater in La Verne (1960-1988), and the Azusa Foothill Drive-In Theater in Azusa (1961-2001). The Mission Drive-In Theater opened on May 28, 1956, just months after the citizens of Monte Vista voted to incorporate as a city. At the time of its opening, the Mission Drive-In Theater was the third largest drive-in in Southern California, with a 1,350-car capacity and a single, curved CinemaScope screen (Figure 4.3-1, Conversion from Single Screen to Four Plex Theater). As early as 1960, the Mission Drive-In Theater also hosted a Swap Meet during daytime hours, which was common practice at nearby drive-ins (Appendix D). The original single screen was demolished in 1975, and the theater was reconfigured to have four screens, one at each of the property's corners. In 2006, the Mission Drive-In Theater was altered again when the owners rehabilitated the theater and grounds, giving it a Tiki theme. The rehabilitation included redecorating ticket booths and the concession stand to be decorated as grass huts and Polynesian Tiki head sculptures, as well as additional landscaping with palm trees and tropical foliage. The site was also given a new name, the Mission Tiki Drive-In Theater, which persists today. The property was sold in 2018 but remained open and in operation until 2020 (Appendix D).

## Architectural Styles

### **Pop: Tiki/Polynesian (1940-mid-1970s)**

Tiki/Polynesian style architecture is a subset of Pop Architecture popular in the United States between 1940 and 1970. After World War II, American soldiers who had been stationed in the Pacific Theater fed a romanticized version of the cultural practices and vernacular architecture of Polynesia and Hawaii. At its core, tiki culture and by extension, its architectural expression was defined by thematic, Polynesian elements, including tiki carvings, palm trees, coconut decorations, torches, specialty cocktails, bright colors and patterns, and rattan furniture. Tiki was a popular expression for bars, restaurants, resorts, hotels, motels, and roadside architecture such as gas stations. The popularity of the style was bolstered by numerous books and movies and the popularity of themed bars and alcoholic beverages at Tiki/Polynesian establishments such as Don the Beachcomber in Hollywood and Trader Vic's in Oakland, California. While popular among the general population, many architects were critical of the frivolous and kitschy nature of the style. Tiki style fell out of fashion with the emergence of “hippie” culture, which rejected Tiki style as old-fashioned and politically incorrect (Appendix D).

Character defining features of Pop: Tiki/Polynesian architecture include (Appendix D):

- Generic imitation of traditional dwelling forms of Pacific Island peoples, such as: A-framed roof, double pitched Hawaiian roof, or parabolic roof and “canoe-prow” decoration
- Natural-appearing cladding, interior, and furniture materials emulating grass, wood, rattan, and bamboo
- Carved wood “tikis”, elaborately carved wooden poles often depicting an anthropomorphic figure
- Torches, and lighting fixtures imitating torches and open flame
- Tropical landscaping with exotic species: palm trees, birds of paradise, etc.

### **Montclair Tire Company**

The Montclair Tire Company building first appears on aerial imagery in 1968, northeast of the Mission Drive-in property. The same year, Montclair Tire Company began advertising automobile and tire services in the *Pomona Progress Bulletin* and the *Montclair Tribune*, offering retreading, brakes, and alignment services at their building at the corner of Brooks Street (now State Street) and Ramona Avenue. The building operated automotive services under a series of names, including Montclair Tire Company (1968-1976), ATC Diagnostic Center (1977-1984), Pomona Tire Service Center (1985-2007), and finally, in 2007, the business returned it its original name and operated as the Montclair Tire Company again. The same year, construction of a railroad overpass began on Ramona Avenue. Previously Ramona Avenue had crossed directly over the tracks, but the overpass allowed for the passage of vehicles and trains unobstructed between the major intersections at Holt Boulevard and Mission Boulevard. The overpass constructed resulted in a large graded hill, obstructing any access to the tire company property from Ramona Avenue. In 2019, the property was sold to the Oakmont Group (Appendix D).

### **CHRIS Records Search**

On January 22, 2020, Dudek completed a CHRIS records search of the Project site and a 0.5-mile search radius at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. This search included mapped prehistoric, historical, and built-environment resources; Department of Parks and Recreation site records; technical reports; archival resources; and ethnographic references. The confidential records search results are also provided within Confidential Appendix B of Appendix D, Historical Resources Technical Report.



### Previously Conducted Cultural Resources Studies

Results of the cultural resources records search indicated that 11 previous cultural resource studies have been conducted within 0.5-mile of the Project site between 1977 and 2014. No studies overlap the Project site; however, five studies are adjacent. Table 4.3-1, below, summarizes all 11 previous cultural resources studies followed by a brief summary of the five studies adjacent to the Project site.

**Table 4.3-1. Previously Conducted Cultural Resources Studies within 0.5-Mile of the Project Site**

SCCIC Report No.	Authors	Year	Title	Proximity to Project Site
00500	Hearn, J.	1977	Archaeological - Historical Resources Assessment of Approximately Nineteen Acres Located West of Ramona Avenue and South of Holt Boulevard in the Montclair Area	Outside
00813	Hearn, J.	1979	Mission Boulevard at Pipeline Avenue, Montclair Area, HO 7042, Cultural Resources Assessment	Outside
02795	Hampson, P, Schmidt, J., Schmidt, J. A.	1991	Cultural Resource Investigation: Cajon Pipeline Project in Los Angeles, Riverside and San Bernardino Counties	Adjacent
02796	McKenna, J.	1993	Cultural Resources Investigations, Site Inventory, and Evaluations, the Cajon Pipeline Project Corridor, Los Angeles and San Bernadine Counties, California	Adjacent
04002	Harper, C.	2004	Cultural Resource Assessment: Cingular Wireless Facility #SB 469-01, Montclair, San Bernardino County, CA. 31PP	Outside
04504	Shepard, R.	2004	Preliminary Cultural Resources Assessment: Mission Blvd Corridor Improvements, City of Montclair, San Bernardino County. 6PP	Adjacent
06081	Wlodarski, R.	2008	A Record Search and Field Reconnaissance Phase for the Proposed Bechtel Wireless Telecommunications Site SV0083 (Jack's Basket), located at 4672 Mission Boulevard, Montclair, California 91763.	Outside
06516	Ashkar, S.	1999	Cultural Resource Inventory Report for Williams Communications, Inc., Proposed Fiber Optic System Installation Project, Los Angeles to Riverside, Los Angeles, Riverside and San Bernardino Counties.	Adjacent
06787	Tang, B., Encarnacion, D., Ballester, D.	2008	Historical/Archaeological Resources Survey Report: Chino Groundwater Basin Dry-Year Yield Program Expansion, Los Angeles, Riverside and San Bernardino Counties, California.	Adjacent
07660	Duke, C.	2013	Cultural Resources Assessment: SBA Communications Corporation Facility Number: CA45930-A Facility Name: Little Mountain 2, 27910 Stoddard Mountain Road, Barstow, California 92311 San Bernardino County.	Outside
07881	Fulton, P.	2014	Cultural Resource Assessment Class I Inventory: Verizon Wireless Services, Merle Facility, City of Montclair, County of San Bernardino, California.	Outside

**Source:** Appendix D.

**Note:** SCCIC Report Numbers preceded by (SB-)

### **SB-02795**

*Cultural Resource Investigation: Cajon Pipeline Project in Los Angeles, Riverside and San Bernardino Counties* (Appendix D), documents the results of a Phase I archaeological investigation of an 80-foot-wide pipeline corridor adjacent to the current Project site. The investigation included an archaeological records search, literature review, and an intensive field survey. The purpose of the investigation was to evaluate the impact the proposed Cajon Pipeline installation would have on known and unknown cultural resources. The background investigation of the subject property identified no previously recorded archaeological sites to be affected by the pipeline installation. Prehistoric and historic isolates were identified within the proposed pipeline area along with several nearby sites (CA-22-HS, CA-25-HS, CP-28-HS, and CP-30-HS) that were not impacted by the pipeline installation. The conclusion of the investigation was that avoidance and recordation measures provided by on-site cultural monitors would ensure full compliance of the proposed Cajon pipeline.

### **SB-02796**

*Cultural Resources Investigations, Site Inventory, and Evaluations, the Cajon Pipeline Project Corridor, Los Angeles and San Bernardino Counties, California* (Appendix D), documents the results of a Phase I archaeological investigation of an 80-foot-wide pipeline corridor adjacent to the Project site. The investigation included an archaeological records search, literature review, and an intensive field survey. The purpose of the investigation was to evaluate the impact the proposed Cajon Pipeline installation would have on known and unknown cultural resources. The background investigation resulted in the identification of numerous previously identified cultural resources, though only a limited number of these resources were of potential impact to the pipeline corridor. McKenna et.al. identified one culturally significant site within the proposed Cajon Pipeline Project boundary, CA-SBR-7086, that would require monitoring during the construction phase.

### **SB-04504**

*Preliminary Cultural Resources Assessment: Mission Blvd Corridor Improvements, City of Montclair, San Bernardino County. 6PP* (Appendix D), documents the results of a Phase I archaeological investigation of a project for improvements to Mission Boulevard. The investigation included an archaeological records search, literature review, and an intensive field survey. The purpose of the investigation was to evaluate the impact the proposed improvements to a section of Mission Boulevard would have on known and unknown cultural resources. The background investigation of the subject area resulted in no identified cultural resources. The conclusion of this investigation was that the chance of subsurface deposits along Mission Boulevard are low.

### **SB-06516**

*Cultural Resource Inventory Report for Williams Communications, Inc., Proposed Fiber Optic System Installation Project, Los Angeles to Riverside, Los Angeles, Riverside and San Bernardino Counties* (Appendix D) documents the results of a Phase I archaeological investigation of a proposed subsurface fiber optic cable system that connects Los Angeles, California with El Paso, Texas. The investigation included an archaeological records search, literature review, and an intensive field survey of the proposed project between Los Angeles, California and Riverside, California. The purpose of the investigation was to evaluate the impact the proposed fiber optic line would have on known and unknown cultural resources. None of the cultural resources identified in this study impact the current Project site.

## SB-06787

*Historical/Archaeological Resources Survey Report: Chino Groundwater Basin Dry-Year Yield Program Expansion, Los Angeles, Riverside and San Bernardino Counties, California.* (Appendix D), documents the results of a Phase I archaeological investigation of the Chino Groundwater Basin Dry-Year Yield Program Expansion Project. The investigation included an archaeological records search, literature review, and an intensive field survey. The purpose of the investigation was to evaluate the impact the proposed expansions to the existing Chino Groundwater Basin would have on known and unknown cultural resources. The background investigation of the subject area resulted the identification of three cultural resources requiring protection under current CEQA guidelines. The cultural resources identified for the Project include: P-36-015497 (the Historic San Bernardino Base Line), P-36-016451 (the circa 1895-vintage Norton Fisher House at 7165 Etiwanda Avenue), and P-36-016464 (the circa-1938 Aggazzotti Winery at 11929 Foothill Boulevard). The authors of the 2008 study recommended a buffer zone for these historic resources in order to retain CEQA compliance, and additional cultural monitoring during ground disturbance activities in vicinity of these buffers.

### Previously Recorded Cultural Resources

The CHRIS records search indicates that nine cultural resources have been previously recorded within 0.5-mile of the Project site, none of which overlap or are adjacent to the Project site. All of the previously recorded cultural resources within the records search area consist of built environment resources. No prehistoric or historic period archaeological resources have been identified within the Project site or the 0.5-mile records search radius based on records held at the SCCIC. Table 4.3-2, below, summarizes all nine identified resources within the records search area.

**Table 4.3-2. Previously Recorded Cultural Resources Within a 0.5-Mile Radius of the Project Site**

Primary (P-19-)	Trinomial (CA-SBR-)	Resource Age and Type	Resource Description	NRHP Eligibility	Recording Events <sup>1</sup>	Proximity to Project Site
010330	CA-SBR-010330H	Historic: Roads/trails/railroad grades	Union Pacific Railroad	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	1999 (Ashkar, J.); 2002 (Goodwin, R.); 2008 (Harper, C.); 2010 (Tibbet, C.); 2012 (Paul, D.)	Outside
027152	—	Historic: Single Family Property	4953 West State Street	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside
027153	—	Historic: Single Family Property	4977 West State Street	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside
027154	—	Historic: Single Family Property	10745 South Monte Vista Avenue	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside

Table 4.3-2. Previously Recorded Cultural Resources Within a 0.5-Mile Radius of the Project Site

Primary (P-19-)	Trinomial (CA-SBR-)	Resource Age and Type	Resource Description	NRHP Eligibility	Recording Events <sup>1</sup>	Proximity to Project Site
027155	–	Historic: Single Family Property	10751 South Monte Vista Avenue, Montclair	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside
027156	–	Historic: Commercial Building	10777 South Monte Vista Avenue, Montclair	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside
027157	–	Historic: Single Family Home	10787 South Monte Vista Avenue, Montclair	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside
027158	–	Historic: Commercial Building	10807 South Monte Vista Avenue, Montclair	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2012 (Paul, D. and Hilton, E.)	Outside
033162	–	Historic: Single Family Property	11095 South Kadota Avenue, Montclair	6Y Determined ineligible for NR by consensus through Section 106 process – Not evaluated for CR or Local Listing.	2002 (Paulson, M.)	Outside

**Notes:** NRHP=National Register of Historic Places

<sup>1</sup> **Sources:** See Appendix D.

#### Native American Heritage Commission Sacred Lands File Search

Dudek contacted the Native American Heritage Commission (NAHC) on December 31, 2019 and requested a review of the Sacred Lands File. The NAHC replied via email on January 13, 2020 stating that the results of the Sacred Lands File search were negative. The NAHC also suggested contacting 11 Native American individuals and/or tribal organizations who may have direct knowledge of cultural resources in or near the Project site. No informal tribal consultation was initiated by Dudek for the proposed Project. This coordination was conducted for informational purposes only and does not constitute formal government-to-government consultation as specified by Assembly Bill (AB) 52. The AB 52 consultation efforts conducted by the City are discussed in Chapter 4.11, Tribal Cultural Resources of this Draft EIR.

## Survey Methods and Results

Dudek Cultural Resources Specialist Kate Kaiser, MSHP, conducted a pedestrian survey of the Project site on January 28, 2020. Ms. Kaiser meets the Secretary of the Interior's Professional Qualification Standards for both architectural history and archaeology. The built environment portion of the survey entailed walking all accessible portions of Mission Tiki Drive-in, warehouse and Montclair Tire Company properties, and documenting each building and structure with notes and photographs, specifically noting character-defining features, spatial relationships, paths of circulation, observed alterations, and examining any historic landscape features on the property. Ms. Kaiser also conducted a reconnaissance-level archaeological survey of all areas within the Project site containing exposed sediment, and opportunistically inspected these areas for surface-level resources, taking detailed notes and photographs.

Ground surface visibility within the Project site was approximately 10%, as the majority of the site is paved. Disturbed areas of ornamental landscaping to east and south, and one ornamental garden area near the ticket booths were visually inspected. No unknown historic period or prehistoric archaeological resources were identified as a result of reconnaissance-level survey the survey.

Two built environment resources over 45 years old were identified as requiring recordation and evaluation for historical significance: the Mission Tiki Drive-in and associated buildings, located at 10798 Ramona Avenue (and 4363-4366 State Street), and the Montclair Tire Company building, located at 4485 State Street. State of California Department of Parks and Recreation Series 523 forms for these properties are located in Appendix D.

### *Mission Tiki Drive-In and Associated Buildings (10798 Ramona Avenue)*

The drive-in theater property consists of a projection building/snack bar, office, warehouse, screens, ticket booths, entrance, circulation paths, a paved viewing area, and landscaping. It is bound by Ramona Avenue to the east, Mission Boulevard to the south, industrial properties to the west and State Street to the north. The screen area is accessed from an entrance drive along Ramona Boulevard. There is landscaping around the area containing the four screens, consisting of bamboo, palms, eucalyptus trees, and tamarisk. The screen area itself is fully paved with raised ridges demarking the individual rows for cars to park in. A complete description of each building and structure is available in Appendix D. Buildings and structures at the Mission Tiki Drive-In property include:

- **Projection Building/Snack Bar (1956):** The Projection Building/Snack Bar building is a 2-story, irregular plan building in the center of the four screens. The building's main volume is the snack shop, which has a flat roof clad in rolled composition roofing with a wide overhang. Projecting from its center is the octagonal tower which comprises the second story projector booth. The building features scored concrete siding (emulating stone slabs), corrugated metal, and vertical board siding, multiple windows types, all darkly shaded and fixed windows in the projection booth on the second floor, solid metal doors on the east and south elevation, and a pair of wood doors with pointed, oval wood decoration. On the west side of the building, the flat roof extends to form a covered seating area, supported by carved "Tiki" wood posts. The octagonal second story features some "Tiki" decoration in the form of carved wood projections and an awning clad with faux grass roofing for the access door.

Identified alterations: According to aerial photographs, the second story octagonal projection room and the covered seating areas on the west side of the building were added between 1972 and 1976. The Tiki-themed decorative elements applied to the building were added when the Mission Drive-In Theater became the Mission Tiki Drive-In Theater in 2006.

- **Office (1956):** The office building is a two-story, simplistic Mid-Century Modern-style industrial building in the northwest corner of the property. The building features a flat roof and concrete walls and standing seam metal cladding, unbroken ribbon windows on the second level, which spans the length of the building, multi-lite metal windows with awning openings, replacement fixed windows, and window-less metal doors. There is a gable-fronted awning over the main entrance. The non-primary elevations are clad in precast concrete panels and have no windows. Fenestration on these elevations consists of roll-up metal doors on loading bays, and windowless metal doors.

Identified alterations: Gable fronted awning addition to main elevation, multiple window replacements to main elevation, window removal and replacement with doors, and replacement roll-up lading bay doors on the non-primary elevations (dates unknown). South elevation addition was constructed between 1956 and 1959 and appears in the 1959 aerial photograph.

- **Warehouse (1956):** The warehouse building is a one-story, utilitarian industrial building in the northwest corner of the property, south and west of the office building. The building features corrugated metal and T1-11 plywood siding, a gable-ended roof clad with corrugated metal. The main (south) elevation features the only fenestration, which consists of 16 metal roll-up garage doors.

Identified alterations: The building appears to have been clad entirely with corrugated metal, but much of the cladding has been replaced with plywood siding. Garage doors and the roof appear to have been replaced as well (dates unknown). A metal storage container, also outfitted with roll-up garage doors is situated against the west wall of the warehouse building but does not appear to be part of it (added circa 2007).

- **Screens (1975):** The Mission Tiki Drive-In has four screen structures in the four corners of the property all constructed in 1975. Each screen is constructed of welded steel supports and features a large white projection screen. The screens face towards the projection booth/snack bar. The screens are approximately 80 feet wide by 40 feet in height from the ground level.

Identified alterations: The original CinemaScope screen in the southeast corner of the property was demolished and replaced by the four existing screens in 1975.

- **Marquee (1975):** The marquee structure is a two-story metal structure with two letter board sections and balconies for applying marquee letters and information. Each metal balcony is accessed by a metal ladder on the northeast elevation.

Identified alterations: Though the marquee is in the 1975 location, it appears to have been renovated to include the applied “Tiki”/Polynesian theme in 2006. The original 1956 marquee was abandoned and ruins of it were observed under vegetation during survey.

- **Modern Additions (2006):** The Mission Drive-In underwent substantial renovations in 2006 which involved rebranding the property as the Mission Tiki Drive-In Theater. This involved the addition of “Tiki”/Polynesian style decorative elements, such as a small shade park and picnic area on the north side of Screen 1 with concrete Moa head statues and a bamboo pole screened area, three ticket booths on the north side of the property, the grass roofed entrance sign, and the renovation of the 1975 marquee at the corner of Mission Boulevard and Ramona Avenue. Additional themed elements include screen signage and exit signs. Though “Tiki” and Polynesian applied themes are consistent with historical pop cultural themes from the 1950s and 1960s, the anachronistic decorative elements at the Mission Tiki Drive-in Theater were all constructed in 2006.

Identified alterations: According to aerials, there were four ticket booths on the north side of the property. These were either demolished or renovated to reflect the “Tiki” theme adopted in 2006. One ticket booth was demolished between 1994 and 2002 according to aerial photographs (NETR 2020).

### **Montclair Tire Company (4485 State Street)**

The Montclair Tire Company property is located at 4485 State Street, bound by Ramona Avenue to the east, the Mission Tiki Drive-in Theater to the south and west, and State Street and the Southern Pacific Railroad right-of-way to the north. The property contains a single building, a one story, side gabled steel structure, clad in corrugated galvanized steel sheets and standing seam metal sheets. The building is utilitarian in appearance and lacks a distinctive architectural style. On the main (northwest) elevation, fenestration consists of several metal doors and a roll-up garage door, leading to the garage bay. Other elevations have metal doors, sliding sash metal windows, and multi-lite, wire reinforced glass windows. The main elevation also features a shed-roofed awning shade on the right side of the elevation supported by wood beams. The roof ridge features metal three turbine ventilators.

Identified alterations include: the orientation and primary elevation of the building changed from northeast (facing towards Ramona Avenue) to northwest (facing State Street) (circa 2007-2009); Ramona Avenue railroad overpass constructed, obstructing access to the property from Ramona Avenue (circa 2009-2011); addition of shed-roofed awning on the front elevation (circa 1972-1976); and a shorter, one-story addition on southeast elevation (circa 1972-1976).

### **Geotechnical Report Review**

The geotechnical report, *Geotechnical Investigation Proposed Commercial/Industrial Development* (Appendix E-3), was prepared in June 2019 to determine the geotechnical conditions of the Project site. The report details the results of subsurface explorations at seventeen locations that fall within the Project site to determine subsurface conditions. According to the report, 17 hollow-stem auger borings were completed to depths between 12 and 35 feet below ground surface. Artificial fill soils encountered during subsurface testing are described as dark brown to brown silty fine to medium sand, coarse sand, and gravel. The native soils encountered during borings are described as alluvium and characterized as gray-brown fine to coarse sand and gravel. The report concludes that artificial fills soils were observed in depths ranging from 1.5 to 12 feet below ground surface and underlain by alluvium.

## 4.3.2 Relevant Plans, Policies, and Ordinances

### **Federal**

#### ***National Register of Historic Places***

While there is no federal nexus for this Project, the subject properties were evaluated in consideration of NRHP designation criteria. The NRHP is the United States' official list of districts, sites, buildings, structures, and objects worthy of preservation. Overseen by the National Park Service, under the U.S. Department of the Interior, the NRHP was authorized under the National Historic Preservation Act, as amended. Its listings encompass all National Historic Landmarks, as well as historic areas administered by the National Park Service.

NRHP guidelines for the evaluation of historic significance were developed to be flexible and to recognize the accomplishments of all who have made significant contributions to the nation's history and heritage. Its criteria are designed to guide state and local governments, federal agencies, and others in evaluating potential entries in the NRHP. For a property to be listed in or determined eligible for listing, it must be demonstrated to possess integrity and to meet at least one of the following criteria:

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.

Integrity is defined in NRHP guidance, “How to Apply the National Register Criteria,” as “the ability of a property to convey its significance. To be listed in the NRHP, a property must not only be shown to be significant under the NRHP criteria, but it also must have integrity” (Andrus and Shrimpton 2002). NRHP guidance further asserts that properties be completed at least 50 years ago to be considered for eligibility. Properties completed fewer than 50 years before evaluation must be proven to be “exceptionally important” (criteria consideration to be considered for listing).

### State

#### *California Register of Historical Resources*

In California, the term “historical resource” includes but is not limited to “any object, building, structure, 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” (California Public Resources Code Section 5020.1(j)). In 1992, the California legislature established the CRHR “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” (California Public Resources Code Section 5024.1(a)). The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, enumerated below. According to California Public Resources Code Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) 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.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (see 14 CCR 4852(d)(2)).



The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

### **California Environmental Quality Act**

As described further below, the following CEQA statutes and CEQA Guidelines are of relevance to the analysis of archaeological, historic, and cultural resources:

- California Public Resources Code Section 21083.2(g) defines “unique archaeological resource.”
- California Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5(a) define “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource.” It also defines the circumstances when a project would materially impair the significance of an historical resource.
- California Public Resources Code Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- California Public Resources Code Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5(b).) If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources or identified as significant in a historical resources survey (meeting the requirements of California Public Resources Code Section 5024.1(q)), it is a “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (California Public Resources Code Section 21084.1; CEQA Guidelines Section 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines Section 15064.5(b)(1); California Public Resources Code Section 5020.1(q)). In turn, CEQA Guidelines section 15064.5(b)(2) states the significance of an historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any “historical resources,” then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource’s historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (California Public Resources Code Section 21083.2[a], [b], and [c]).

California Public Resources Code Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of 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.

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (California Public Resources Code section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)). However, if a non-unique archaeological resource qualifies as tribal cultural resource (California Public Resources Code Section 21074(c), 21083.2(h)), further consideration of significant impacts is required. CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. For further discussion on Native American remains, please refer to Section 4.11, Tribal Cultural Resources.

### **Local**

#### ***City of Montclair***

This study was completed in consideration of all sections of the City of Montclair, California - Code of Ordinances related to Historic Preservation and Historic Landmark Designation (Chapters 11.56). Sections most relevant to this study are provided below.

**Chapter 11.56.060 - Landmark designation—Criteria.**

A building or structure may be designated a historic landmark if it is found that one or more of the following conditions exist with reference to such building or structure:

- a) The proposed landmark is particularly representative of a historical period, type, style, region or way of life;
- b) The proposed landmark is an example of a type of building which was once common but is now rare;
- c) The proposed landmark is one of the best remaining examples of a particular architectural type or style in the area;
- d) The proposed landmark is identified with persons or events significant in local, State or national history;
- e) The proposed landmark is representative of the notable work of a builder, designer or architect.

### 4.3.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to cultural resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to cultural resources would occur if the Project would:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- c) Disturb any human remains, including those interred outside of dedicated cemeteries.

### 4.3.4 Impacts Analysis

**Threshold 4.3A: Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?**

**Less than Significant Impact.** To determine if the Project would impact historical resources under CEQA, the Mission Tiki Drive-In property (10798 Ramona Avenue) and the Montclair Tire Company property (4485 State Street) were evaluated for historical significance and integrity in consideration of NRHP, CRHR, and City of Montclair designation criteria and integrity requirements.

As detailed in the Historical Resources Technical Report (Appendix D), neither the Mission Tiki Drive-In Theater and associated buildings (10798 Ramona Avenue) property, or the Montclair Tire Company (4485 State Street) property appear eligible for listing in the NRHP, CRHR, or City of Montclair Historic Landmark designation due to a lack of important historical associations, lack of architectural merit, and lack of integrity, nor do they appear eligible as contributors to an historic district. As such, these properties are not considered historical resources for the purposes of CEQA. These resources have been assigned a California Historical Resource Status Code of 6Z (found ineligible for the NRHP, CRHR, or local designation through survey evaluation).

The Project would not cause a substantial adverse change in the significance of a historical resource, or otherwise result in a direct impact to a historical resource. No other adjacent resources were identified as a result of the records search or survey that could be indirectly impacted by the Project. Therefore, the Project would have a less than significant impact on historical resources. No mitigation is required.

**Threshold 4.3B:** Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

**Less than Significant Impact with Mitigation Incorporated.** No archaeological resources were identified within the Project site as a result of the CHRIS records search, NAHC Sacred Lands File search, or the reconnaissance-level archaeological survey. Furthermore, a review of historic aerials indicate that the Project site has been subjected to consistent ground disturbance since at least 1938 (UCSB 2020). The Project site in 1938 was occupied by orchard tracts and farmland with the San Antonio Wash present to the west of the Project site. In 1959, the Mission Drive-In and industrial structures north of the Mission Drive-In appear for the first time. Between 1972 and 1976, several of the structures on the Project site have been demolished or augmented to convert the property into an outdoor four-plex theater, including changes to the layout for access to and through the property. In consideration of these factors, the potential of encountering and impacting unknown intact subsurface archaeological resources during Project implementation is low; however, it is always possible that unanticipated discoveries could be encountered during ground-disturbing activities associated with the Project. If such unanticipated discoveries were encountered, impacts to the encountered resources could be potentially significant. However, with the implementation of mitigation measure MM-CUL-1, which requires that all Project construction personnel take the Workers Environmental Awareness Program (WEAP) training for the proper identification and treatment of inadvertent discoveries and MM-CUL-2, which requires the retention of an on-call qualified archaeologist to address inadvertent discoveries and requires all construction work occurring within 100 feet of a find to immediately stop until the qualified archaeologist, meeting the Secretary of Interior’s Professional Qualification Standards for Archaeology, can evaluate the significance of the find, potentially significant impacts to unknown archaeological resources would be reduced to less than significant. Impacts would therefore be less than significant with mitigation incorporated.

**Threshold 4.3C:** Would the Project disturb any human remains, including those interred outside of formal cemeteries?

**Less than Significant Impact.** No prehistoric or historic burials were identified within or immediately adjacent to the Project site as a result of the CHRIS records search, NAHC Sacred Lands File search, or pedestrian survey. Moreover, the Project site is not part of a dedicated cemetery and as such, the likelihood of disturbing human remains is low. However, the possibility of encountering human remains within the Project site exists. In the unexpected event that human remains are unearthed during construction activities, impacts would be potentially significant. However, in the event that human remains are inadvertently encountered during construction activities, such resources would be treated in accordance with state and local regulations that provide requirements with regard to the accidental discovery of human remains, including California Health and Safety Code Section 7050.5, California Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e). With adherence to these regulatory requirements, which requires immediate notification of the county coroner and halting construction activities within the vicinity of the find, impacts would be considered less than significant. Impacts would therefore be less than significant.

### 4.3.5 Cumulative Impacts Analysis

Cumulative impacts on cultural resources consider whether impacts of the proposed Project together with other related projects identified within the vicinity of the Project site, when taken as a whole, substantially diminish the number of historic or archaeological resources within the same or similar context or property type. Twenty-one (21) cumulative projects have been identified in Section 4.2, Cumulative Projects Analysis, of Chapter 4, Environmental Analysis, of this Draft EIR. Cumulative impacts on cultural resources consider whether impacts of the proposed

Project together with other related projects, when taken as a whole, substantially diminish the number of historical or archaeological resources within the same or similar context or property type. However, impacts to cultural resources, if any exist, tend to be site-specific.

As discussed above in this section, there are no known historical or archaeological resources within the Project site and as such, the Project site is not part of an existing or known grouping or district of historical or archaeological that would be impacted as part of the cumulative impacts of other projects.

The CHRIS record search has not identified any previously identified cultural resources within a 1-mile record search radius and no cultural resources immediately adjacent to the Project site. The proposed Project was determined to have less than significant direct and indirect impacts on historic resources. Therefore, the proposed Project would not result in any cumulatively considerable impacts to historic resources.

For archaeological resources, cumulative projects may require extensive excavation in culturally sensitive areas, and thus, may result in adverse effects to known or previously unknown, inadvertently discovered archaeological resources. There is the potential for accidental discovery of other archaeological resources by the Project as well as by cumulative projects. Because all significant cultural resources are unique and non-renewable, all adverse effects or negative impacts contribute to a dwindling resource base. Through implementation of MM-CUL-1, MM-CUL-2, as well as MM-TCR-1, and MM-TCR-2 (See Section 4.11, Tribal Cultural Resources), the Project-level impact to archaeological resources would be reduced to less than significant.

Other individual projects occurring in the vicinity of the Project site would also be subject to the same requirements of CEQA as the Project and any impacts to cultural resources would be mitigated, as applicable. These determinations would be made on a case-by-case basis, and the effects of cumulative development on historical and archaeological resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Therefore, impacts on archaeological resources would not be cumulatively considerable with mitigation incorporated (MM-CUL-1 and MM-CUL-2).

The Project was determined to have less-than-significant direct impacts on human remains. Existing regulations are adequate to address the potential for impacts due to the inadvertent discovery of human remains on the Project site. Other individual projects occurring in the vicinity of the Project site would also be subject to the same state requirements to contact appropriate agencies and coordinate with the County Coroner. Therefore, the Project would not result in any cumulatively considerable impacts related to human remains.

The Project would not contribute to any potential cumulative impacts, and cumulative impacts to historical or cultural resources after mitigation is implemented, are considered less than significant. No further mitigation is required. Therefore, the proposed Project will not have a cumulatively considerable impact on cultural resources with mitigation incorporated.

### 4.3.6 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.3A: Would the Project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?**

The Project would have a less-than-significant impact with regard to the substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5 for activities occurring on the Project site. No mitigation is required.

**Threshold 4.3B: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?**

The Project would result in potentially significant impacts with regard to a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. With incorporation of MM-CUL-1 and MM-CUL-2, impacts associated with archaeological resources would be less than significant with mitigation incorporated.

**MM-CUL-1** All construction personnel and monitors who are not trained archaeologists shall be briefed regarding inadvertent discoveries prior to the start of construction activities. A basic presentation and handout or pamphlet shall be prepared in order to ensure proper identification and treatment of inadvertent discoveries. The purpose of the Workers Environmental Awareness Program (WEAP) training is to provide specific details on the kinds of archaeological materials that may be identified during construction of the Project and explain the importance of and legal basis for the protection of significant archaeological resources. Each worker shall also learn the proper procedures to follow in the event that cultural resources or human remains are uncovered during ground-disturbing activities. These procedures include work curtailment or redirection, and the immediate contact of the site supervisor and archaeological monitor.

**MM-CUL-2** A qualified archaeologist shall be retained and on-call to respond and address any inadvertent discoveries identified during initial excavation in native soil. Initial excavation is defined as initial construction-related earth moving of sediments from their place of deposition. As it pertains to archaeological monitoring, this definition excludes movement of sediments after they have been initially disturbed or displaced by Project-related construction. A qualified archaeological principal investigator, meeting the Secretary of the Interior's Professional Qualification Standards, should oversee and adjust monitoring efforts as needed (increase, decrease, or discontinue monitoring frequency) based on the observed potential for construction activities to encounter cultural deposits or material. The archaeological monitor will be responsible for maintaining daily monitoring logs.

In the event that potential prehistoric or historical archaeological resources (sites, features, or artifacts) are exposed during construction activities for the Project, all construction work occurring within 100 feet of the find shall immediately stop and a qualified archaeologist must be notified immediately to assess the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find, the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work such as preparation of an archaeological treatment plan, testing, data recovery, or monitoring may be warranted.

If monitoring is conducted, an archaeological monitoring report shall be prepared within 60 days following completion of ground disturbance and submitted to the City for review. This report should document compliance with approved mitigation, document the monitoring efforts, and include an appendix with daily monitoring logs. The final report shall be submitted to the SCCIC.

**Threshold 4.3C: Would the Project disturb any human remains, including those interred outside of formal cemeteries?**

The Project is not anticipated to disturb human remains, including those interred outside of formal cemeteries. Impacts would be less than significant.

### 4.3.7 References Cited

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Aerial photographs illustrating conversion from single screen to four-plex theater. The left photo shows the single screen in 1959 and the right photo shows the four-plex theater in 1976 after conversion.

SOURCE: UCSB 2020

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## 4.4 Energy

This section describes the existing energy conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. Information contained in this section is based on the latest version of California Emissions Estimator Model (CalEEMod), Version 2016.3.2, to estimate the proposed Project's energy use. Information sources used to prepare this section includes information from the following appendix:

### **Appendix B-1** CalEEMod Outputs, prepared by Dudek

Other documentation used in this analysis includes the Transportation Impact Analysis, included as Appendix G of this Draft EIR. Other sources consulted are listed in Section 4.4.7, References Cited.

### 4.4.1 Existing Conditions

#### **Electricity**

According to the U.S. Energy Information Administration (EIA), California used approximately 250,379 gigawatt hours of electricity in 2018 (EIA 2021). Electricity usage in California for different land uses varies substantially by the types of uses in a building, type of construction materials used in a building, and the efficiency of all electricity-consuming devices within a building. Due to the state's energy efficiency building standards and efficiency and conservation programs, California's electricity use per capita in the residential sector is lower than any other state except Hawaii (EIA 2020).

Southern California Edison (SCE) provides electricity to the project site and the majority of San Bernardino County. SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. SCE administers various energy efficiency and conservation programs that may be available to residents, businesses, and other organizations in Orange County. According to the California Public Utilities Commission (CPUC), approximately 84 billion kilowatt-hours (kWh) of electricity were used in SCE's service area in 2017. Demand forecasts anticipate that approximately 75 billion kWh of electricity will be used in SCE's service area in 2020 (CPUC 2016).

SCE receives electric power from a variety of sources. According to CPUC's *2019 California Renewables Portfolio Standard Annual Report*, 36% of SCE's power came from eligible renewables, such as biomass/waste, geothermal, small hydroelectric, solar, and wind sources (CPUC 2019). SCE maintains a lower percentage of renewable energy procurement when compared with California's two other large investor-owned utilities – Pacific Gas and Energy Company and San Diego Gas & Electric Company, both of which procured 39% and 44% of their electric power, respectively, from eligible renewables (CPUC 2019). SCE also maintains a slightly lower percentage of renewables relative to statewide procurement. Renewable resources, including hydropower and small-scale (less than 1-megawatt), customer-sited solar photovoltaics (PV), supplied almost half of California's in-state electricity generation in 2018 (EIA 2020). The California Renewables Portfolio Standard (RPS) Program establishes a goal for California to increase the amount of electricity generated from renewable energy resources to 20% by 2010 and to 33% by 2020. Recent legislation revised the current RPS target for California to obtain 50% of total retail electricity sales from renewable sources by 2030, with interim targets of 40% by 2024, and 45% by 2027, and 60% by 2030.

Within San Bernardino County, annual non-residential electricity use is approximately 10 billion kWh per year, while residential electricity use is approximately 5 billion kWh per year, as reported by the state’s Energy Consumption Data Management System for 2018 (CEC 2020a).

### Natural Gas

According to the EIA, California used approximately 2,154,030 million cubic feet of natural gas in 2019 (EIA 2020). The majority of California’s natural gas customers are residential and small commercial customers (core customers). These customers account for approximately 35% of the natural gas delivered by California utilities (CPUC 2020). Large consumers, such as electric generators and industrial customers (noncore customers), account for approximately 65% of the natural gas delivered by California utilities (CPUC 2020). CPUC regulates California natural gas rates and natural gas services, including in-state transportation over transmission and distribution pipeline systems, storage, procurement, metering, and billing. Most of the natural gas used in California comes from out-of-state natural gas basins. Biogas (e.g. from wastewater treatment facilities or dairy farms) is just beginning to be delivered into the gas utility pipeline systems, and the State has been encouraging its development (CPUC 2020).

The Southern California Gas Company (SoCalGas) provides the Project site and the County with natural gas service. SoCalGas’ service territory encompasses approximately 20,000 square miles and more than 500 communities. In the California Energy Demand mid-energy demand scenario, natural gas demand is projected to have an annual growth rate of 0.03% in SoCalGas’ service territory. As of 2019, approximately 7,498 million therms<sup>1</sup> (749.8 billion kilo-British Thermal Units) were used in SoCalGas’ service area per year (CEC 2020b). By 2020, natural gas demand is anticipated to be approximately 7,876 million therms per year in SoCalGas’ service area, per the high demand estimate (CEC 2018). The total capacity of natural gas available to SoCalGas in 2019 was estimated to be 3.5 billion cubic feet per day. In 2020 and 2023, the total capacity available is also estimated to be 3.7 and 3.6 billion cubic feet per day<sup>2</sup>, respectively (California Gas and Electric Utilities 2020). This amount is approximately equivalent to 3.77 and 3.67 billion thousand British Thermal Units per day, respectively, or 37.7 and 36.7 million therms per day, respectively. Over the course of a year, the available capacity would therefore be 14.5 billion therms per year, which is well above the existing and future anticipated natural gas demand in SoCalGas’ service area.

Within San Bernardino County, annual non-residential natural gas use is approximately 268 million therms per year, while residential natural gas use is approximately 231 million therms per year, as reported by the state’s Energy Consumption Data Management System for 2018 (CEC 2020a).

### Petroleum

According to the EIA, California used approximately 681 million barrels of petroleum in 2018, with the majority (584 million barrels) used for the transportation sector (EIA 2020). This total annual consumption equates to a daily use of approximately 1.9 million barrels of petroleum. There are 42 U.S. gallons in a barrel, so California consumes approximately 78.4 million gallons of petroleum per day, adding up to an annual consumption of 28.7 billion gallons of petroleum. By sector, transportation uses utilize approximately 85.5% of the state’s petroleum, followed by 11.1% from industrial, 2.5% from commercial, 0.9% from residential, and 0.01% from electric power uses (EIA 2018). In California, petroleum fuels refined from crude oil are the dominant source of energy for transportation sources. Petroleum usage in California includes petroleum products such as motor gasoline, distillate fuel, liquefied petroleum gases, and

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<sup>1</sup> One Therm is equal to 100,000 Btu or 100 kilo-British Thermal Units.

<sup>2</sup> One cubic foot of natural gas has approximately 1,020 BTUs of natural gas or 1.02 kBTUs of natural gas.

jet fuel. California has implemented policies to improve vehicle efficiency and to support use of alternative transportation, which are described in Section 4.4.2, below.

## 4.4.2 Relevant Plans, Policies, and Ordinances

### Federal

#### ***Federal Energy Policy and Conservation Act***

In 1975, Congress enacted the Federal Energy Policy and Conservation Act, which established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the act, the National Highway Traffic Safety Administration is responsible for establishing additional vehicle standards. In 2012, new fuel economy standards for passenger cars and light trucks were approved for model years 2017 through 2021 (77 FR 62624–63200). Fuel economy is determined based on each manufacturer’s average fuel economy for the fleet of vehicles available for sale in the United States.

#### ***Intermodal Surface Transportation Efficiency Act of 1991***

The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 promoted the development of intermodal transportation systems to maximize mobility and address national and local interests in air quality and energy. ISTEA contained factors for metropolitan planning organizations to address in developing transportation plans and programs, including some energy-related factors. To meet the new ISTEA requirements, metropolitan planning organizations adopted policies defining the social, economic, energy, and environmental values guiding transportation decisions.

#### ***Transportation Equity Act for the 21st Century***

The Transportation Equity Act for the 21st Century was signed into law in 1998 and builds on the initiatives established in the ISTEA legislation (previously discussed). The act authorizes highway, highway safety, transit, and other efficient surface transportation programs. The act continues the program structure established for highways and transit under ISTEA, such as flexibility in the use of funds, emphasis on measures to improve the environment, and focus on a strong planning process as the foundation of transportation decisions. The act also provides for investment in research and its application to maximize the performance of the transportation system through, for example, deployment of intelligent transportation systems to help improve operations and management of transportation systems and vehicle safety.

#### ***Energy Independence and Security Act of 2007***

On December 19, 2007, the Energy Independence and Security Act of 2007 (EISA) was signed into law. In addition to setting increased Corporate Average Fuel Economy standards for motor vehicles, the EISA includes the following other provisions related to energy efficiency:

- Renewable Fuel Standard (RFS) (Section 202)
- Appliance and Lighting Efficiency Standards (Sections 301–325)
- Building Energy Efficiency (Sections 411–441)

This federal legislation requires ever-increasing levels of renewable fuels (the RFS) to replace petroleum. The U.S. Environmental Protection Agency is responsible for developing and implementing regulations to ensure that transportation fuel sold in the United States contains a minimum volume of renewable fuel. The RFS program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders.

The RFS program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. As required under the act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012. Under the EISA, the RFS program was expanded in several key ways that lay the foundation for achieving significant reductions in greenhouse gas (GHG) emissions from the use of renewable fuels, reducing imported petroleum, and encouraging the development and expansion of the renewable fuels sector in the United States. The updated program is referred to as RFS2 and includes the following:

- EISA expanded the RFS program to include diesel, in addition to gasoline.
- EISA 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.
- EISA established new categories of renewable fuel and set separate volume requirements for each one.
- EISA required the U.S. Environmental Protection Agency to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

Additional provisions of the EISA address energy savings in government and public institutions, research for alternative energy, additional research in carbon capture, international energy programs, and the creation of “green” jobs.

### **State**

#### ***Warren-Alquist Act***

The California legislature passed the Warren-Alquist Act in 1974. The Warren-Alquist Act created the California Energy Commission (CEC). The legislation also incorporated the following three key provisions designed to address the demand side of the energy equation:

- It directed the CEC to formulate and adopt the nation’s first energy conservation standards for buildings constructed and appliances sold in California.
- The act removed the responsibility of electricity demand forecasting from the utilities, which had a financial interest in high demand projections and transferred it to a more impartial CEC.
- The CEC was directed to embark on an ambitious research and development program, with a particular focus on fostering what were characterized as non-conventional energy sources.

#### ***State of California Energy Action Plan***

The CEC and CPUC approved the first State of California Energy Action Plan in 2003. The plan established shared goals and specific actions to ensure that adequate, reliable, and reasonably priced electrical power and natural gas supplies are provided, and identified policies, strategies, and actions that are cost-effective and environmentally sound for California’s consumers and taxpayers. In 2005, a second Energy Action Plan was adopted by the CEC and CPUC to reflect various policy changes and actions of the prior 2 years.

At the beginning of 2008, the CEC and CPUC determined that it was not necessary or productive to prepare a new energy action plan. This determination was based, in part, on a finding that the state's energy policies have been significantly influenced by the passage of Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006 (discussed below). Rather than produce a new energy action plan, the CEC and CPUC prepared an update that examines the state's ongoing actions in the context of global climate change.

### ***Senate Bills 1078 (2002), 107 (2006), X1-2 (2011), 350 (2015) and 100 (2018)***

Senate Bill (SB) 1078 established the California RPS Program and required that a retail seller of electricity purchase a specified minimum percentage of electricity generated by eligible renewable energy resources as defined in any given year, culminating in a 20% standard by December 31, 2017. These retail sellers include electrical corporations, community choice aggregators, and electric service providers. The bill relatedly required the CEC to certify eligible renewable energy resources, design and implement an accounting system to verify compliance with the RPS by retail sellers, and allocate and award supplemental energy payments to cover above-market costs of renewable energy.

SB 107 (2006) accelerated the RPS established by SB 1078 by requiring that 20% of electricity retail sales be served by renewable energy resources by 2010 (not 2017). Additionally, SB X1-2 (2011) required all California utilities to generate 33% of their electricity from eligible renewable energy resources by 2020. Specifically, SB X1-2 sets a three-stage compliance period: by December 31, 2013, 20% of electricity had to come from renewables; by December 31, 2016, 25% of electricity had to come from renewables; and by December 31, 2020, 33% will be required to come from renewables.

SB 350 (2015) expanded the RPS by requiring retail seller and publicly owned utilities to procure 50% of their electricity from eligible renewable energy resources by 2030, with interim goals of 40% by 2024 and 45% by 2027.

SB 100 (2018) accelerated and expanded the standards set forth in SB 350 by establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030 be secured from qualifying renewable energy sources. SB 100 also states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity does not increase carbon emissions elsewhere in the western grid. Additionally, 100% zero-carbon electricity cannot be achieved through resource shuffling.

Consequently, utility energy generation from non-renewable resources is expected to be reduced based on implementation of the RPS requirements described above. The proposed project's reliance on non-renewable energy sources would be reduced accordingly.

### ***Assembly Bill 1007 (2005)***

AB 1007 (2005) required the CEC to prepare a statewide plan to increase the use of alternative fuels in California (State Alternative Fuels Plan). The CEC prepared the plan in partnership with the California Air Resources Board (CARB) and in consultation with other state agencies, plus federal and local agencies. The State Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

**Assembly Bill 32 (2006) and Senate Bill 32 (2016)**

In 2006, the state legislature enacted AB 32, the California Global Warming Solutions Act of 2006. AB 32 requires California to reduce its GHG emissions to 1990 levels by 2020. In 2016, the Legislature enacted SB 32, which extended the horizon year of the state’s codified GHG reduction planning targets from 2020 to 2030, requiring California to reduce its GHG emissions to 40% below 1990 levels by 2030. In accordance with AB 32 and SB 32, CARB prepares scoping plans to guide the development of statewide policies and regulations for the reduction of GHG emissions. Many of the policy and regulatory concepts identified in the scoping plans focused on increasing energy efficiencies, using renewable resources, and reducing the consumption of petroleum-based fuels (such as gasoline and diesel). As such, the state’s GHG emissions reduction planning framework creates co-benefits for energy-related resources.

**California Building Standards**

Part 6 of Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California’s building standards. Part 6 establishes energy efficiency standards for residential and non-residential buildings constructed in California to reduce energy demand and consumption. Part 6 is updated periodically to incorporate and consider new energy efficiency technologies and methodologies. The current Title 24 standards are the 2019 Title 24 Building Energy Efficiency Standards, which became effective January 1, 2020. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy (due to energy efficiency measures) than those built to the 2016 standards; if rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2020c). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2020c).

Title 24 also includes Part 11, California’s Green Building Standards. California’s Green Building Standards establish minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. California’s 2019 Green Building Standards are the current applicable standards. For nonresidential projects, some of the key mandatory 2019 Green Building Standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle (EV) charging stations, shade trees, water conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, excavated soil and land clearing debris, and commissioning (24 CCR Part 11).

**Integrated Energy Policy Report**

The CEC is responsible for preparing integrated energy policy reports that identify emerging trends related to energy supply, demand, and conservation; public health and safety; and maintenance of a healthy economy. The CEC’s 2021 Integrated Energy Policy Report discusses the state’s policy goals of decarbonizing buildings, doubling energy efficiency savings, and increasing flexibility in the electricity grid system to integrate more renewable energy (CEC 2021). Specifically, for the decarbonizing of building energy, the goal would be achieved by designing future commercial and residential buildings to have their energy sourced almost entirely from electricity in place of natural gas. Regarding the increase in renewable energy flexibility, the goal would be achieved through increases in energy storage capacity within the state, increases in energy efficiency, and adjusting energy use to the time of day when the most amount of renewable energy is being generated. Over time these policies and trends would serve to reduce the project’s GHG emissions profile and energy consumption as they are implemented.



### ***State Vehicle Standards***

In response to the transportation sector accounting for more than half of California’s carbon dioxide (CO<sub>2</sub>) emissions, AB 1493 was enacted in 2002. AB 1493 required CARB to set GHG emissions standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles whose primary use is noncommercial personal transportation in the state. The bill required that CARB set GHG emissions standards for motor vehicles manufactured in 2009 and all subsequent model years. The 2009–2012 standards resulted in a reduction in approximately 22% of GHG emissions compared to emissions from the 2002 fleet, and the 2013–2016 standards resulted in a reduction of approximately 30% compared to the 2002 fleet.

In 2012, CARB approved a new emissions-control program for model years 2017 through 2025. The program combines the control of smog, soot, and global-warming gases with requirements for greater numbers of zero-emissions vehicles into a single package of standards called Advanced Clean Cars. By 2025, when the rules would be fully implemented, new automobiles would emit 40% fewer global-warming gases and 75% fewer smog-forming emissions (CARB 2020).

Although the focus of the state’s vehicle standards is on the reduction of air pollutants and GHG emissions, one co-benefit of implementation of these standards is a reduced demand for petroleum-based fuels.

### ***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 established in AB 32. As codified in California Government Code Section 65080, SB 375 requires Metropolitan Planning Organizations 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 vehicle miles traveled (VMT), which influence the consumption of petroleum-based fuels.

### **Local**

#### ***City of Montclair General Plan***

The City’s General Plan includes policies and goals that help reduce energy consumption. These measures are consistent with the GHG reducing policies and goals discussed in Section 4.5.2.

## 4.4.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to energy are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to energy would occur if the project would:

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

## Approach and Methodology

### Construction

The California Emission Estimator Model (CalEEMod) Version 2016.3.2 was used to estimate potential Proposed Project-generated GHG emissions during construction, which were then used to estimate energy consumption. Construction of the Proposed Project would result in GHG emissions primarily associated with use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. All details for construction criteria air pollutants discussed in Section 4.1, Air Quality, of this Draft EIR, and Appendix B-1, Emission Calculations, of this Draft EIR are also applicable for the estimation of construction-related GHG emissions. The estimated GHG emissions were back calculated based on carbon content (i.e., kilograms of CO<sub>2</sub> per gallon) in order to estimate fuel usage during Proposed Project construction. The conversion factor for gasoline is 8.78 kilograms of CO<sub>2</sub> per gallon, and the conversion factor for diesel is 10.21 kilograms of CO<sub>2</sub> per gallon (The Climate Registry 2020). Energy use calculations for construction are provided in Appendix B-1. It is assumed consistent with the project description that the buildings would not support refrigeration or cold storage.

### Operation

During Proposed Project operations, activities that would consume energy would include electricity and natural gas use for building operations and forklifts, electricity for water and wastewater conveyance, petroleum for forklifts, yard trucks, and passenger vehicles and heavy-duty truck trips. Additional assumptions for these sources are described below and energy use calculations for operations are provided in Appendix B-1.

## 4.4.4 Impacts Analysis

**Threshold 4.4A:** Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

**Less than Significant Impact.** As discussed in further detail below, the Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

### Construction

The electricity and natural gas used for construction of the proposed Project would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption. Although the Project would see an increase in petroleum use during construction and operation, vehicles would use less petroleum due to advances in fuel economy and potential reduction in VMT over time. The project's energy use during construction as it relates to electricity, natural gas, and petroleum is evaluated further below.

### Electricity

The 2020 National Construction Estimator identifies a typical power cost per 1,000 square feet of construction per month of \$2.38, which was used to calculate the Project's total construction power cost (Pray 2020). Based on information provided in the Project's Air Quality Impact Analysis, construction activities are anticipated to occur over the course of 28 months (Appendix B-1). The total power cost of on-site electricity usage during construction of the

Project is estimated to be approximately \$33,046.99. Southern California Edison’s (SCE) general service rate schedule was used to determine the Project’s electrical usage. As of October 1, 2020, SCE’s general service rate is \$0.10 per kilowatt hours of electricity for industrial services (SCE 2020). Based on the assumed power cost, it was estimated that the total electricity usage during construction, after full Project build-out, would be approximately 330,470 kilowatt hours. The Project’s electricity requirements during construction would be temporary, and would not significantly affect local or regional supplies, or require additional capacity. For these reasons, electricity consumption during construction of the Project would not be considered inefficient or wasteful, and impacts would be less than significant.

### **Natural Gas**

Natural gas is not anticipated to be required during construction of the proposed Project. Fuels used for construction would primarily consist of diesel and gasoline, which are discussed below under the “petroleum” subsection.

### **Petroleum**

Heavy-duty construction equipment associated with demolition and construction activities would rely on diesel fuel, as would haul trucks involved in removing the materials from demolition and excavation. Construction workers would travel to and from the Project site throughout the duration of construction. It is assumed in this analysis that construction workers would travel to and from the site in gasoline-powered passenger vehicles.

Heavy-duty construction equipment of various types would be used during each phase of Project construction. Appendix B-1 lists the assumed equipment usage for each phase of construction.

Fuel consumption from construction equipment was estimated by converting the total carbon dioxide (CO<sub>2</sub>) emissions from each construction phase to gallons using the conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. Construction is estimated to occur in the years 2021–2024 based on the construction phasing schedule. The conversion factor for gasoline is 8.78 kilograms per metric ton CO<sub>2</sub> per gallon, and the conversion factor for diesel is 10.21 kilograms per metric ton CO<sub>2</sub> per gallon (The Climate Registry 2020). The estimated diesel fuel usage from construction equipment is shown in Table 4.4-1.

**Table 4.4-1. Construction Equipment Diesel Demand**

Phase	Pieces of Equipment	Equipment CO <sub>2</sub> (MT)	kg/CO <sub>2</sub> /Gallon	Gallons
Demolition	6	51.00	10.21	4,995.22
Site Preparation	7	33.44	10.21	3,274.80
Grading	8	192.24	10.21	18,828.91
Building Construction	9	509.88	10.21	49,939.18
Paving	6	34.05	10.21	3,334.67
Architectural Coating	1	8.68	10.21	850.24
<b>Total</b>				<b>81,223.03</b>

**Sources:** Pieces of equipment and equipment CO<sub>2</sub> (Appendix B-1); kg/CO<sub>2</sub>/Gallon (The Climate Registry 2020).

**Notes:** CO<sub>2</sub> = carbon dioxide; MT = metric ton; kg = kilogram.

Fuel consumption from worker and vendor trips are estimated by converting the total CO<sub>2</sub> emissions from each construction phase to gallons using the conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. Worker vehicles are assumed to be gasoline and vendor/hauling vehicles are assumed to be diesel.

Calculations for total worker, vendor, and haul truck fuel consumption are provided in Tables 4.4-2, 4.4-3, and 4.4-4.

**Table 4.4-2. Construction Worker Gasoline Demand**

Phase	Trips	Vehicle MT CO <sub>2</sub>	kg/CO <sub>2</sub> /Gallon	Gallons
Demolition	480	2.29	8.78	261.23
Site Preparation	360	1.72	8.78	195.92
Grading	900	4.20	8.78	478.10
Building Construction	223,520	1,011.42	8.78	115,196.37
Paving	560	2.48	8.78	282.88
Architectural Coating	6,936	29.97	8.78	3,413.82
<b>Total</b>				<b>119,828.31</b>

**Sources:** Trips and vehicle CO<sub>2</sub> (Appendix B-1); kg/CO<sub>2</sub>/Gallon (The Climate Registry 2020).

**Notes:** MT = metric ton; CO<sub>2</sub> = carbon dioxide; kg = kilogram.

**Table 4.4-3. Construction Vendor Diesel Demand**

Phase	Trips	Vehicle MT CO <sub>2</sub>	kg/CO <sub>2</sub> /Gallon	Gallons
Demolition	120	1.46	10.21	143.48
Site Preparation	80	0.98	10.21	95.65
Grading	180	2.18	10.21	213.95
Building Construction	87,120	1,038.97	10.21	101,760.38
Paving	140	1.64	10.21	160.91
Architectural Coating	272	3.18	10.21	311.77
<b>Total</b>				<b>102,686.14</b>

**Sources:** Trips and vehicle CO<sub>2</sub> (Appendix B-1); kg/CO<sub>2</sub>/Gallon (The Climate Registry 2020).

**Notes:** MT = metric ton; CO<sub>2</sub> = carbon dioxide; kg = kilogram.

**Table 4.4-4. Construction Haul Truck Diesel Demand**

Phase	Trips	Vehicle MT CO <sub>2</sub>	kg/CO <sub>2</sub> /Gallon	Gallons
Demolition	2,256	84.23	10.21	8,249.53
Site Preparation	0	0.00	10.21	0.00
Grading	4,506	166.90	10.21	16,346.83
Building Construction	0	0.00	10.21	0.00
Paving	0	0.00	10.21	0.00
Architectural Coating	0	0.00	10.21	0.00
<b>Total</b>				<b>24,596.36</b>

**Sources:** Trips and vehicle CO<sub>2</sub> (Appendix B-1); kg/CO<sub>2</sub>/Gallon (The Climate Registry 2020).

**Notes:** MT = metric ton; CO<sub>2</sub> = carbon dioxide; kg = kilogram.

In summary, construction of the Project is anticipated to consume 119,828 gallons of gasoline and 208,503 gallons of diesel, which would last approximately 28 months. By comparison, Countywide total petroleum use by vehicles is expected to be 1.2 billion gallons per year by 2021 (CARB 2021). Based on these assumptions, approximately 48 billion gallons of petroleum would be consumed in California over the course of the Project's construction phase based on the California daily petroleum consumption estimate of approximately 52.9 million gallons per day (EIA 2017).

The Project will be subject to CARB's In-Use Off-Road Diesel Vehicle Regulation that applies to certain off-road diesel engines, vehicles, or equipment greater than 25 horsepower. The regulation: (1) imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles; (2) requires all vehicles to be reported to CARB (using the Diesel Off-Road Online Reporting System) and labeled; (3) restricts the adding of older vehicles into fleets starting on January 1, 2014; and 4) requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). The fleet must either show that its fleet average index was less than or equal to the calculated fleet average target rate, or that the fleet has met the Best Achievable Control Technology (BACT) requirements. The Project is also located in an urban area and worker, vendor, and haul truck trip lengths would be shorter compared to a suburban project location, resulting in less energy use. Finally, as described in Section 4.1.5, the Project will require construction equipment that meets or exceeds the EPA Tier 4 Interim emission standard as part of mitigation measure MM-AQ-2. While this mitigation measure is required to reduce the quantity of criteria air pollutant emissions below a level of significance, because it would involve the use of more-efficient construction equipment, it would have the added benefit of further reducing the Project's already less-than-significant petroleum usage.

### **Summary**

The electricity and natural gas used for construction of the Project would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption. Construction is anticipated to consume 119,828 gallons of gasoline and 208,503 gallons of diesel. This would be a fraction of petroleum that would be consumed in California and Countywide over the course of the construction. Furthermore, equipment greater than 25 horsepower would be subject to CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation. Therefore, impacts to energy resources during construction would be less than significant. No mitigation is required.

### **Operation**

#### ***Electricity***

The operation of the Project buildout would require electricity for multiple purposes, including cooling, lighting, appliances, and various equipment. Additionally, the supply, conveyance, treatment, and distribution of water would indirectly result in electricity usage. Electricity consumption associated with Project operation is based on the CalEEMod outputs presented in Appendix B-1.

CalEEMod default values for energy consumption for each land use were applied for the Project analysis. The energy use from non-residential land uses is calculated in CalEEMod based on the California Commercial End-Use Survey database. Energy use in buildings (both natural gas and electricity) is divided by the program into end use categories subject to Title 24 requirements (end uses associated with the building envelope, such as the HVAC system, water heating system, and integrated lighting) and those not subject to Title 24 requirements (such as appliances,

electronics, and miscellaneous “plug-in” uses). The Project would also use electricity for the EV charging stations and electric forklifts and yard trucks as required in mitigation measures MM-AQ-4 and MM-AQ-7.

Title 24 of the California Code of Regulations serves to enhance and regulate California’s building standards. The most recent amendments to Title 24, Part 6, referred to as the 2019 standards, became effective on January 1, 2020. According to these estimations, the proposed Project would consume approximately 4,412,062 kWh per year during operation (Appendix B-1). The non-residential electricity demand in 2018 was 10,189,923,519 kWh (10,190 GWh) for the County (CEC 2020a). As such, the Project would have a negligible impact on demand for the County and SCE. Furthermore, the project would conserve energy use as required by mitigation measure MM-AQ-6.

### ***Natural Gas***

The operation would require natural gas for various purposes, including water heating and natural gas appliances. Natural gas consumption associated with operation is based on the CalEEMod outputs in Appendix B-1.

CalEEMod default values for energy consumption for each land use were applied for the Project analysis. The energy use from non-residential land uses is calculated in CalEEMod based on the California Commercial End-Use Survey database. Energy use in buildings (both natural gas and electricity) is divided by the program into end use categories subject to Title 24 requirements (end uses associated with the building envelope, such as the HVAC system, water heating system, and integrated lighting) and those not subject to Title 24 requirements (such as appliances, electronics, and miscellaneous “plug-in” uses).

Title 24 of the California Code of Regulations serves to enhance and regulate California’s building standards. The most recent amendments to Title 24, Part 6, referred to as the 2019 standards, became effective on January 1, 2020. According to these estimations, the proposed Project would consume approximately 1,343,639 kilo-British Thermal Units per year. The non-residential natural gas consumption in 2018 was 26,861,432,800 kilo-British Thermal Units for the County (CEC 2019).

### ***Petroleum***

During operations, the majority of fuel consumption resulting from the Project would involve the use of motor vehicles traveling to and from the Project site.

Petroleum fuel consumption associated with motor vehicles traveling to and from the Project site is a function of the vehicle miles traveled (VMT) as a result of Project operation. As shown in Appendix B-1 (mobile source worksheets and as discussed in Section 4.1, Air Quality; and 4.6, Greenhouse Gas Emissions), the annual VMT attributable to the proposed Project is expected to be 11,727,158 VMT. Similar to the construction worker and vendor trips, fuel consumption from worker and truck trips are estimated by converting the total CO<sub>2</sub> emissions from operation of the Project to gallons using the conversion factors for CO<sub>2</sub> to gallons of gasoline or diesel. Mobile source emissions were estimated using the EMFAC2021.

Calculations for annual mobile source fuel consumption are provided in Table 4.4-5.

**Table 4.4-5. Annual Mobile Source Petroleum Demand**

Fuel	Vehicle MT CO <sub>2</sub>	kg/CO <sub>2</sub> /Gallon	Gallons
Gasoline	1,387.72	8.78	158,054.67
Diesel	12,190.07	10.21	1,193,934.38
		<b>Net Total</b>	<b>1,351,989.05</b>

**Sources:** Trips and vehicle CO<sub>2</sub> (Appendix B-1); kg/CO<sub>2</sub>/Gallon (The Climate Registry 2020).

**Notes:** MT = metric ton; CO<sub>2</sub> = carbon dioxide; kg = kilogram

By comparison, California as a whole consumes approximately 28.7 billion gallons of petroleum per year (EIA 2020). Countywide total petroleum use by vehicles is expected to be 1.1 billion gallons per year by 2024, the project's operational start year (CARB 2021).

### Summary

Statewide emission reduction measures proposed in the CARB-adopted amendments to the Pavley regulations include measures aimed at reducing GHG emissions associated with transportation. These amendments are part of California's commitment to a nationwide program to reduce new passenger vehicle GHGs from 2012 through 2016. Pavley regulations reduced GHG emissions from California passenger vehicles by about 22% in 2012. It is expected that Pavley regulations will reduce GHG emissions from California passenger vehicles by about 30% in 2016, all the while improving fuel efficiency and reducing motorists' costs. As such, vehicle trips associated with the Project are expected to use less petroleum due to advances in fuel economy over time.

CARB has adopted a new approach to passenger vehicles—cars and light trucks—by combining the control of smog-causing pollutants and GHG emissions into a single coordinated package of standards. The new approach also includes efforts to support and accelerate the numbers of plug-in hybrids and zero-emission vehicles in California (CARB 2020).

The proposed Project would create additional electricity and natural gas demand by adding industrial facilities. New facilities associated with the proposed Project would be subject to the State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations. The efficiency standards apply to new construction of nonresidential buildings and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting.

In summary, although natural gas and electricity usage would increase due to the implementation of the Project, the Project's energy efficiency would go beyond compliance with State Building Energy Efficiency Standards. Implementation of mitigation measures MM-AQ-4, MM-AQ-5, MM-AQ-6, and MM-AQ-7, will further reduce the Project's already less than significant natural gas and electricity usage impacts. Although the Project would see an increase in petroleum use during construction and operation, vehicles would use less petroleum due to advances in fuel economy and potential reduction in VMT over time. Similarly, MM-AQ-2 would further reduce the Project's already less-than-significant petroleum usage. Therefore, impacts to energy resources during operation would be less than significant. No mitigation is required. However, as noted above, implementation of air quality mitigation measures will provide the added benefit of further reducing impacts to energy resources.

**Threshold 4.4B:** **Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Less than Significant Impact.** The proposed Project would be subject to and would comply with, at a minimum, the 2019 California Building Code Title 24 (24 CCR, Part 6). The proposed Project would not conflict with existing energy

standards and regulations. The electricity and natural gas used for construction of the Project would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption. The Project's energy use would be further limited through the implementation of mitigation measures MM-AQ-3 (vehicle miles traveled reduction strategies), MM-AQ-4 (encourage electric vehicles), MM-AQ-5 (idling restriction), MM-AQ-6 (energy conservation), and MM-AQ-7 (forklifts and yard trucks), which are required to reduce the Project's air quality emissions but would have the added benefit of reducing energy usage.

### Construction

The electricity and natural gas used for construction of the Project would be temporary and would be substantially less than that required for Project operation and would have a negligible contribution to the Project's overall energy consumption. Construction is anticipated to consume 119,828 gallons of gasoline and 208,506 gallons of diesel. This would be a fraction of petroleum that would be consumed in California and Countywide over the course of the construction period. Therefore, construction would have a less-than-significant impact with regards to regional energy supplies. No mitigation is required. However, as discussed above, implementation of MM-AQ-4 through MM-AQ-7 would provide the added benefit of further reducing the Project's already less than significant energy impacts.

### Operation

As discussed under Threshold 4.4A the proposed Project would result in an increased demand for electricity, natural gas, and petroleum. Design features would reduce the Project's energy consumption by what is required by the 2019 California Building Code Title 24 standards. The efficiency standards apply to new construction of nonresidential buildings and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting.

In addition, it is expected that the Pavley regulations will reduce GHG emissions from California passenger vehicles by about 22% in 2012 and about 30% in 2016, all while improving fuel efficiency. By 2025, when the Advanced Clean Cars rules are fully implemented, one in seven new cars sold in California (1.4 million) will be non-polluting or nearly so, including plug-in hybrids, fully electric battery-powered cars, and hydrogen-powered fuel cell vehicles. Meanwhile, gasoline- and diesel-powered passenger vehicles would grow ever cleaner and more efficient. A variety of new technologies, from direct fuel injection to lower rolling resistance tires, will also cut pollution and create more energy-efficient vehicles (CARB 2011). As such, petroleum usage associated with operation of the proposed Project is anticipated to decrease due to a reduction in vehicle miles traveled in the region and due to advances in fuel economy over time. Therefore, impacts related to regional energy supplies and capacity during Project operation would be less than significant. No mitigation is required. However, as discussed above, implementation of MM-AQ-3 would provide the added benefit of further reducing the Project's already less than significant energy impacts

## 4.4.5 Cumulative Impacts Analysis

As discussed in Section 4.4.4, the Project would not result in wasteful, inefficient, or unnecessary use of energy. Cumulative projects that could exacerbate the Project's impacts include any projects that could result in wasteful, inefficient, or unnecessary use of energy. However, cumulative projects would be required by the Community Development Department, to conform to current state and local energy conservation standards, including the state building code. As a result, the Project, in combination with other reasonably foreseeable projects, would not cause a wasteful use of energy or other non-renewable natural resources. Additionally, the Project would also incorporate mitigation measure MM-AQ-2 through MM-AQ-7 (see Section 4.1, Air Quality) to reduce the Project's air quality impacts. These mitigation measures would have the added benefit of decreasing the Project's energy use, further reducing already



less than significant impacts. Therefore, the energy demand and use associated with the Project and cumulative projects would not substantially contribute to a cumulative impact on existing or proposed energy supplies or resources and would not cause a significant cumulative impact on energy resources.

#### 4.4.6 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.4A:** **Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?**

The Project would have a less-than-significant impact with regard to the wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. No mitigation is required.

**Threshold 4.4B:** **Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency and impacts would be less than significant. No mitigation is required.

#### 4.4.7 References Cited

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## 4.5 Geology and Soils

This section describes the existing paleontological resources conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. As discussed below in Section 4.5.3, Thresholds of Significance, impacts specific to geology, soils, and seismic hazards were determined be less than significant and are thus not evaluated in further detail as part of this Draft EIR. Paleontological resources, which is included within the Geology and Soils section of the Appendix G CEQA Guidelines, was the only resource area with potentially significant impacts that warranted analysis within this Draft EIR. As such, this Geology and Soils chapter focuses on information that is relevant to evaluating the Project’s potential impact on paleontological resources. Information sources used to prepare this section includes information from the following appendices:

**Appendix E-3:** Geotechnical Investigation, Proposed Commercial/Industrial Development, Project No. 19G146-1, prepared by Southern California Geotechnical, dated June 26, 2019

Other sources consulted are listed in Section 4.5.7, References Cited.

### 4.5.1 Existing Conditions

#### **Paleontological Setting**

San Bernardino County is host to numerous locales of significant paleontological resources. Paleontological resources are the preserved fossilized remains of plants and animals. Fossils and traces of fossils are preserved in sedimentary rock units, particularly fine- to medium-grained marine, lake, and stream deposits such as limestone, siltstone, sandstone, or shale, and in ancient soils (paleosols). They are also found in coarse-grained sediments, such as conglomerates or coarse alluvium. Fossils are rarely preserved in igneous or metamorphic rock units (County of San Bernardino 2007).

More specifically, the City is situated primarily on surface exposures of Quaternary or younger alluvial fan deposits of Holocene age, derived broadly as alluvial fan deposits from the San Bernardino Mountains to the north (CDOC 2021). Late Quaternary (late Holocene, or “modern”) alluvium and alluvial fan deposits are generally considered to be too young geologically to contain significant nonrenewable paleontological resources (i.e., fossils), and are thus typically assigned a low paleontological sensitivity.

#### **Geotechnical Report Review**

The geotechnical report, *Geotechnical Investigation Proposed Commercial/Industrial Development* (Appendix E-3), was prepared in June 2019 to determine the geotechnical conditions of the Project site. The report details the results of subsurface explorations at seventeen locations that fall within the Project site to determine subsurface conditions. According to the report, 17 hollow-stem auger borings were completed to depths between 12 and 35 feet below ground surface. Artificial fill soils encountered during subsurface testing are described as dark brown to brown silty fine to medium sand, coarse sand, and gravel. The native soils encountered during borings are described as alluvium and characterized as gray-brown fine to coarse sand and gravel. The report concludes that artificial fills soils were observed in depths ranging from 1.5 to 12 feet below ground surface and underlain by alluvium.

## 4.5.2 Relevant Plans, Policies, and Ordinances

### State

#### *CEQA - Paleontological Resources*

Paleontological resources are limited, nonrenewable resources of scientific, cultural, and educational value and are afforded protection under state (CEQA) laws and regulations. This study satisfies project requirements in accordance with CEQA (13 PRC, 2100 et seq.) and Public Resources Code Section 5097.5 (Stats 1965, c 1136, p. 2792). This analysis also complies with guidelines and significance criteria specified by the SVP (2010).

Paleontological resources are explicitly afforded protection by CEQA, specifically in Section VII(f) of CEQA Guidelines Appendix G, the “Environmental Checklist Form,” which addresses the potential for adverse impacts to “unique paleontological resource[s] or site[s] or ... unique geological feature[s].” This provision covers fossils of signal importance – remains of species or genera new to science, for example, or fossils exhibiting features not previously recognized for a given animal group – as well as localities that yield fossils significant in their abundance, diversity, preservation, and so forth. Further, CEQA provides that generally, a resource shall be considered “historically significant” if it has yielded or may be likely to yield information important in prehistory (PRC 15064.5 [a][3][D]). Paleontological resources would fall within this category. The PRC, Chapter 1.7, sections 5097.5 and 30244 also regulates removal of paleontological resources from state lands, defines unauthorized removal of fossil resources as a misdemeanor, and requires mitigation of disturbed sites.

## 4.5.3 Thresholds of Significance

The January 2021 Initial Study (Appendix A) for the proposed Project included an analysis of the following significance criteria based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.). It was concluded in the Initial Study that there were no impacts or less than significant impacts for the following significance criteria, which are, therefore, not analyzed as part of this Draft EIR:

- a) Directly or indirectly cause 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 issues by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 24.
  - 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 direct or indirect risks to life or property.
- e) 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 following significance criteria, included for analysis in this EIR, is based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.), and will be used to determine the significance of potential paleontological impacts. Impacts to geology and soils would be significant if the Project would:

- f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

### 4.5.4 Impacts Analysis

**Threshold 4.5F: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**Less than Significant Impact with Mitigation Incorporated.** San Bernardino County encompasses a wide variety of geological formations that differ in age and fossil-bearing sensitivity. The Project site, however, is overlain by Late Quaternary deposits and does not contain unique geologic features. Late Quaternary (late Holocene, or “modern”) alluvium and alluvial fan deposits are generally considered to be too young geologically to contain significant nonrenewable paleontological resources (i.e., fossils) and are typically assigned a low paleontological sensitivity. Moreover, the Project site has been subject to decades of ground disturbance associated with previous agricultural uses, industrial development, and development of the drive-in theater. As a result, it is unlikely that paleontological resources, if ever located on the Project site, would remain intact.

Despite the low potential for paleontological resources to occur on the Project site, it is always possible that intact fossil deposits are present at subsurface levels and could be uncovered during ground-disturbing activities. As such, MM-GEO-1 is required, which would ensure that if paleontological resources (sites, features, or fossils) are exposed during construction activities, all construction work occurring within the vicinity of the find would stop until a qualified paleontologist can evaluate the significance of the find and determine whether or not additional study is warranted. With incorporation of MM-GEO-1, impacts associated with paleontological resources would be less than significant.

### 4.5.5 Cumulative Impacts Analysis

With regard to cumulative impacts on paleontological resources, the City and surrounding area are overlain by Late Quaternary deposits are generally considered to be too young geologically to contain significant nonrenewable paleontological resources (i.e., fossils) and are typically assigned a low paleontological sensitivity. Thus, based on the lack of paleontological sensitivity in the area, the Project and other cumulative projects are unlikely to result in the destruction of a unique paleontological resource or site. This possibility would be even further reduced with implementation of MM-GEO-1, which would ensure the proper treatment of paleontological resources if discovered on the Project site.

Other individual projects occurring in the vicinity of the Project site would also be subject to the same requirements of CEQA as the Project and any impacts to paleontological resources would be mitigated, as applicable. These determinations would be made on a case-by-case basis, and the effects of cumulative development on paleontological resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Therefore, impacts on paleontological resources would not be cumulatively considerable with mitigation incorporated (MM-GEO-1).

The Project would not contribute to any potential cumulative impacts, and cumulative impacts to geological or paleontological resources after mitigation is implemented, are considered less than significant. No further

mitigation is required. Therefore, the proposed Project will not have a cumulatively considerable impact on geological or paleontological resources with mitigation incorporated.

## 4.5.6 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.5F: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

The Project would result in potentially significant impacts associated with the destruction of a unique paleontological resource or site or unique geologic feature. With incorporation of MM-GEO-1, impacts associated with paleontological resources would be less than significant with mitigation incorporated.

**MM-GEO-1** In the event that paleontological resources (fossil remains) are exposed during construction activities for the Project, all construction work occurring within 50 feet of the find shall immediately stop until a qualified paleontologist, as defined by the Society of Vertebrate Paleontology's 2010 guidelines, can assess the nature and importance of the find. Depending on the significance of the find, the qualified paleontologist may record the find and allow work to continue or may recommend salvage and recovery of the resource. All recommendations will be made in accordance with the Society of Vertebrate Paleontology's 2010 guidelines and shall be subject to review and approval by the City of Montclair. Work in the area of the find may only resume upon approval of a qualified paleontologist.

## 4.5.7 References Cited

California Building Standards Commission. 2016. 2016 California Building Code, California Code of Regulations, Title 24, part 2, Volume 2 of 2. Sacramento, California: CBSC. July 2016.

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## 4.6 Greenhouse Gas Emissions

This section describes the existing greenhouse gas (GHG) conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the Project. Information contained in this section is based on the latest version of California Emissions Estimator Model (CalEEMod), Version 2016.3.2, to estimate the proposed Project's GHG emissions from both construction and operations. For the relevant data, refer to the following appendix:

### **Appendix B-1** CalEEMod Outputs, prepared by Dudek

Other documentation used in this analysis includes the Transportation Impact Analysis, included as Appendix G of this Draft EIR. Other sources consulted are listed in Section 4.6.7, References Cited.

### 4.6.1 Existing Conditions

#### **Climate Change Overview**

Climate change refers to any significant change in measures of climate, such as temperature, precipitation, or wind patterns, lasting for an extended period of time (decades or longer). The Earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in Earth's energy balance, including variations in the sun's energy reaching Earth, changes in the reflectivity of Earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by Earth's atmosphere (EPA 2017a).

The greenhouse effect is the trapping and build-up of heat in the atmosphere (troposphere) near the Earth's surface. The greenhouse effect traps heat in the troposphere through a threefold process as follows: short-wave radiation emitted by the Sun is absorbed by the Earth, the Earth emits a portion of this energy in the form of long-wave radiation, and GHGs in the upper atmosphere absorb this long-wave radiation and emit it into space and toward the Earth. The greenhouse effect is a natural process that contributes to regulating the Earth's temperature and creates a pleasant, livable environment on the Earth. Human activities that emit additional GHGs to the atmosphere increase the amount of infrared radiation that gets absorbed before escaping into space, thus enhancing the greenhouse effect and causing the Earth's surface temperature to rise.

The scientific record of the Earth's climate shows that the climate system varies naturally over a wide range of time scales and that, in general, climate changes prior to the Industrial Revolution in the 1700s can be explained by natural causes, such as changes in solar energy, volcanic eruptions, and natural changes in GHG concentrations. Recent climate changes, in particular the warming observed over the past century, however, cannot be explained by natural causes alone. Rather, it is extremely likely that human activities have been the dominant cause of that warming since the mid-twentieth century and is the most significant driver of observed climate change (IPCC 2013; EPA 2017a). Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system (IPCC 2013). The atmospheric concentrations of GHGs have increased to levels unprecedented in the last 800,000 years, primarily from fossil fuel emissions and secondarily from emissions associated with land use changes (IPCC 2013). Continued emissions of GHGs will cause further warming and changes in all components of the climate system.

### Greenhouse Gases

A GHG is any gas that absorbs infrared radiation in the atmosphere; in other words, GHGs trap heat in the atmosphere. As defined in California Health and Safety Code section 38505(g) for purposes of administering many of the state’s primary GHG emissions reduction programs, GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF<sub>6</sub>), and nitrogen trifluoride (NF<sub>3</sub>) (see also 14 CCR 15364.5).<sup>1</sup> Some GHGs, such as CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, are emitted into the atmosphere through natural processes and human activities. Of these gases, CO<sub>2</sub> and CH<sub>4</sub> are emitted in the greatest quantities from human activities. Manufactured GHGs, which have a much greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases, such as HFCs, PFCs, and SF<sub>6</sub>, which are associated with certain industrial products and processes. The following paragraphs provide a summary of the most common GHGs and their sources.<sup>2</sup>

**Carbon Dioxide.** CO<sub>2</sub> is a naturally occurring gas and a by-product of human activities and is the principal anthropogenic GHG that affects the Earth’s radiative balance. Natural sources of CO<sub>2</sub> include respiration of bacteria, plants, animals, and fungus; evaporation from oceans; volcanic out-gassing; and decomposition of dead organic matter. Human activities that generate CO<sub>2</sub> are from the combustion of fuels such as coal, oil, natural gas, and wood and changes in land use.

**Methane.** CH<sub>4</sub> is produced through both natural and human activities. CH<sub>4</sub> is a flammable gas and is the main component of natural gas. Methane is produced through anaerobic (without oxygen) decomposition of waste in landfills, flooded rice fields, animal digestion, decomposition of animal wastes, production and distribution of natural gas and petroleum, coal production, and incomplete fossil fuel combustion.

**Nitrous Oxide.** N<sub>2</sub>O is produced through natural and human activities, mainly through agricultural activities and natural biological processes, although fuel burning and other processes also create N<sub>2</sub>O. Sources of N<sub>2</sub>O include soil cultivation practices (microbial processes in soil and water), especially the use of commercial and organic fertilizers, manure management, industrial processes (such as in nitric acid production, nylon production, and fossil-fuel-fired power plants), vehicle emissions, and using N<sub>2</sub>O as a propellant (such as in rockets, racecars, and aerosol sprays).

**Fluorinated Gases.** Fluorinated gases (also referred to as F-gases) are synthetic powerful GHGs emitted from many industrial processes. Fluorinated gases are commonly used as substitutes for stratospheric ozone-depleting substances (e.g., CFCs, HCFCs, and halons). The most prevalent fluorinated gases include the following:

- **Hydrofluorocarbons:** HFCs are compounds containing only hydrogen, fluorine, and carbon atoms. HFCs are synthetic chemicals used as alternatives to ozone-depleting substances in serving many industrial, commercial, and personal needs. HFCs are emitted as by-products of industrial processes and are used in manufacturing.
- **Perfluorocarbons:** PFCs are a group of human-made chemicals composed of carbon and fluorine only. These chemicals were introduced as alternatives, with HFCs, to the ozone depleting substances. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Since PFCs have stable

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<sup>1</sup> Climate forcing substances include GHGs and other substances such as black carbon and aerosols. This discussion focuses on the seven GHGs identified in the California Health and Safety Code Section 38505, because impacts associated with other climate forcing substances are not evaluated herein.

<sup>2</sup> The descriptions of GHGs are summarized from the Intergovernmental Panel on Climate Change’s Second Assessment Report and Fourth Assessment Report (IPCC 1995, 2007), CARB’s Glossary of Terms Used in GHG Inventories (CARB 2018), and EPA’s Glossary of Climate Change Terms (EPA 2016).



molecular structures and do not break down through the chemical processes in the lower atmosphere, these chemicals have long lifetimes, ranging between 10,000 and 50,000 years.

- **Sulfur Hexafluoride:** SF<sub>6</sub> is a colorless gas soluble in alcohol and ether and slightly soluble in water. SF<sub>6</sub> is used for insulation in electric power transmission and distribution equipment, semiconductor manufacturing, the magnesium industry, and as a tracer gas for leak detection.
- **Nitrogen Trifluoride:** NF<sub>3</sub> is used in the manufacture of a variety of electronics, including semiconductors and flat panel displays.

**Chlorofluorocarbons.** CFCs are synthetic chemicals that have been used as cleaning solvents, refrigerants, and aerosol propellants. CFCs are chemically unreactive in the lower atmosphere (troposphere) and the production of CFCs was prohibited in 1987 due to the chemical destruction of stratospheric O<sub>3</sub>.

**Hydrochlorofluorocarbons.** HCFCs are a large group of compounds, whose structure is very close to that of CFCs—containing hydrogen, fluorine, chlorine, and carbon atoms—but including one or more hydrogen atoms. Like HFCs, HCFCs are used in refrigerants and propellants. HCFCs were also used in place of CFCs for some applications; however, their use in general is being phased out.

**Black Carbon.** Black carbon is a component of fine particulate matter, which has been identified as a leading environmental risk factor for premature death. It is produced from the incomplete combustion of fossil fuels and biomass burning, particularly from older diesel engines and forest fires. Black carbon warms the atmosphere by absorbing solar radiation, influences cloud formation, and darkens the surface of snow and ice, which accelerates heat absorption and melting. Black carbon is a short-lived species that varies spatially, which makes it difficult to quantify the global warming potential. Diesel particulate matter emissions are a major source of black carbon and are TACs that have been regulated and controlled in California for several decades to protect public health. In relation to declining diesel particulate matter from the California Air Resources Board's (CARB's) regulations pertaining to diesel engines, diesel fuels, and burning activities, CARB estimates that annual black carbon emissions in California have reduced by 70% between 1990 and 2010, with 95% control by 2020 (CARB 2014).

**Water Vapor.** The primary source of water vapor is evaporation from the ocean, with additional vapor generated by sublimation (change from solid to gas) from ice and snow, evaporation from other water bodies, and transpiration from plant leaves. Water vapor is the most important, abundant, and variable GHG in the atmosphere and maintains a climate necessary for life.

**Ozone.** Tropospheric O<sub>3</sub>, which is created by photochemical reactions involving gases from both natural sources and human activities, acts as a GHG. Stratospheric O<sub>3</sub>, which is created by the interaction between solar ultraviolet radiation and molecular oxygen (O<sub>2</sub>), plays a decisive role in the stratospheric radiative balance. Depletion of stratospheric O<sub>3</sub>, due to chemical reactions that may be enhanced by climate change, results in an increased ground-level flux of ultraviolet-B radiation.

**Aerosols.** Aerosols are suspensions of particulate matter in a gas emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light.

### Global Warming Potential

Gases in the atmosphere can contribute to climate change both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance

produce other GHGs, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the Earth (e.g., affect cloud formation or albedo) (EPA 2020). The Intergovernmental Panel on Climate Change (IPCC) developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of 1 kilogram of a trace substance relative to that of 1 kilogram of a reference gas (IPCC 2014). The reference gas used is CO<sub>2</sub>; therefore, GWP-weighted emissions are measured in metric tons of CO<sub>2</sub> equivalent (MT CO<sub>2</sub>e).

The current version of the California Emissions Estimator Model (CalEEMod) (Version 2016.3.2) assumes that the GWP for CH<sub>4</sub> is 25 (so emissions of 1 MT of CH<sub>4</sub> are equivalent to emissions of 25 MT of CO<sub>2</sub>), and the GWP for N<sub>2</sub>O is 298, based on the Intergovernmental Panel on Climate Change’s Fourth Assessment Report (IPCC 2007). The GWP values identified in CalEEMod were applied to the Project.

**Sources of Greenhouse Gas Emissions**

Per the EPA Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2018 (EPA 2020), total United States GHG emissions were approximately 6,676.6 MMT CO<sub>2</sub>e in 2018 (EPA 2020). The primary GHG emitted by human activities in the United States was CO<sub>2</sub>, which represented approximately 81.3% of total GHG emissions (5,428.1 MMT CO<sub>2</sub>e). The largest source of CO<sub>2</sub>, and of overall GHG emissions, was fossil-fuel combustion, which accounted for approximately 92.8% of CO<sub>2</sub> emissions in 2018 (5,031.8 MMT CO<sub>2</sub>e). Relative to 1990, gross United States GHG emissions in 2018 are higher by 3.7%, down from a high of 15.2% above 1990 levels in 2007. GHG emissions decreased from 2017 to 2018 by 2.9% (188.4 MMT CO<sub>2</sub>e) and overall, net emissions in 2018 were 10.2% below 2005 levels (EPA 2020).

According to California’s 2000–2018 GHG emissions inventory (2020 edition), California emitted 425 MMT CO<sub>2</sub>e in 2018, including emissions resulting from out-of-state electrical generation (CARB 2020a). The sources of GHG emissions in California include transportation, industry, electric power production from both in-state and out-of-state sources, residential and commercial activities, agriculture, high GWP substances, and recycling and waste. The California GHG emission source categories and their relative contributions in 2018 are presented in Table 4.6-1.

**Table 4.6-1. Greenhouse Gas Emissions Sources in California**

Source Category	Annual GHG Emissions (MMT CO <sub>2</sub> e)	Percent of Total <sup>a</sup>
Transportation	169.50	40%
Industrial	89.18	21%
Electric Power <sup>b</sup>	63.11	15%
Agriculture	32.57	8%
Residential	25.74	6%
Commercial	13.46	4%
High global-warming potential substances	20.46	5%
Recycling and waste	9.09	2%
<b>Total</b>	<b>425.28</b>	<b>100%</b>

Source: CARB 2020a.

Notes: GHG = greenhouse gas; MMT CO<sub>2</sub>e = million metric tons of carbon dioxide equivalent per year.

Emissions reflect the 2018 California GHG inventory.

<sup>a</sup> Percentage of total has been rounded, and total may not sum due to rounding.

<sup>b</sup> Includes emissions associated with imported electricity, which account for 24.57 MMT CO<sub>2e</sub> annually.

Between 2000 and 2018, per-capita GHG emissions in California have dropped from a peak of 14.0 MT per person in 2001 to 10.7 MT per person in 2018, representing a 24% decrease (CARB 2020b). In 2016, statewide GHG emissions dropped below the 2020 GHG Limit of 431 MMT CO<sub>2e</sub> and have remained below the Limit since that time (CARB 2020b).

### Potential Effects of Climate Change

Globally, climate change has the potential to affect numerous environmental resources through uncertain impacts related to future air temperatures and precipitation patterns. The 2014 Intergovernmental Panel on Climate Change Synthesis Report (IPCC 2014) indicated that warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia. Signs that global climate change has occurred include warming of the atmosphere and ocean, diminished amounts of snow and ice, rising sea levels, and ocean acidification (IPCC 2014).

In California, climate change impacts have the potential to affect sea-level rise, agriculture, snowpack and water supply, forestry, wildfire risk, public health, frequency of severe weather events, and electricity demand and supply. The primary effect of global climate change has been a rise in average global tropospheric temperature. Reflecting the long-term warming trend since pre-industrial times, observed global mean surface temperature for the decade 2006–2015 was 0.87 °C (likely between 0.75 °C and 0.99 °C) higher than the average over the 1850–1900 period (IPCC 2018). Scientific modeling predicts that continued emissions of GHGs at or above current rates would induce more extreme climate changes during the twenty-first century than were observed during the twentieth century. Human activities are estimated to have caused approximately 1.0 °C (1.8 degrees Fahrenheit (°F)) of global warming above pre-industrial levels, with a likely range of 0.8 °C to 1.2 °C (1.4 °F to 2.2 °F) (IPCC 2018). Global warming is likely to reach 1.5 °C (2.7 °F) between 2030 and 2052 if it continues to increase at the current rate (IPCC 2018).

Although climate change is driven by global atmospheric conditions, climate change impacts are felt locally. A scientific consensus confirms that climate change is already affecting California. The Office of Environmental Health Hazard Assessment identified various indicators of climate change in California, which are scientifically-based measurements that track trends in various aspects of climate change. Many indicators reveal discernible evidence that climate change is occurring in California and is having significant, measurable impacts in the state. Changes in the state's climate have been observed including an increase in annual average air temperature with record warmth from 2012 to 2016, more frequent extreme heat events, more extreme drought, a decline in winter chill, an increase in cooling degree days and a decrease in heating degree days, and an increase in variability of statewide precipitation (OEHHA 2018).

Warming temperatures and changing precipitation patterns have altered California's physical systems – the ocean, lakes, rivers and snowpack – upon which the state depends. Winter snowpack and spring snowmelt runoff from the Sierra Nevada and southern Cascade Mountains provide approximately one-third of the state's annual water supply. Impacts of climate on physical systems have been observed such as high variability of snow-water content (i.e., amount of water stored in snowpack), decrease in snowmelt runoff, glacier change (loss in area), rise in sea levels, increase in average lake water temperature and coastal ocean temperature, and a decrease in dissolved oxygen in coastal waters (OEHHA 2018).

Impacts of climate change on biological systems, including humans, wildlife, and vegetation, have also been observed including climate change impacts on terrestrial, marine, and freshwater ecosystems. As with global observations, species responses include those consistent with warming: elevational or latitudinal shifts in range, changes in the timing of key plant and animal life cycle events, and changes in the abundance of species and in community composition. Humans are better able to adapt to a changing climate than plants and animals in natural ecosystems. Nevertheless, climate change poses a threat to public health as warming temperatures and changes in precipitation can affect vector-borne pathogen transmission and disease patterns in California as well as the variability of heat-related deaths and illnesses. In addition, since 1950, the area burned by wildfires each year has been increasing.

The California Natural Resources Agency (CNRA) has released four California Climate Change Assessments (2006, 2009, 2012, and 2018), which have addressed the following: acceleration of warming across the state, more intense and frequent heat waves, greater riverine flows, accelerating sea level rise, more intense and frequent drought, more severe and frequent wildfires, more severe storms and extreme weather events, shrinking snowpack and less overall precipitation, and ocean acidification, hypoxia, and warming. To address local and regional governments need for information to support action in their communities, the Fourth Assessment (2018) includes reports for nine regions of the state, including the Los Angeles Region, which includes the part of San Bernardino County where the project is located. Key projected climate changes for the Los Angeles Region include the following (CNRA 2018a):

- Continued future warming over the Los Angeles region. Across the region, average maximum temperatures are projected to increase around 4 °F to 5 °F by the mid-century, and 5 °F to 8 °F by the late 21st century.
- Extreme temperatures are also expected to increase. The hottest day of the year may be up to 10 °F warmer for many locations across the Los Angeles region by the late 21st century under certain model scenarios. The number of extremely hot days is also expected to increase across the region.
- Despite small changes in average precipitation, dry and wet extremes are both expected to increase. By the late 21st century, the wettest day of the year is expected to increase across most of the Los Angeles region, with some locations experiencing 25% to 30% increases under certain model scenarios. Increased frequency and severity of atmospheric river events are also projected to occur for this region.
- Sea levels are projected to continue to rise in the future, but there is a large range based on emissions scenario and uncertainty in feedbacks in the climate system. Roughly 1 feet to 2 feet of sea level rise is projected by the mid-century, and the most extreme projections lead to 8 feet to 10 feet of sea level rise by the end of the century.
- Projections indicate that wildfire may increase over southern California, but there remains uncertainty in quantifying future changes of burned area over the Los Angeles region.

## 4.6.2 Relevant Plans, Policies, and Ordinances

### International

#### ***United Nations Framework Convention on Climate Change, Kyoto Protocol, and Paris Agreement***

In 1992, numerous countries joined an international treaty, the United Nations Framework Convention on Climate Change (UNFCCC), as a framework for international cooperation to combat climate change by limiting average global temperature increases and the resulting climate change and coping with associated impacts. Currently, there are 197 Parties (196 States and 1 regional economic integration organization) in the UNFCCC (UNFCCC 2019).

By 1995, countries launched negotiations to strengthen the global response to climate change, and, two years later, adopted the Kyoto Protocol, which was the first international agreement to regulate GHG emissions. The Kyoto Protocol legally binds developed country Parties to emission reduction targets. The Protocol's first commitment period started in 2008 and ended in 2012. The second commitment period began on January 1, 2013 and will end in 2020. More than 160 countries signed the Kyoto Protocol (UNFCCC 2019). In 2001, President George W. Bush indicated that he would not submit the treaty to the U.S. Senate for ratification, which effectively ended the United States involvement in the Kyoto Protocol.

The 2015 Paris Agreement, adopted in Paris on December 12, 2015, marks the latest step in the evolution of the UN climate change regime and builds on the work undertaken under the Convention. The Paris Agreement charts a new course in the global effort to combat climate change. The Paris Agreement central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2°C above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5°C (UNFCCC 2019). The Paris Agreement also aims to strengthen the ability of countries to deal with the impacts of climate change. The Paris Agreement requires all Parties to put forward their best efforts through nationally determined contributions and to strengthen these efforts in the years ahead.

The Paris Agreement entered into force on November 4, 2016, 30 days after the date on which at least 55 Parties to the Convention accounting in total for at least an estimated 55% of the total global GHG emissions have deposited their instruments of ratification, acceptance, approval or accession with the Depository (UNFCCC 2019). On June 2, 2017, President Donald Trump announced his intention to withdraw from the Paris Agreement. However, on February 19, 2021, the United States officially rejoined the Paris Agreement under executive order by President Joseph Biden.

### **Federal**

#### ***Massachusetts v. EPA***

In *Massachusetts v. EPA* (April 2007), the U.S. Supreme Court directed the EPA administrator to determine whether GHG emissions from new motor vehicles cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision. In December 2009, the administrator signed a final rule with the following two distinct findings regarding GHGs under Section 202(a) of the federal Clean Air Act:

- The Administrator found that elevated concentrations of GHGs—CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, HFCs, PFCs, and SF<sub>6</sub>—in the atmosphere threaten the public health and welfare of current and future generations. This is the “endangerment finding.”
- The Administrator further found the combined emissions of GHGs—CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, and HFCs—from new motor vehicles and new motor vehicle engines contribute to the GHG air pollution that endangers public health and welfare. This is the “cause or contribute finding.”

These two findings were necessary to establish the foundation for regulation of GHGs from new motor vehicles as air pollutants under the Clean Air Act.

### ***Energy Independence and Security Act of 2007***

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

- 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 for the combined fleet of cars and light trucks by model year 2020 and directs 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.

### ***Federal Vehicle Standards***

In response to the *Massachusetts v. EPA*, the Bush Administration issued Executive Order (EO) 13432 in 2007 directing the 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, 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 EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016 (75 FR 25324–25728) (EPA 2010).

In 2010, President Barack Obama issued a memorandum directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, 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 CO<sub>2</sub> in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021 (77 FR 62624–63200). On January 12, 2017, the EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks (EPA 2017b).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018 (76 FR 57106–57513). The standards for CO<sub>2</sub> 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 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 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 through 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 CO<sub>2</sub> emissions by approximately 1.1 billion MT and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program (EPA and NHTSA 2016).

In August 2018, EPA and NHTSA proposed to amend certain fuel economy and GHG standards for passenger cars and light trucks and establish new standards for model years 2021 through 2026. Compared to maintaining the post-2020 standards now in place, the 2018 proposal would increase U.S. fuel consumption by about half a million barrels per day (2%–3% of total daily consumption, according to the Energy Information Administration) and would impact the global climate by 3/1000th of one degree Celsius by 2100 (EPA and NHTSA 2018). California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. Thus, the timing and consequences of the 2018 federal proposal are speculative at this time.

On September 27, 2019, the EPA and NHTSA published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program (84 Fed. Reg. 51,310), which became effective November 26, 2019. The Part One Rule revokes California’s authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the EPA and NHTSA issued the Part Two Rule, which will go into effect 60 days after being published in the Federal Register. The Part Two Rule sets CO<sub>2</sub> emissions standards and corporate average fuel economy standards for passenger vehicles and light-duty trucks for model years 2021 through 2026. On January 20, 2021, President Joe Biden issued an Executive Order (EO) on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis, which includes review of Part One Rule by April 2021 and review of the Part Two Rule by July 2021 (The White House 2021).

### ***Clean Power Plan and New Source Performance Standards for Electric Generating Units***

On October 23, 2015, EPA published a final rule (effective December 22, 2015) establishing the Carbon Pollution Emission Guidelines for Existing Stationary Sources: Electric Utility Generating Units (80 FR 64510–64660), also known as the Clean Power Plan. These guidelines prescribe how states must develop plans to reduce GHG emissions from existing fossil-fuel-fired electric generating units. The guidelines establish CO<sub>2</sub> emission performance rates representing the best system of emission reduction for two subcategories of existing fossil-fuel-fired electric generating units: (1) fossil-fuel-fired electric utility steam-generating units, and (2) stationary combustion turbines. Concurrently, the EPA published a final rule (effective October 23, 2015) establishing Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units (80 FR 64661–65120). The rule prescribes CO<sub>2</sub> emission standards for newly constructed, modified, and reconstructed affected fossil-fuel-fired electric utility generating units. The U.S. Supreme Court stayed implementation of the Clean Power Plan pending resolution of several lawsuits.

### **State**

The statewide GHG emissions regulatory framework is summarized below by category: state climate change targets, building energy, renewable energy and energy procurement, mobile sources, solid waste, water, and other state regulations and goals. The following text describes EOs, legislation, regulations, and other plans and policies that would directly or indirectly reduce GHG emissions and/or address climate change issues.

### ***State Climate Change Targets***

The state has taken a number of actions to address climate change. These include EOs, legislation, and CARB plans and requirements. These are summarized below.

**EO S-3-05.** EO S-3-05 (June 2005) established the following statewide goals: GHG emissions should be reduced to 2000 levels by 2010, GHG emissions should be reduced to 1990 levels by 2020, and GHG emissions should be reduced to 80% below 1990 levels by 2050.

**AB 32.** In furtherance of the goals established in EO S-3-05, the legislature enacted AB 32. The bill is referred to as the California Global Warming Solutions Act of 2006 (September 27, 2006). AB 32 provided initial direction on creating a comprehensive multiyear program to limit California’s GHG emissions at 1990 levels by 2020 and initiate the transformations required to achieve the state’s long-range climate objectives.

**CARB’s 2007 Statewide Limit.** In 2007, in accordance with California Health and Safety Code, Section 38550, CARB approved a statewide limit on the GHG emissions level for year 2020 consistent with the determined 1990 baseline (427 million metric tons [MMT] CO<sub>2</sub>e).

**CARB’s Climate Change Scoping Plan.** One specific requirement of AB 32 is for CARB to prepare a scoping plan for achieving the maximum technologically feasible and cost-effective GHG emission reductions by 2020 (Health and Safety Code, Section 38561[a]), and to update the plan at least once every 5 years. In 2008, CARB approved the first scoping plan. The Climate Change Scoping Plan: A Framework for Change (Scoping Plan) included a mix of recommended strategies that combined direct regulations, market-based approaches, voluntary measures, policies, and other emission reduction programs calculated to meet the 2020 statewide GHG emission limit and initiate the transformations needed to achieve the state’s long-range climate objectives. The key elements of the Scoping Plan include the following (CARB 2008):

1. Expanding and strengthening existing energy efficiency programs as well as building and appliance standards
2. Achieving a statewide renewable energy mix of 33%
3. Developing a California cap-and-trade program that links with other Western Climate Initiative partner programs to create a regional market system and caps sources contributing 85% of California’s GHG emissions
4. Establishing targets for transportation-related GHG emissions for regions throughout California, and pursuing policies and incentives to achieve those targets
5. Adopting and implementing measures pursuant to existing state laws and policies, including California’s clean car standards, goods movement measures, and the Low Carbon Fuel Standard (LCFS) (17 CCR, Section 95480 et seq.)
6. Creating targeted fees, including a public goods charge on water use, fees on high GWP gases, and a fee to fund the administrative costs of the State of California’s long-term commitment to AB 32 implementation

The Scoping Plan also identified local governments as essential partners in achieving California’s goals to reduce GHG emissions because they have broad influence and, in some cases, exclusive authority over activities that contribute to significant direct and indirect GHG emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations. Specifically, the Scoping Plan encouraged local governments to adopt a reduction goal for municipal operations and for community emissions to reduce GHGs by approximately 15% from then levels (2008) by 2020. Many local governments developed community-scale local GHG reduction plans based on this Scoping Plan recommendation.

In 2014, CARB approved the first update to the Scoping Plan. The First Update to the Climate Change Scoping Plan: Building on the Framework (First Update) defined the state’s GHG emission reduction priorities for the next 5 years and laid the groundwork to start the transition to the post-2020 goals set forth in EOs S-3-05 and B-16-2012. The First Update concluded that California is on track to meet the 2020 target but recommended a 2030 mid-term GHG reduction target be established to ensure a continuum of action to reduce emissions. The First Update



recommended a mix of technologies in key economic sectors to reduce emissions through 2050 including energy demand reduction through efficiency and activity changes; large-scale electrification of on-road vehicles, buildings, and industrial machinery; decarbonizing electricity and fuel supplies; and the rapid market penetration of efficient and clean energy technologies. As part of the First Update, CARB recalculated the state's 1990 emissions level, using more recent GWPs identified by the IPCC from 427 MMT CO<sub>2e</sub> to 431 MMT CO<sub>2e</sub>.

In 2015, as directed by EO B-30-15, CARB began working on an update to the Scoping Plan to incorporate the 2030 target of 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in S-3-05. The governor called on California to pursue a new and ambitious set of strategies, in line with the five climate change pillars from his inaugural address, to reduce GHG emissions and prepare for the unavoidable impacts of climate change. In the summer of 2016, the legislature affirmed the importance of addressing climate change through passage of SB 32 (Chapter 249, Statutes of 2016).

In December 2017, CARB adopted the 2017 Climate Change Scoping Plan Update (2030 Scoping Plan) (CARB 2017). The 2030 Scoping Plan builds on the successful framework established in the initial Scoping Plan and First Update, while identifying new, technologically feasible and cost-effective strategies that will serve as the framework to achieve the 2030 GHG target and define the state's climate change priorities to 2030 and beyond. The strategies' known commitments include implementing renewable energy and energy efficiency (including the mandates of SB 350), increased stringency of the LCFS, measures identified in the Mobile Source and Freight Strategies, measures identified in the proposed Short-Lived Climate Pollutant Plan, and increased stringency of SB 375 targets. To fill the gap in additional reductions needed to achieve the 2030 target, it recommends continuing the cap-and-trade program and a measure to reduce GHGs from refineries by 20%.

For local governments, the 2030 Scoping Plan replaced the initial Scoping Plan's 15% reduction goal with a recommendation to aim for a community-wide goal of no more than 6 MT CO<sub>2e</sub> per capita by 2030 and no more than 2 MT CO<sub>2e</sub> per capita by 2050, which are consistent with the state's long-term goals. These goals are also consistent with the Under 2 Memorandum of Understanding (Under 2 2016) and the Paris Agreement, which are developed around the scientifically based levels necessary to limit global warming below 2°C. The 2030 Scoping Plan recognized the benefits of local government GHG planning (e.g., through climate action plans [CAPs]) and provide more information regarding tools CARB is working on to support those efforts. It also recognizes the CEQA streamlining provisions for project level review where there is a legally adequate CAP.<sup>3</sup>

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32, SB 32, and the EOs and establishes an overall framework for the measures that will be adopted to reduce California's GHG emissions. A project is considered consistent with the statutes and EOs if it meets the general policies in reducing GHG emissions to facilitate the achievement of the state's goals and does not impede attainment of those goals. As discussed in several cases, a given project need not be in perfect conformity with each and every planning policy or goals to be consistent. A project would be consistent, if it will further the objectives and not obstruct their attainment.

**CARB's Regulations for the Mandatory Reporting of Greenhouse Gas Emissions.** CARB's Regulation for the Mandatory Reporting of Greenhouse Gas Emissions (17 CCR 95100–95157) incorporated by reference certain requirements that EPA promulgated in its Final Rule on Mandatory Reporting of Greenhouse Gases (Title 40, CFR, Part 98). Specifically, Section 95100(c) of the Mandatory Reporting Regulation incorporated those requirements

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<sup>3</sup> *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490; *San Francisco Tomorrow et al. v. City and County of San Francisco* (2015) 229 Cal.App.4th 498; *San Franciscans Upholding the Downtown Specific Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656; *Sequoyah Hills Homeowners Assn. v. City of Oakland* (1993) 23 Cal.App.4th 704, 719.

that EPA promulgated in the Federal Register on October 30, 2009; July 12, 2010; September 22, 2010; October 28, 2010; November 30, 2010; December 17, 2010; and April 25, 2011. In general, entities subject to the Mandatory Reporting Regulation that emit over 10,000 MT CO<sub>2</sub>e per year are required to report annual GHGs through the California Electronic GHG Reporting Tool. Certain sectors, such as refineries and cement plants, are required to report regardless of emission levels. Entities that emit more than the 25,000 MT CO<sub>2</sub>e per year threshold are required to have their GHG emission report verified by a CARB-accredited third party.

**EO B-18-12.** EO B-18-12 (April 2012) directed state agencies, departments, and other entities under the governor’s executive authority to take action to reduce entity-wide GHG emissions by at least 10% by 2015 and 20% by 2020, as measured against a 2010 baseline.

**SB 605 and SB 1383.** SB 605 (2014) requires CARB to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state. SB 1383 (2016) requires CARB to approve and implement that strategy by January 1, 2018. SB 1383 also establishes specific targets for the reduction of short-lived climate pollutants (40% below 2013 levels by 2030 for CH<sub>4</sub> and HFCs, and 50% below 2013 levels by 2030 for anthropogenic black carbon), and provides direction for reductions from dairy and livestock operations and landfills. Accordingly, and as mentioned above, CARB adopted its Short-Lived Climate Pollutant Reduction Strategy in March 2017. The Short-Lived Climate Pollutant Reduction Strategy establishes a framework for the statewide reduction of emissions of black carbon, CH<sub>4</sub>, and fluorinated gases.

**EO B-30-15.** EO B-30-15 (April 2015) identified an interim GHG reduction target in support of targets previously identified under EO S-3-05 and AB 32. EO B-30-15 set an interim target goal of reducing GHG emissions to 40% below 1990 levels by 2030 to keep California on its trajectory toward meeting or exceeding the long-term goal of reducing GHG emissions to 80% below 1990 levels by 2050 as set forth in EO S-3-05. To facilitate achieving this goal, EO B-30-15 called for CARB to update the Scoping Plan to express the 2030 target in terms of MMT CO<sub>2</sub>e. The EO also called for state agencies to continue to develop and implement GHG emission reduction programs in support of the reduction targets.

**Senate Bill (SB) 32 and AB 197.** SB 32 and AB 197 (enacted in 2016) are companion bills. SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by requiring CARB to ensure that statewide GHG emissions are reduced to 40% below 1990 levels by 2030. AB 197 established the Joint Legislative Committee on Climate Change Policies, consisting of at least three members of the Senate and three members of the Assembly, in order to provide ongoing oversight over implementation of the state’s climate policies. AB 197 also added two members of the Legislature to the CARB Board as nonvoting members; requires CARB to make available and update (at least annually via its website) emissions data for GHGs, criteria air pollutants, and TACs from reporting facilities; and requires CARB to identify specific information for GHG emissions reduction measures when updating the scoping plan.

**EO B-55-18.** EO B-55-18 (September 2018) establishes 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.” This executive order directs CARB to “work with relevant state agencies to ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal.”

**Building Energy**

**Title 24, Part 6.** Title 24 of the California Code of Regulations was established in 1978 and serves to enhance and regulate California’s building standards. While not initially promulgated to reduce GHG emissions, Part 6 of Title 24 specifically established Building Energy Efficiency Standards that are designed to ensure new and existing buildings

in California achieve energy efficiency and preserve outdoor and indoor environmental quality. These energy efficiency standards are reviewed every few years by the Building Standards Commission and the California Energy Commission (CEC) (and revised if necessary) (California Public Resources Code, Section 25402[b][1]). The regulations receive input from members of industry, as well as the public, with the goal of “reducing of wasteful, uneconomic, inefficient, or unnecessary consumption of energy” (California Public Resources Code, Section 25402). These regulations are carefully scrutinized and analyzed for technological and economic feasibility (California Public Resources Code, Section 25402[d]) and cost effectiveness (California Public Resources Code, Sections 25402[b][2] and [b][3]). As a result, these standards save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment.

The 2019 Title 24 standards are the currently applicable building energy efficiency standards, and became effective on January 1, 2020. The 2019 Title 24 Building Energy Efficiency Standards will further reduce energy used and associated GHG emissions compared to current standards. In general, single-family residences built to the 2019 standards are anticipated to use approximately 7% less energy due to energy efficiency measures than those built to the 2016 standards; once rooftop solar electricity generation is factored in, single-family residences built under the 2019 standards will use approximately 53% less energy than those under the 2016 standards (CEC 2018). Nonresidential buildings built to the 2019 standards are anticipated to use an estimated 30% less energy than those built to the 2016 standards (CEC 2018).

**Title 24, Part 11.** In addition to the CEC’s efforts, in 2008, the California Building Standards Commission adopted the nation’s first green building standards. The California Green Building Standards Code (Part 11 of Title 24) is commonly referred to as California’s Green Building Standards (CALGreen), and establishes minimum mandatory standards and voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all ground-up, new construction of commercial, low-rise residential and state-owned buildings and schools and hospitals. The 2019 CALGreen standards are the current applicable standards. For nonresidential projects, some of the key mandatory CALGreen 2019 standards involve requirements related to bicycle parking, designated parking for clean air vehicles, electric vehicle (EV) charging stations, shade trees, water conserving plumbing fixtures and fittings, outdoor potable water use in landscaped areas, recycled water supply systems, construction waste management, excavated soil and land clearing debris, and commissioning (24 CCR Part 11).

The CALGreen standards also include voluntary efficiency measures that are provided at two tiers and implemented at the discretion of local agencies and applicants. CALGreen’s Tier 1 standards call for a 15% improvement in energy requirements, stricter water conservation, 65% diversion of construction and demolition waste, 10% recycled content in building materials, 20% permeable paving, 20% cement reduction, and cool/solar-reflective roofs. CALGreen’s more rigorous Tier 2 standards call for a 30% improvement in energy requirements, stricter water conservation, 80% diversion of construction and demolition waste, 15% recycled content in building materials, 30% permeable paving, 25% cement reduction, and cool/solar-reflective roofs.

**Title 20.** Title 20 of the California Code of Regulations requires manufacturers of appliances to meet state and federal standards for energy and water efficiency. The CEC certifies an appliance based on a manufacturer’s demonstration that the appliance meets the standards. New appliances regulated under Title 20 include refrigerators, refrigerator-freezers, and freezers; room air conditioners and room air-conditioning heat pumps; central air conditioners; spot air conditioners; vented gas space heaters; gas pool heaters; plumbing fittings and plumbing fixtures; fluorescent lamp ballasts; lamps; emergency lighting; traffic signal modules; dishwaters; clothes

washers and dryers; cooking products; electric motors; low-voltage dry-type distribution transformers; power supplies; televisions and consumer audio and video equipment; and battery charger systems.

**SB 1.** SB 1 (August 2006, “Go Solar California” or “Million Solar Roofs”) established a \$3 billion rebate program to support the goal of the state to install rooftop solar energy systems with a generation capacity of 3,000 megawatts through 2016. The goals included establishing solar energy systems as a viable mainstream option for both homes and businesses within 10 years of adoption, and placing solar energy systems on 50% of new homes within 13 years of adoption.

**AB 1470.** This bill established the Solar Water Heating and Efficiency Act of 2007. The bill includes findings and declarations of the legislature relating to the promotion of solar water heating systems and other technologies that reduce natural gas demand.

### ***Renewable Energy and Energy Procurement***

**SB 1078.** SB 1078 (September 2002) established the Renewable Portfolio Standard (RPS) program, which required an annual increase in renewable generation by the utilities equivalent to at least 1% of sales, with an aggregate goal of 20% by 2017. This goal was subsequently accelerated, requiring utilities to obtain 20% of their power from renewable sources by 2010 (EO S-14-08 and S-21-09).

**SB 1368.** SB 1368 (September 2006) required the CEC to develop and adopt regulations for GHG emission performance standards for the long-term procurement of electricity by local publicly owned utilities.

**AB 1109.** Enacted in 2007, AB 1109 required the CEC to adopt minimum energy efficiency standards for general-purpose lighting, to reduce electricity consumption by 50% for indoor residential lighting and 25% for indoor commercial lighting.

**EO S-14-08.** EO S-14-08 (November 2008) focused on the contribution of renewable energy sources to meet the electrical needs of California while reducing the GHG emissions from the electrical sector. This EO required that all retail suppliers of electricity in California serve 33% of their load with renewable energy by 2020.

**EO S-21-09 and SB X1-2.** EO S-21-09 (September 2009) directed CARB to adopt a regulation consistent with the goal of EO S-14-08 by July 31, 2010. On September 23, 2010, CARB initially approved regulations to implement a Renewable Electricity Standard. However, this regulation was not finalized because of subsequent legislation (SB X1-2, Simitian, Statutes of 2011) signed by Governor Brown in April 2011.

SB X1-2 expanded the RPS by establishing a renewable energy target of 20% of the total electricity sold to retail customers in California per year by December 31, 2013, and 33% by December 31, 2020, and in subsequent years. Under the bill, a renewable electrical generation facility is one that uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation (30 megawatts or less), digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and that meets other specified requirements with respect to its location. SB X1-2 applies to all electricity retailers in the state including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators.

**SB 350.** SB 350 (October 2015, Clean Energy and Pollution Reduction Act) further expanded the RPS by establishing a goal of 50% of the total electricity sold to retail customers in California per year by December 31, 2030. In addition, SB 350 included the goal to double the energy efficiency savings in electricity and natural gas final end uses (e.g., heating, cooling, lighting, or class of energy uses on which an energy-efficiency program is

focused) of retail customers through energy conservation and efficiency. The bill also requires the California Public Utilities Commission, in consultation with the CEC, to establish efficiency targets for electrical and gas corporations consistent with this goal. Regarding mobile sources, as one of its elements, SB 350 establishes a statewide policy for widespread electrification of the transportation sector, recognizing that such electrification is required for achievement of the state’s 2030 and 2050 reduction targets (see California Public Utilities Code, Section 740.12).

**SB 100.** SB 100 (2018) increased the standards set forth in SB 350 establishing that 44% of the total electricity sold to retail customers in California per year by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030, be secured from qualifying renewable energy sources. SB 100 states that it is the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of the retail sales of electricity to California. This bill requires that the achievement of 100% zero-carbon electricity resources do not increase the carbon emissions elsewhere in the western grid and that the achievement not be achieved through resource shuffling.

**Mobile Sources**

**State Vehicle Standards (AB 1493 and EO B-16-12).** AB 1493 (July 2002) was enacted in a response to the transportation sector accounting for more than half of California’s CO<sub>2</sub> emissions. AB 1493 required CARB to set GHG emission standards for passenger vehicles, light-duty trucks, and other vehicles determined by the state board to be vehicles that are primarily used for noncommercial personal transportation in the state. The bill required that CARB set GHG emission standards for motor vehicles manufactured in 2009 and all subsequent model years. CARB adopted the standards in September 2004. EO B-16-12 (March 2012) required that state entities under the governor’s direction and control support and facilitate the rapid commercialization of zero-emissions vehicles. It ordered CARB, CEC, the California Public Utilities Commission, and other relevant agencies to work with the Plug-in Electric Vehicle Collaborative and the California Fuel Cell Partnership to establish benchmarks to help achieve benchmark goals by 2015, 2020, and 2025. On a statewide basis, EO B-16-12 established a target reduction of GHG emissions from the transportation sector equaling 80% less than 1990 levels by 2050. This directive did not apply to vehicles that have special performance requirements necessary for the protection of the public safety and welfare. As explained under the “Federal Vehicle Standards” description above, EPA and NHTSA approved the SAFE Vehicles Rule Part One and Two, which revoked California’s authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. As the EPA rule is the subject of pending legal challenges and President Biden issued an EO to review Part One and Part Two, this analysis utilized the best available information at this time, as set forth in EMFAC and assumed in CalEEMod.

**Heavy Duty Diesel.** CARB adopted the final Heavy Duty Truck and Bus Regulation, Title 13, Division 3, Chapter 1, Section 2025, on December 31, 2014, to reduce particulate matter and NO<sub>x</sub> emissions from heavy-duty diesel vehicles. The rule requires particulate matter filters be applied to newer heavier trucks and buses by January 1, 2012, with older vehicles required to comply by January 1, 2015. The rule will require nearly all diesel trucks and buses to be compliant with the 2010 model year engine requirement by January 1, 2023. CARB also adopted an Airborne Toxic Control Measure to limit idling of diesel-fueled commercial vehicles on December 12, 2013. This rule requires diesel-fueled vehicles with gross vehicle weights greater than 10,000 pounds to idle no more than 5 minutes at any location (13 CCR 2485).

**EO S-1-07.** EO S-1-07 (January 2007, implementing regulation adopted in April 2009) sets a declining LCFS for GHG emissions measured in CO<sub>2e</sub> grams per unit of fuel energy sold in California. The target of the LCFS is to reduce the carbon intensity of California passenger vehicle fuels by at least 10% by 2020 (17 CCR 95480 et seq.). The

carbon intensity measures the amount of GHG emissions in the lifecycle of a fuel, including extraction/feedstock production, processing, transportation, and final consumption, per unit of energy delivered.

**SB 375.** SB 375 (September 2008) addresses GHG emissions associated with the transportation sector through regional transportation and sustainability plans. SB 375 requires CARB to adopt regional GHG reduction targets for the automobile and light-truck sector for 2020 and 2035 and to update those targets every 8 years. SB 375 requires each of the state's 18 regional metropolitan planning organizations to prepare an SCS as part of their RTP that will achieve the GHG reduction targets set by CARB. If a metropolitan planning organization is unable to devise an SCS to achieve the GHG reduction target, the metropolitan planning organization must prepare an alternative planning strategy demonstrating how the GHG reduction target would be achieved through alternative development patterns, infrastructure, or additional transportation measures or policies.

Pursuant to Government Code, Section 65080(b)(2)(K), a SCS does not (i) regulate the use of land; (ii) supersede the land use authority of cities and counties; or (iii) require that a city's or county's land use policies and regulations, including those in a general plan, be consistent with it. Nonetheless, SB 375 makes regional and local planning agencies responsible for developing those strategies as part of the federally required metropolitan transportation planning process and the state-mandated housing element process.

In September 2010, CARB adopted the first SB 375 targets for the regional metropolitan planning organizations. The targets for SCAG are an 8% reduction in emissions per capita by 2020 and a 13% reduction by 2035. Achieving these goals through adoption of a SCS is the responsibility of the metropolitan planning organizations. SCAG adopted its first RTP/SCS in April 2012. The plan quantified a 9% reduction by 2020 and a 16% reduction by 2035 (SCAG 2012). In June 2012, CARB accepted SCAG's quantification of GHG reductions and its determination the SCS, if implemented, would achieve SCAG targets. On April 4, 2016, the SCAG Regional Council adopted the 2016 RTP/SCS, which builds upon the progress made in the 2012 RTP/SCS. The updated RTP/SCS quantified an 8% reduction by 2020 and an 18% reduction by 2030 (SCAG 2016). In June 2016, CARB accepted SCAG's quantification of GHG reductions and its determination the SCS, if implemented, would achieve SCAG targets. In September 2020, SCAG adopted its 2020 RTP/SCS and CARB accepted the 2020 RTP/SCS emission quantification in October 2020.

**Advanced Clean Cars Program and Zero-Emissions Vehicle Program.** The Advanced Clean Cars Program (January 2012) is a new emissions-control program for model years 2015 through 2025. The program combines the control of smog- and soot-causing pollutants and GHG emissions into a single coordinated package. The package includes elements to reduce smog-forming pollution, reduce GHG emissions, promote clean cars, and provide the fuels for clean cars (CARB 2012). To improve air quality, CARB has implemented new emission standards to reduce smog-forming emissions beginning with 2015 model year vehicles. It is estimated that in 2025 cars will emit 75% less smog-forming pollution than the average new car sold in 2015. To reduce GHG emissions, CARB, in conjunction with the EPA and the NHTSA, adopted new GHG standards for model year 2017 to 2025 vehicles; the new standards are estimated to reduce GHG emissions by 34% in 2025. The Zero-Emissions Vehicle Program will act as the focused technology of the Advanced Clean Cars Program by requiring manufacturers to produce increasing numbers of zero-emissions vehicles and plug-in hybrid electric vehicles in the 2018 to 2025 model years.

**AB 1236.** AB 1236 (October 2015) required a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits, unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill provided for appeal of that decision to the planning commission, as specified. The bill provided that the implementation of consistent statewide standards to

achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill required electric vehicle charging stations to meet specified standards. The bill required a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that created an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill also required a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017.

**Solid Waste**

**AB 939, AB 341, and AB 1826.** In 1989, AB 939, known as the Integrated Waste Management Act (California Public Resources Code, Sections 40000 et seq.), was passed because of the increase in waste stream and the decrease in landfill capacity. The statute established the California Integrated Waste Management Board, which oversees a disposal reporting system. AB 939 mandated a reduction of waste being disposed where jurisdictions were required to meet diversion goals of all solid waste through source reduction, recycling, and composting activities of 25% by 1995 and 50% by the year 2000.

AB 341 (Chapter 476, Statutes of 2011) amended the California Integrated Waste Management Act of 1989 to include a provision declaring that it is the policy goal of the state that not less than 75% of solid waste generated be source-reduced, recycled, or composted by the year 2020, and annually thereafter. In addition, AB 341 required the California Department of Resources Recycling and Recovery (CalRecycle) to develop strategies to achieve the state’s policy goal. CalRecycle conducted several general stakeholder workshops and several focused workshops and in August 2015 published a discussion document titled AB 341 Report to the Legislature, which identifies five priority strategies that CalRecycle believes would assist the state in reaching the 75% goal by 2020, legislative and regulatory recommendations, and an evaluation of program effectiveness (CalRecycle 2012).

AB 1826 (Chapter 727, Statutes of 2014, effective 2016) requires businesses to recycle their organic waste (i.e., food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste) depending on the amount of waste they generate per week. This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. The minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to comply.

**Water**

**EO B-29-15.** In response to the ongoing drought in California, EO B-29-15 (April 2015) set a goal of achieving a statewide reduction in potable urban water usage of 25% relative to water use in 2013. The term of the EO extended through February 28, 2016, although many of the directives have become permanent water-efficiency standards and requirements. The EO includes specific directives that set strict limits on water usage in the state. In response to EO B-29-15, the California Department of Water Resources has modified and adopted a revised version of the Model Water Efficient Landscape Ordinance that, among other changes, significantly increases the requirements for landscape water use efficiency and broadens its applicability to include new development projects with smaller landscape areas.

**EO B-37-16.** Issued May 2016, EO B-37-16 directed the State Water Resources Control Board (SWRCB) to adjust emergency water conservation regulations through the end of January 2017 to reflect differing water supply conditions across the state. The SWRCB also developed a proposal to achieve a mandatory reduction of potable

urban water usage that builds off the mandatory 25% reduction called for in EO B-29-15. The SWRCB and Department of Water Resources will develop new, permanent water use targets that build upon the existing state law requirements that the state achieve 20% reduction in urban water usage by 2020. EO B-37-16 also specifies that the SWRCB permanently prohibit water-wasting practices such as hosing off sidewalks, driveways, and other hardscapes; washing automobiles with hoses not equipped with a shut-off nozzle; using non-recirculated water in a fountain or other decorative water feature; watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and irrigating ornamental turf on public street medians.

### **Other State Actions**

**Senate Bill 97.** SB 97 (August 2007) directed the Governor’s Office of Planning and Research to develop guidelines under CEQA for the mitigation of GHG emissions. In 2008, the Office of Planning and Research issued a technical advisory as interim guidance regarding the analysis of GHG emissions in CEQA documents. The advisory indicated that the lead agency should identify and estimate a project’s GHG emissions, including those associated with vehicular traffic, energy consumption, water usage, and construction activities (OPR 2008). The advisory further recommended that the lead agency determine significance of the impacts and impose all mitigation measures necessary to reduce GHG emissions to a level that is less than significant. The CNRA adopted the CEQA Guidelines amendments in December 2009, which became effective in March 2010.

Under the amended CEQA Guidelines, a lead agency has the discretion to determine whether to use a quantitative or qualitative analysis or apply performance standards to determine the significance of GHG emissions resulting from a particular project (14 CCR 15064.4[a]). The CEQA Guidelines require a lead agency to consider the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]). The CEQA Guidelines also allow a lead agency to consider feasible means of mitigating the significant effects of GHG emissions, including reductions in emissions through the implementation of project features or off-site measures. The adopted amendments do not establish a GHG emission threshold, instead allowing a lead agency to develop, adopt, and apply its own thresholds of significance or those developed by other agencies or experts. The CNRA also acknowledges that a lead agency may consider compliance with regulations or requirements implementing AB 32 in determining the significance of a project’s GHG emissions (CNRA 2009a).

With respect to GHG emissions, the CEQA Guidelines state in Section 15064.4(a) that lead agencies should “make a good faith effort, to the extent possible on scientific and factual data, to describe, calculate or estimate” GHG emissions. The CEQA Guidelines note that an agency may identify emissions by either selecting a “model or methodology” to quantify the emissions or by relying on “qualitative analysis or other performance-based standards” (14 CCR 15064.4[a]). Section 15064.4(b) states that the lead agency should consider the following when assessing the significance of impacts from GHG emissions on the environment: (1) the extent a project may increase or reduce GHG emissions as compared to the existing environmental setting; (2) whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and (3) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions (14 CCR 15064.4[b]).

**EO S-13-08.** EO S-13-08 (November 2008) is intended to hasten California’s response to the impacts of global climate change, particularly sea-level rise. Therefore, the EO directs state agencies to take specified actions to assess and plan for such impacts. The final 2009 California Climate Adaptation Strategy report was issued in December 2009 (CNRA 2009b), and an update, Safeguarding California: Reducing Climate Risk, followed in July 2014 (CNRA 2014). To assess the state’s vulnerability, the report summarizes key climate change impacts to the



state for the following areas: agriculture, biodiversity and habitat, emergency management, energy, forestry, ocean and coastal ecosystems and resources, public health, transportation, and water. Issuance of the Safeguarding California: Implementation Action Plans followed in March 2016 (CNRA 2016). In January 2018, the CNRA released the Safeguarding California Plan: 2018 Update, which communicates current and needed actions that state government should take to build climate change resiliency (CNRA 2018b).

**Local**

***South Coast Air Quality Management District***

Air districts typically act in an advisory capacity to local governments in establishing the framework for environmental review of air pollution impacts under CEQA. This may include recommendations regarding significance thresholds, analytical tools to estimate emissions and assess impacts, and mitigations for potentially significant impacts. Although air districts will also address some of these issues on a project-specific basis as responsible agencies, they may provide general guidance to local governments on these issues (SCAQMD 2008). As discussed in Section 4.6.3, Thresholds of Significance (below), the South Coast Air Quality Management District (SCAQMD) has recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential, commercial, industrial, and mixed-use development projects; however, these thresholds were not adopted.

***Southern California Association of Governments***

As noted above, California’s 18 MPOs have been tasked with creating SCSs in an effort to reduce the region’s vehicle miles traveled (VMT) in order to help meet AB 32 targets through integrated transportation, land use, housing, and environmental planning. Pursuant to SB 375, CARB set per-capita GHG emissions reduction targets from passenger vehicles for each of the state’s 18 MPOs. For the Southern California Association of Governments (SCAG), the state’s initial mandated reductions were set at 8% by 2020 and 13% by 2035. In March 2018, CARB updated the SB 375 targets for SCAG to require 8% reduction by 2020 and a 19% reduction by 2035 in per-capita passenger vehicle GHG emissions.

Pursuant to Government Code Section 65080(b)(2)(B), the SCS must “set forth forecasted development pattern for the region which when integrated with the transportation network, and other transportation measures and policies, will reduce the GHG emissions from automobiles and light trucks to achieve the GHG reduction targets.” To that end, SCAG has developed Connect SoCal, the 2020–2045 RTP/SCS, which complies with CARB’s updated emissions reduction targets and meets the requirements of SB 375 by achieving per-capita GHG emissions reductions relative to 2005 of 8% by 2020 and 19% by 2035 (SCAG 2020). In addition, the plan anticipates a 25.7% decrease in time spent in traffic delay per capita and a 5% decrease in daily miles driven per capita from 2016 to 2045. 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, and charts a path toward a more mobile, sustainable and prosperous region by making connections between transportation networks, between planning strategies, and between the people whose collaboration can improve the quality of life for southern Californians. 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 Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The following are the 2020-2045 RTP/SCS goals (SCAG 2020):

1. Encourage regional economic prosperity and global competitiveness

2. Improve mobility, accessibility, reliability, and travel safety for people and goods
3. Enhance the preservation, security, and resilience of the regional transportation system
4. Increase person and goods movement and travel choices within the transportation system
5. Reduce GHG emissions and improve air quality
6. Support healthy and equitable communities
7. Adapt to a changing climate and support an integrated regional development pattern and transportation network
8. Leverage new transportation technologies and data-driven solutions that result in more efficient travel
9. Encourage development of diverse housing types in areas that are supported by multiple transportation options
10. Promote conservation of natural and agricultural lands and restoration of habitats

On September 3, 2020, the Regional Council approved of the 2020–2045 RTP/SCS in its entirety (SCAG 2020).

**City of Montclair General Plan**

The City’s General Plan includes policy’s and goals within the Circulation and Air Quality Elements that also may reduce GHG emissions. To see applicable policy’s and goals within the Air Quality Element please see Section 4.1.2. The applicable goals and policies within the Circulation Element are included below.

**CE-1.1.10.** Promote the provision of public modes of transportation between strategic locations such as the Montclair Plaza Shopping Center, and other traffic generators, such as the Montclair Transcenter and potential Metrolink station on the Riverside Line.

**CE-1.1.14.** Develop a more detailed bicycle route plan. Develop a zoning standard to require bicycle racks at public facilities as well as at commercial centers. Where a bicycle route is proposed along a roadway, consider striping for safety purposes, where possible.

**CE-1.1.15.** Encourage the development of a recreational and commuter bicycle trail along San Antonio Wash.

### 4.6.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to Greenhouse Gas Emissions are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to GHG emissions would occur if the project would:

- A. Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.
- B. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHGs. There are currently no established thresholds for assessing whether the GHG emissions of a project, such as the proposed Project, would be considered a cumulatively considerable contribution to global climate change; however, all reasonable efforts should be made to minimize a project’s contribution to global climate change. In addition, while GHG impacts are recognized exclusively as cumulative impacts (CAPCOA 2008), GHG emissions impacts must also be evaluated at a project level under CEQA.

The CEQA Guidelines do not prescribe specific methodologies for performing an assessment, do not establish specific thresholds of significance, and do not mandate specific mitigation measures. Rather, the CEQA Guidelines emphasize the lead agency’s discretion to determine the appropriate methodologies and thresholds of significance consistent with the manner in which other impact areas are handled in CEQA (CNRA 2009a). The State of California has not adopted emission-based thresholds for GHG emissions under CEQA. The Governor’s Office of Planning and Research’s Technical Advisory, titled Discussion Draft CEQA and Climate Change Advisory, states that (OPR 2018):

[N]either the CEQA statute nor the CEQA Guidelines prescribe thresholds of significance or particular methodologies for performing an impact analysis. This is left to lead agency judgment and discretion, based upon factual data and guidance from regulatory agencies and other sources where available and applicable. Even in the absence of clearly defined thresholds for GHG emissions, such emissions must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact.

Furthermore, the advisory document indicates that “in the absence of regulatory standards for GHG emissions or other scientific data to clearly define what constitutes a ‘significant impact,’ individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice.” Section 15064.7(c) of the CEQA Guidelines specifies that “when adopting thresholds of significance, a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies, or recommended by experts, provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

In October 2008, the SCAQMD proposed recommended numeric CEQA significance thresholds for GHG emissions for lead agencies to use in assessing GHG impacts of residential and commercial development projects as presented in its *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold* (SCAQMD 2008). This guidance document, which builds on the previous guidance prepared by the California Air Pollution Control Officers Association, explored various approaches for establishing a significance threshold for GHG emissions. The draft interim CEQA thresholds guidance document was not adopted or approved by the Governing Board. However, in December 2008, the SCAQMD adopted an interim 10,000 MT CO<sub>2e</sub> per-year screening level threshold for stationary source/industrial projects for which the SCAQMD is the lead agency (see SCAQMD Resolution No. 08-35, December 5, 2008).

The SCAQMD formed a GHG CEQA Significance Threshold Working Group to work with SCAQMD staff on developing GHG CEQA significance thresholds until statewide significance thresholds or guidelines are established. From December 2008 to September 2010, the SCAQMD hosted working group meetings and revised the draft threshold proposal several times, although it did not officially provide these proposals in a subsequent document. The SCAQMD has continued to consider adoption of significance thresholds for residential and general land use development projects. The most recent proposal, issued in September 2010, uses the following tiered approach to evaluate potential GHG impacts from various uses (SCAQMD 2010):

- Tier 1** Determine if CEQA categorical exemptions are applicable. If not, move to Tier 2.
- Tier 2** Consider whether or not the proposed project is consistent with a locally adopted GHG reduction plan that has gone through public hearing and CEQA review, that has an approved inventory, includes monitoring, etc. If not, move to Tier 3.
- Tier 3** Consider whether the project generates GHG emissions in excess of screening thresholds for individual land uses. The 10,000 MT CO<sub>2e</sub> per year threshold for industrial uses would be

recommended for use by all lead agencies. Under option 1, separate screening thresholds are proposed for residential projects (3,500 MT CO<sub>2</sub>e per year), commercial projects (1,400 MT CO<sub>2</sub>e per year), and mixed-use projects (3,000 MT CO<sub>2</sub>e per year). Under option 2, a single numerical screening threshold of 3,000 MT CO<sub>2</sub>e per year would be used for all non-industrial projects. If the project generates emissions in excess of the applicable screening threshold, move to Tier 4.

**Tier 4** Consider whether the project generates GHG emissions in excess of applicable performance standards for the project service population (population plus employment). The efficiency targets were established based on the goal of AB 32 to reduce statewide GHG emissions to 1990 levels by 2020. The 2020 efficiency targets are 4.8 MT CO<sub>2</sub>e per service population per year (MT CO<sub>2</sub>e/SP/year) for project level analyses and 6.6 MT CO<sub>2</sub>e/SP/year for plan level analyses. The 2035 efficiency targets are 3.0 MT CO<sub>2</sub>e/SP/year for project level analyses and 4.1 MT CO<sub>2</sub>e/SP/year for plan level analyses. If the project generates emissions in excess of the applicable efficiency targets, move to Tier 5.

**Tier 5** Consider the implementation of CEQA mitigation (including the purchase of GHG offsets) to reduce the project efficiency target to Tier 4 levels.

To determine the Project’s potential to generate GHG emissions that would have a significant impact on the environment, the Project’s GHG emissions were compared to the non-industrial project quantitative threshold of 3,000 MT CO<sub>2</sub>e per year. The Project is not a residential, commercial, or mixed-use project and therefore the other screening thresholds in Tier 3 would not apply. Per the SCAQMD guidance, construction emissions should be amortized over the operational life of the Project, which is assumed to be 30 years (SCAQMD 2008). In addition, the Project is evaluated for its potential to conflict with various GHG emission reduction plans including local GHG reduction plans and CAPs, CARB’s Scoping Plan, SCAG’s RTP/SCS, and statewide 2030 and 2050 GHG reduction targets identified in SB 32 and EO S-3-05.

**Approach and Methodology**

***Environmental Baseline***

As discussed in Chapter 3, Project Description, the Project site currently contains several active uses. This Draft EIR does not consider the elimination of these uses in the calculation of projected Project-related operational emissions (i.e., the Project’s operational emissions are not reduced to account for the elimination of these occupiable buildings); therefore, this Draft EIR provides a conservative assessment of operational impacts.

***Construction Emissions***

CalEEMod Version 2016.3.2 was used to estimate potential proposed Project-generated GHG emissions during construction. Construction of the proposed Project would result in GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. All details for construction criteria air pollutants discussed under heading Approach and Methodology, are also applicable for the estimation of construction-related GHG emissions. As such, see the Approach and Methodology for a discussion of construction emissions calculation methodology and assumptions used in the GHG emissions analysis.

***Operational Emissions***

Emissions from the operational phase of the proposed Project were estimated using CalEEMod Version 2016.3.2. Operational year 2024 was assumed consistent with completion of Project construction. It is assumed consistent with the Project description that the buildings would not support refrigeration or cold-storage. Potential proposed Project-generated operational GHG emissions were estimated for area sources (landscape maintenance), energy sources (natural gas and electricity), mobile sources, solid waste, water supply and wastewater treatment, and other sources of emissions (off-road equipment and yard trucks). Emissions from each category are discussed in the following text with respect to the proposed Project. For additional details, see Section 4.1.3.1, Approach and Methodology, for a discussion of operational emission calculation methodology and assumptions, specifically for area, energy (natural gas), off-road equipment, and mobile sources.

**Area**

CalEEMod was used to estimate GHG emissions from the proposed Project’s area sources, which include operation of gasoline-powered landscape maintenance equipment, which produce minimal GHG emissions. See Section 4.1.3.1 for a discussion of landscaping equipment emissions calculations. Consumer product use and architectural coatings result in VOC emissions, which are analyzed in air quality analysis only, and little to no GHG emissions.

**Energy**

The estimation of operational energy emissions was based on CalEEMod land use defaults and units or total area (i.e., square footage) of the proposed Project’s land uses. The energy use (electricity or natural gas usage per square foot per year) from nonresidential land uses is calculated in CalEEMod based on the California Commercial End-Use Survey database. Emissions are calculated by multiplying the energy use by the utility carbon intensity (pounds of GHGs per kilowatt-hour for electricity or 1,000 British thermal units for natural gas) for CO<sub>2</sub> and other GHGs. Annual natural gas and electricity emissions were estimated in CalEEMod using the emissions factors for Southern California Edison (SCE), which would be the energy provider for the Plan Area.

The current version of CalEEMod assumes compliance with the 2016 Title 24 Building Energy Efficiency Standards (CAPCOA 2017); however, the proposed Project would be required to comply with the 2019 Title 24 Standards at a minimum. Per the CEC Impact Analysis for the 2019 Update to the California Energy Efficiency Standards for Residential and Non-Residential Buildings, the first-year savings for newly constructed non-residential buildings are 197 gigawatt hours of electricity, 76.6 megawatt of demand, and 0.27 million therms of gas, representing reductions from the 2016 Title 24 standard of 10.7%, 9%, and 1%, respectively (CEC 2018). Non-residential construction is expected to use approximately 30% less energy under the 2019 Title 24 standard compared to the 2016 Title 24 standard (CEC 2018).

CalEEMod default energy intensity factors (CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O mass emissions per kilowatt-hour) for SCE is based on the value for SCE’s energy mix in 2012. As explained in Section 4.6.2, SB X1-2 established a target of 33% from renewable energy sources for all electricity providers in California by 2020 and SB 100 calls for further development of renewable energy, with a target of 44% by 2024, 52% by 2027, and 60% by 2030. The 2019 Sustainability Report by SCE reported a GHG intensity of 534 pounds of CO<sub>2</sub>e per megawatt-hour delivered to customers (SCE 2019).

**Mobile Sources**

All details for criteria air pollutants discussed in Section 4.1.3.1 are also applicable for the estimation of operational mobile source GHG emissions. In summary, emissions associated with passenger vehicles and heavy-duty trucks

traveling to and from the proposed Project site were estimated for the proposed Project using CARB EMFAC2021 vehicle emissions factors. To estimate annual emissions, daily activity was multiple by 365 days per year. While the 365 days per year operating scenario is appropriate for industrial and retail land uses, it is conservative to apply to commercial land uses that have a reduction in activity on the weekends.

Regulatory measures related to mobile sources include AB 1493 (Pavley) and related federal standards. AB 1493 required that CARB establish GHG emission standards for automobiles, light-duty trucks, and other vehicles determined by CARB to be vehicles that are primarily used for noncommercial personal transportation in the state. In addition, the NHTSA and EPA have established corporate fuel economy standards and GHG emission standards, respectively, for automobiles and light-, medium-, and heavy-duty vehicles. Implementation of these standards and fleet turnover (replacement of older vehicles with newer ones) will gradually reduce emissions from the proposed Project’s motor vehicles. The effectiveness of fuel economy improvements was evaluated by using the EMFAC2021 emission factors to the extent it was captured for motor vehicles in 2024 for the proposed Project.

**Solid Waste**

The proposed Project would generate solid waste, and therefore, result in CO<sub>2</sub>e emissions associated with landfill off-gassing. CalEEMod default values for solid waste generation were used to estimate GHG emissions associated with solid waste for the Project.

***Water and Wastewater Treatment***

Supply, conveyance, treatment, and distribution of water for the proposed Project require the use of electricity, which would result in associated indirect GHG emissions. Similarly, wastewater generated by the proposed Project requires the use of electricity for conveyance and treatment, along with GHG emissions generated during wastewater treatment. The indoor and outdoor water use and electricity consumption from water use and wastewater generation were estimated using CalEEMod default values for the proposed Project.

***Off-road Equipment***

Based on the type of Project land uses that would be developed, there are additional emission sources that are either not captured in CalEEMod or specifics are not available to accurately estimate emissions using CalEEMod. Potential additional sources of GHG emissions include boilers, broilers (meat cooking), ovens, cogeneration facilities, chillers, cooling towers, autoclave, metals production, painting and spray booths, off-road equipment (e.g., forklifts), and truck idling. For most of these sources, because specifics are not available to accurately estimate emissions from these anticipated sources under the proposed Project, associated emissions are not included in the estimated emissions presented herein. However, in a good faith effort to include sources typically associated with warehouse/industrial land uses (i.e., warehousing, industrial park), forklifts and yard trucks are included in the proposed Project’s emission inventory. Electric forklift electricity consumption and GHG emissions were calculated using a spreadsheet model and the emission factor from the 2019 SCE Sustainability Report. The Methods and Assumptions includes a discussion to estimate these sources of emissions.

4.6.4 Impacts Analysis

**Threshold 4.6A: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Significant and Unavoidable Impact.** As discussed in additional detail below, the Project would generate GHG emissions that may have a significant impact on the environment.

**Construction Impacts**

Construction of the proposed Project would result in GHG emissions, which are primarily associated with use of off-road construction equipment and on-road vehicles (haul trucks, vendor trucks, and worker vehicles). The SCAQMD *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold (2008)* recommends that, “construction emissions be amortized over a 30-year project lifetime, so that GHG reduction measures will address construction GHG emissions as part of the operational GHG reduction strategies.” Thus, the total construction GHG emissions were calculated, amortized over 30 years, and added to the total operational emissions for comparison with the GHG significance threshold of 3,000 MT CO<sub>2</sub>e per year. Therefore, the determination of significance is addressed in the operational emissions discussion following the estimated construction emissions.

CalEEMod was used to calculate the annual GHG emissions based on the construction scenario described in Section 4.1.3.1, Approach and Methodology. Construction of the proposed Project is assumed to last a total of approximately 28 months. The first full year of construction is assumed to begin in 2021 for modeling purposes<sup>4</sup>. Table 4.6-2 presents construction emissions for the proposed Project from on-site and off-site emission sources.

**Table 4.6-2. Estimated Annual Construction GHG Emissions**

Year	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	<i>Metric Tons per Year</i>			
2021	297.39	0.06	0.00	298.79
2022	1,599.05	0.16	0.00	1,603.06
2023	1,253.06	0.11	0.00	1,255.76
2024	32.43	0.00	0.00	32.46
<b>Total</b>				<b>3,190.07</b>
<b>Amortized emissions over 30 years</b>				<b>106.34</b>

**Notes:** GHG = greenhouse gas; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent. See Appendix B-1, Emission Calculations, for complete results.

As shown in Table 4.6-2, the estimated total GHG emissions during construction would total approximately 3,190 MT CO<sub>2</sub>e over the assumed construction period. Estimated proposed Project-generated construction emissions amortized over 30 years would be approximately 106 MT CO<sub>2</sub>e per year. Because there is no separate GHG threshold for construction, the evaluation of significance is discussed in the operational emissions analysis in the following text.

<sup>4</sup> Based on information provided by the Project applicant, it is assumed that construction of the Project would last approximately 28 months. At the time of the preparation of this analysis, it was anticipated that construction would begin in October 2021. However, due to delays, construction is now anticipated to begin in Summer 2022. To maintain consistency with other technical analysis herein, a start date of October 2021 is maintained throughout the EIR because it represents a worst-case scenario for criteria air pollutant and GHG emissions. This is because equipment and vehicle emission factors for later years would be slightly less due to more stringent standards for in-use off-road equipment and heavy-duty trucks, as well as fleet turnover replacing older equipment and vehicles in later years.

**Operational Impacts**

Operation of the proposed Project would generate GHG emissions through motor vehicle trips (including passenger vehicles and heavy-duty truck trips<sup>5</sup>); landscape maintenance equipment operation (area source); energy use (natural gas and electricity); solid waste disposal; water supply, treatment, and distribution and wastewater treatment; and other sources of emissions (off-road equipment and forklifts). CalEEMod was used to calculate the annual GHG emissions based on the operational assumptions described under Approach and Methodology. The estimated operational proposed Project-generated GHG emissions are shown in Table 4.6-3.

**Table 4.6-3. Estimated Annual Operational GHG Emissions – Unmitigated**

Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	Metric Tons per Year			
Area	0.03	0.00	0.00	0.03
Energy	775.83	0.00	0.00	776.26
Mobile	13,577.80	0.06	1.96	14,162.54
Off-road equipment	1,094.31	0.33	0.00	1,102.86
Solid waste	111.37	6.58	0.00	275.92
Water supply and wastewater	412.81	3.88	0.09	536.96
<b>Total</b>				<b>16,854.57</b>
<i>Amortized construction emissions</i>				<i>106.34</i>
<b>Total operational + amortized construction GHGs</b>				<b>16,960.91</b>

**Notes:** GHG = greenhouse gas; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent. See Appendix B-1, Emission Calculations, for complete results. Emissions from electric forklifts are included in the off-road equipment emission source. Totals may not sum due to rounding.

As shown in Table 4.6-3, estimated annual proposed Project-generated GHG emissions would be approximately 16,855 MT CO<sub>2</sub>e per year as a result of proposed Project operations only. After accounting for amortized proposed Project construction emissions, total GHGs generated by the Project would be approximately 16,961 MT CO<sub>2</sub>e per year. As such, annual operational GHG emissions with amortized construction emissions would exceed the SCAQMD threshold of 3,000 MT CO<sub>2</sub>e per year. Therefore, impacts would be potentially significant and mitigation measures would be required. As discussed below, implementation of the following mitigation measures identified to reduce potential air quality impacts, would also reduce operation-related GHG emissions: MM-AQ-3 (Vehicle Miles Traveled Reduction Strategies), MM-AQ-4 (Encourage Electric Vehicles), MM-AQ-5 (Idling Restriction), MM-AQ-6 (Energy Conservation), and MM-AQ-7 (Electric Forklifts and Yard Trucks). In addition, mitigation measures MM-GHG-1 (Water Conservation) and MM-GHG-2 (Solid Waste Reduction) shall be implemented to reduce GHG emissions generated during operation of the proposed Project.

The estimated operational proposed Project-generated GHG emissions including the mitigation measures listed above are shown in Table 4.6-4.

<sup>5</sup> “Heavy-duty trucks” include light-heavy-duty trucks (categories 1 and 2 in EMFAC, 2-axle), medium-heavy-duty trucks (3-axle), and heavy-heavy-duty trucks (4+-axle).



**Table 4.6-4. Estimated Annual Operational GHG Emissions – Mitigated**

Emission Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
	<i>Metric Tons per Year</i>			
Area	0.03	0.00	0.00	0.03
Energy	71.70	0.00	0.00	72.13
Mobile	12,874.47	0.05	1.95	13,455.13
Off-road equipment	147.20	0.01	0.00	147.91
Solid waste	111.51	6.59	0.00	276.26
Water supply and wastewater	330.25	3.10	0.07	429.57
			<b>Total</b>	<b>14,381.03</b>
			<i>Amortized construction emissions</i>	<i>106.34</i>
			<b>Total operational + amortized construction GHGs</b>	<b>14,487.37</b>

**Notes:** GHG = greenhouse gas; CO<sub>2</sub> = carbon dioxide; CH<sub>4</sub> = methane; N<sub>2</sub>O = nitrous oxide; CO<sub>2</sub>e = carbon dioxide equivalent. See Appendix B-1, Emission Calculations, for complete results. Totals may not sum due to rounding.

As shown in Table 4.6-4, estimated annual proposed Project-generated mitigated GHG emissions would be approximately 14,381 MT CO<sub>2</sub>e per year as a result of proposed Project operations only. After accounting for amortized proposed Project construction emissions, total GHGs generated by the proposed Project would be approximately 14,487 MT CO<sub>2</sub>e per year. As such, annual mitigated operational GHG emissions with amortized construction emissions would exceed the SCAQMD threshold of 3,000 MT CO<sub>2</sub>e per year. However, with mitigation, emissions from the Project would still exceed the SCAQMD significance threshold and impacts would be significant and unavoidable.

**Threshold 4.6B:** Would the Project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

**Significant and Unavoidable Impact.** As discussed in additional detail below, the Project may conflict with applicable plans to reduce GHGs.

On May 7, 2020, SCAG’s Regional Council adopted Connect SoCal (2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy) for federal transportation conformity purposes only. The SCAG 2020–2045 RTP/SCS is a regional growth management strategy that targets per-capita GHG reduction from passenger vehicles and light trucks in the southern California region pursuant to SB 375. In addition to demonstrating the region’s ability to attain the GHG emission-reduction targets set forth by CARB, the 2020–2045 RTP/SCS outlines a series of actions and strategies for integrating the transportation network with an overall land use pattern that responds to projected growth, housing needs, changing demographics, and transportation demands. Thus, successful implementation of the 2020–2045 RTP/SCS would result in more complete communities with a variety of transportation and housing choices, while reducing automobile use.

The following strategies are intended to be supportive of implementing the 2020–2045 RTP/SCS and reducing GHGs: focus growth near destinations and mobility options; promote diverse housing choices; leverage technology innovations; support implementation of sustainability policies; and promote a green region. The strategies that

pertain to SCAG’s support of local jurisdiction sustainability efforts would not apply to the proposed Project. The Project’s compliance with the remaining applicable strategies is presented below.

- **Focus Growth Near Destinations and Mobility Options.** The proposed Project’s compliance with this strategy of the 2020–2045 RTP/SCS is demonstrated via the Project’s land use characteristics and features that would reduce vehicular trips and VMT. Regarding VMT reduction characteristics, the Project is an infill development located adjacent to transit stops. As such, the proposed Project would provide employment opportunities within proximity to transit services. The nature of the Project’s site location would reduce VMT and associated GHG emissions by being in proximity to complimentary land uses and employment centers, which could encourage use of alternative transportation methods such as transit, walking, or biking, or would result in shorter vehicle trips.
- **Leverage Technology Innovations.** One of the technology innovations identified in the 2020–2045 RTP/SCS that would apply to the proposed Project is the promotion and support of low emission technologies for transportation, such as alternative fueled vehicles to reduce per capita GHG emissions. The Project would support this goal through the inclusion of 43 EV charging stalls and installation of EV infrastructure at truck loading bays, as part of mitigation measure MM-AQ-4, as well as use of electric forklifts and yard-trucks as part of mitigation measure MM-AQ-7.
- **Promote a Green Region.** Another applicable strategy within the 2020–2045 RTP/SCS, for individual developments such as the proposed Project, involves promoting a green region through efforts such as supporting local policies for renewable energy production and promoting more resource efficient development (e.g., reducing energy consumption) to reduce GHG emissions. Targeted sustainable design strategies of the proposed Project, in addition to meeting the requirements of California’s Building Energy Efficiency Standards and CALGreen. The Project would include VMT reduction strategies as part of mitigation measure MM-AQ-3, promote energy conservation as part of mitigation measure MM-AQ-6, and have electric off-road equipment as part of mitigation measure MM-AQ-7. And as mentioned above, the proposed Project also would include 43 electric vehicle charging stalls and EV infrastructure as truck loadings bays as part of MM-AQ-4.

Based on the analysis above, the proposed Project would be consistent with the SCAG 2020–2045 RTP/SCS.

**Consistency with CARB’s Scoping Plan**

The Scoping Plan (approved by CARB in 2008 and updated in 2014 and 2017) provides a framework for actions to reduce California’s GHG emissions and requires CARB and other state agencies to adopt regulations and other initiatives to reduce GHGs. The Scoping Plan is not directly applicable to specific projects, nor is it intended to be used for project-level evaluations.<sup>6</sup> Under the Scoping Plan, however, there are several state regulatory measures aimed at the identification and reduction of GHG emissions. CARB and other state agencies have adopted many of the measures identified in the Scoping Plan. Most of these measures focus on area source emissions (e.g., energy usage, high-GWP GHGs in consumer products) and changes to the vehicle fleet (i.e., hybrid, electric, and more fuel-efficient vehicles) and associated fuels (e.g., Low Carbon Fuel Standard), among others.

The Scoping Plan recommends strategies for implementation at the statewide level to meet the goals of AB 32 and establishes an overall framework for the measures that will be adopted to reduce California’s GHG emissions. Table

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<sup>6</sup> The Final Statement of Reasons for the amendments to the State CEQA Guidelines reiterates the statement in the Initial Statement of Reasons that “[t]he Scoping Plan may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan” (CNRA 2009a).

4.6-5 highlights measures that have been, or will be, developed under the 2008 Scoping Plan and presents the proposed Project’s consistency with Scoping Plan measures. The proposed Project would comply with all regulations adopted in furtherance of the Scoping Plan to the extent required by law and to the extent that they are applicable to the proposed Project.

**Table 4.6-5. Proposed Project Consistency with 2008 Scoping Plan GHG Emission Reduction Strategies**

Scoping Plan Measure	Measure Number	Project’s Potential to Conflict
<b>Transportation Sector</b>		
Advanced Clean Cars	T-1	<i>No conflict.</i> The proposed Project’s employees would purchase vehicles in compliance with CARB vehicle standards that are in effect at the time of vehicle purchase.
Low Carbon Fuel Standard	T-2	<i>Not applicable.</i> This is a statewide measure that cannot be implemented by a project applicant or lead agency. Nonetheless, this standard would be applicable to the fuel used by vehicles that would access the proposed Project site (i.e., motor vehicles driven by the proposed Project’s employees and heavy-duty trucks would use compliant fuels).
Regional Transportation-Related GHG Targets	T-3	<i>Not applicable.</i> The proposed Project is not related to developing GHG emission reduction targets. To meet the goals of SB 375, the Connect SoCal is applicable to the proposed Project. The proposed Project would not preclude the implementation of this strategy.
Advanced Clean Transit	N/A	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Last-Mile Delivery	N/A	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Reduction in VMT	N/A	<i>No conflict.</i> The proposed Project would not prevent CARB from implementing this measure.
Vehicle Efficiency Measures 1. Tire Pressure 2. Fuel Efficiency Tire Program 3. Low-Friction Oil 4. Solar-Reflective Automotive Paint and Window Glazing	T-4	<i>No conflict.</i> These standards would be applicable to the light-duty vehicles that would access the proposed Project site. Motor vehicles driven by the proposed Project’s employees would maintain proper tire pressure when their vehicles are serviced. The proposed Project’s employees and customers would replace tires in compliance with CARB vehicle standards that are in effect at the time of vehicle purchase. Motor vehicles driven by the proposed Project’s employees would use low-friction oils when their vehicles are serviced. The proposed Project’s employees and customers would purchase vehicles in compliance with CARB vehicle standards that are in effect at the time of vehicle purchase. In addition, the proposed Project would not prevent CARB from implementing this measure.
Ship Electrification at Ports (Shore Power)	T-5	<i>Not applicable.</i> The proposed Project is not within a Port District and the proposed Project would not prevent CARB from implementing this measure.
Goods Movement Efficiency Measures 1. Port Drayage Trucks	T-6	<i>Consistent.</i> The proposed Project would support applicable efficiency measures within this scoping plan measure including increasing efficiency of goods movement.

**Table 4.6-5. Proposed Project Consistency with 2008 Scoping Plan GHG Emission Reduction Strategies**

Scoping Plan Measure	Measure Number	Project's Potential to Conflict
2. Transport Refrigeration Units Cold Storage Prohibition 3. Cargo Handling Equipment, Anti-Idling, Hybrid, Electrification 4. Goods Movement Systemwide Efficiency Improvements 5. Commercial Harbor Craft Maintenance and Design Efficiency 6. Clean Ships 7. Vessel Speed Reduction		
Heavy-Duty Vehicle GHG Emission Reduction <ul style="list-style-type: none"> <li>• Tractor-Trailer GHG Regulation</li> <li>• Heavy-Duty Greenhouse Gas Standards for New Vehicle and Engines (Phase I)</li> </ul>	T-7	<i>No conflict.</i> Heavy-duty vehicles would be required to comply with CARB GHG reduction measures. In addition, the proposed Project would not prevent CARB from implementing this measure.
Medium- and Heavy-Duty Vehicle Hybridization Voucher Incentive proposed Project	T-8	<i>No conflict.</i> The proposed Project medium- and heavy-duty vehicles (e.g., delivery trucks) could take advantage of the vehicle hybridization action, which would reduce GHG emissions through increased fuel efficiency. In addition, the proposed Project would not prevent CARB from implementing this measure.
Medium and Heavy-Duty GHG Phase 2	N/A	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
High-Speed Rail	T-9	<i>Not applicable.</i> The proposed Project does not include rail and would not prevent CARB from implementing this measure.
<b>Electricity and Natural Gas Sector</b>		
Energy Efficiency Measures (Electricity)	E-1	<i>No conflict.</i> The proposed Project would comply with the current Title 24 Building Energy Efficiency Standards. In addition, the proposed Project would not prevent CARB from implementing this measure.
Energy Efficiency (Natural Gas)	CR-1	<i>No conflict.</i> The proposed Project would comply with the current Title 24 Building Energy Efficiency Standards. In addition, the proposed Project would not prevent CARB from implementing this measure.
Solar Water Heating (California Solar Initiative Thermal Program)	CR-2	<i>No conflict.</i> The proposed Project would include solar water heating where feasible.

**Table 4.6-5. Proposed Project Consistency with 2008 Scoping Plan GHG Emission Reduction Strategies**

Scoping Plan Measure	Measure Number	Project's Potential to Conflict
Combined Heat and Power	E-2	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Renewables Portfolio Standard (33% by 2020)	E-3	<i>No conflict.</i> The electricity used by the proposed Project would benefit from reduced GHG emissions resulting from increased use of renewable energy sources.
Renewables Portfolio Standard (50% by 2050)	N/A	<i>No conflict.</i> The electricity used by the proposed Project would benefit from reduced GHG emissions resulting from increased use of renewable energy sources.
SB 1 Million Solar Roofs (California Solar Initiative, New Solar Home Partnership, Public Utility Programs) and Earlier Solar Programs	E-4	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
<b>Water Sector</b>		
Water Use Efficiency	W-1	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Water Recycling	W-2	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Water System Energy Efficiency	W-3	<i>Not applicable.</i> This is applicable for the transmission and treatment of water, but it is not applicable for the proposed Project. The proposed Project would not prevent CARB from implementing this measure.
Reuse Urban Runoff	W-4	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Renewable Energy Production	W-5	<i>Not applicable.</i> Applicable for wastewater treatment systems. In addition, the proposed Project would not prevent CARB from implementing this measure.
<b>Green Buildings</b>		
State Green Building Initiative: Leading the Way with State Buildings (Greening New and Existing State Buildings)	GB-1	<i>No conflict.</i> The proposed Project would be required to be constructed in compliance with state or local green building standards in effect at the time of building construction.
Green Building Standards Code (Greening New Public Schools, Residential and Commercial Buildings)	GB-1	<i>No conflict.</i> The proposed Project's buildings would meet green building standards that are in effect at the time of design and construction.
Beyond Code: Voluntary Programs at the Local Level (Greening New Public Schools, Residential and Commercial Buildings)	GB-1	<i>No conflict.</i> The proposed Project's buildings would meet green building standards that are in effect at the time of design and construction.
Greening Existing Buildings (Greening Existing Homes and Commercial Buildings)	GB-1	<i>No conflict.</i> This is applicable for existing buildings only; it is not applicable for portions of the proposed Project except as future standards may become applicable to existing buildings. For proposed Project building that would be retrofitted, the buildings

**Table 4.6-5. Proposed Project Consistency with 2008 Scoping Plan GHG Emission Reduction Strategies**

Scoping Plan Measure	Measure Number	Project's Potential to Conflict
		would meet current applicable building standards at the time of design and construction.
<b>Industry Sector</b>		
Energy Efficiency and Co-Benefits Audits for Large Industrial Sources	I-1	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Oil and Gas Extraction GHG Emission Reduction	I-2	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Reduce GHG Emissions by 20% in Oil Refinery Sector	N/A	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
GHG Emissions Reduction from Natural Gas Transmission and Distribution	I-3	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Refinery Flare Recovery Process Improvements	I-4	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Work with the Local Air Districts to Evaluate Amendments to Their Existing Leak Detection and Repair Rules for Industrial Facilities to Include Methane Leaks	I-5	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
<b>Recycling and Waste Management Sector</b>		
Landfill Methane Control Measure	RW-1	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Increasing the Efficiency of Landfill Methane Capture	RW-2	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Mandatory Commercial Recycling	RW-3	<i>No conflict.</i> During both construction and operation of the proposed Project, the proposed Project would comply with all state regulations related to solid waste generation, storage, and disposal, including the California Integrated Waste Management Act, as amended.
Increase Production and Markets for Compost and Other Organics	RW-3	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Anaerobic/Aerobic Digestion	RW-3	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Extended Producer Responsibility	RW-3	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Environmentally Preferable Purchasing	RW-3	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
<b>Forests Sector</b>		
Sustainable Forest Target	F-1	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.

**Table 4.6-5. Proposed Project Consistency with 2008 Scoping Plan GHG Emission Reduction Strategies**

Scoping Plan Measure	Measure Number	Project's Potential to Conflict
<b>High GWP Gases Sector</b>		
Motor Vehicle Air Conditioning Systems: Reduction of Refrigerant Emissions from Non-Professional Servicing	H-1	<i>No conflict.</i> The proposed Project's employees would be prohibited from performing air conditioning repairs and would be required to use professional servicing.
SF <sub>6</sub> Limits in Non-Utility and Non-Semiconductor Applications	H-2	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Reduction of Perfluorocarbons (PFCs) in Semiconductor Manufacturing	H-3	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Limit High GWP Use in Consumer Products	H-4	<i>No conflict.</i> The proposed Project's employees would use consumer products that would comply with the regulations that are in effect at the time of manufacture.
Air Conditioning Refrigerant Leak Test During Vehicle Smog Check	H-5	<i>No conflict.</i> Motor vehicles driven by the proposed Project's employees and customers would comply with the leak test requirements during smog checks.
Stationary Equipment Refrigerant Management Program – Refrigerant Tracking/Reporting/Repair Program	H-6	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
Stationary Equipment Refrigerant Management Program – Specifications for Commercial and Industrial Refrigeration	H-6	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
SF <sub>6</sub> Leak Reduction Gas Insulated Switchgear	H-6	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
40% Reduction in Methane and Hydrofluorocarbon (HFC) Emissions	N/A	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
50% Reduction in Black Carbon Emissions	N/A	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.
<b>Agriculture Sector</b>		
Methane Capture at Large Dairies	A-1	<i>Not applicable.</i> The proposed Project would not prevent CARB from implementing this measure.

**Notes:** GHG = greenhouse gas; CARB = California Air Resources Board; VMT = vehicle miles traveled; SB = Senate Bill; N/A = not applicable; SF<sub>6</sub> = sulfur hexafluoride.

Based on the analysis in Table 4.6-5, the proposed Project would not conflict with the applicable strategies and measures in the 2008 Scoping Plan.

The 2017 Scoping Plan Update reflects the 2030 target of a 40% reduction below 1990 levels codified by SB 32. Table 4.6-6 evaluates the Project’s potential to conflict with the 2017 Scoping Plan recommended actions.

**Table 4.6-6. Project Consistency with 2017 Scoping Plan Climate Change Policies and Measures**

Recommend Action Summary	Lead Agencies	proposed Project Potential to Conflict
Implement SB 350 by 2030 <ul style="list-style-type: none"> <li>• Increase Renewable Portfolio Standard</li> <li>• Establish annual targets for statewide energy efficiency</li> <li>• Reduce GHG emissions in the electricity sector</li> </ul>	CPUC, CEC, CARB	<i>No conflict.</i> This action is directed towards policymakers and would not be directly applicable to the Project. Nonetheless, the Project would improve energy efficiency and reduce electricity-related GHG emissions when replacing older buildings and systems with newer, more efficient buildings and systems.
Implement Mobile Source Strategy (Cleaner Technology and Fuels) <ul style="list-style-type: none"> <li>• Increase zero emission and plug-in hybrid electric vehicles</li> <li>• Increase GHG stringency on light-duty vehicles beyond Advanced Clean Cars</li> <li>• Medium- and heavy-duty GHG Phase 2</li> <li>• Innovative Clean Transit</li> <li>• Last Mile Delivery</li> <li>• Further reduce VMT through SB 375 and regional Sustainable Communities Strategy</li> </ul>	CARB, CalSTA, SGC, CalTrans, CEC, OPR, Local agencies	<i>No conflict.</i> The Project’s employees would operate vehicles that comply with applicable CARB regulations for cleaner technology and fuels.
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets)	CARB	<i>No conflict.</i> This action is directed towards policymakers and would not be directly applicable to the Project.
Adjust performance measures used to select and design transportation facilities by 2019	CalSTA and SGC, OPR, CARB, GoBiz, IBank, DOF, CTC, Caltrans	<i>No conflict.</i> The action is directed towards CARB and Caltrans and the Project would not result in an increase in operational vehicle trips.
Develop pricing policies to support low-GHG transportation (e.g., low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts) by 2019	CalSTA, Caltrans, CTC, OPR/SGC, CARB	<i>No conflict.</i> This action is directed towards policymakers and would not be directly applicable to the Project.
Implement California Sustainable Freight Action Plan	CalSTA, CalEPA, CNRA, CARB, CalTrans, CEC, GoBiz	<i>No conflict.</i> The Project would provide a regional hub for goods movement connecting the ports with the arterial goods distribution system.
Adopt a Low Carbon Fuel Standard with a carbon intensity reduction of 18%	CARB	<i>No conflict.</i> This action is directed towards CARB and would not be directly applicable to the Project. In addition, the Project would not result in an increase in operational vehicle trips.
Implement the Short-Lived Climate Pollutant Strategy by 2030	CARB, CalRecycle,	<i>No conflict.</i> The Project would be required to comply with the Short-Lived Climate Pollutant Strategy to the extent it is applicable.



**Table 4.6-6. Project Consistency with 2017 Scoping Plan Climate Change Policies and Measures**

Recommend Action Summary	Lead Agencies	proposed Project Potential to Conflict
	CDFA, SWRCB, Local air districts	
Develop regulations and programs to support organic waste landfill reduction goals in the Short-Lived Climate Pollutant Strategy and SB 1383 by 2019	CARB, CalRecycle, CDFA, SWRCB, Local air districts	<i>No conflict.</i> This action is not within the purview of this Project.
Implement the post-2020 Cap-and-Trade Program with declining annual caps	CARB	<i>No conflict.</i> The Project is not subject to the California Cap-and-Trade Program.
Develop Integrated Natural and Working Lands Implementation Plan to secure California’s land base as a net carbon sink by 2018	CNRA and departments within, CDFA, CalEPA, CARB	<i>No conflict.</i> This action is not within the purview of this Project. In addition, the Project would not result in land use conversion that would reduce carbon storage.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018	CARB	<i>No conflict.</i> This action is not within the purview of this Project.
Implement Forest Carbon Plan	CNRA, CAL FIRE, CalEPA and departments within	<i>No conflict.</i> This action is not within the purview of this Project. In addition, the Project components are located within developed urban areas and would not affect forested areas.
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	<i>No conflict.</i> This action is not within the purview of this Project.

Source: CARB 2017.

Notes: CalEPA = California Environmental Protection Agency; CAL FIRE = California Department of Forestry and Fire Protection; CalRecycle = California Department of Resources Recycling and Recovery; CalSTA = California State Transportation Agency; CalTrans = California Department of Transportation; CARB = California Air Resources Board; CDFA = California Department of Food and Agriculture; CEC = California Energy Commission; CNRA = California Natural Resources Agency; CPUC = California Public Utilities Commission; CTC = California Transportation Commission; DOF = Department of Finance; GHG = greenhouse gas; GoBiz = Governor’s Office of Business and Economic Development; IBank = California Infrastructure Economic Development Bank; OPR = Governor’s Office of Planning and Research; SB = Senate Bill; SGC = Strategic Growth Council; I- = Interstate.

Based on the analysis in Table 4.6-6, the proposed Project would not conflict with the applicable climate change policies and measures in the 2017 Scoping Plan.

**Consistency with EO S-3-05 and SB 32**

- **EO S-3-05.** This EO establishes the following goals: GHG emissions should be reduced to 2000 levels by 2010, to 1990 levels by 2020, and to 80% below 1990 levels by 2050.
- **SB 32.** This bill establishes for a statewide GHG emissions reduction target whereby CARB, in adopting rules and regulations to achieve the maximum technologically feasible and cost-effective GHG emissions reductions, shall ensure that statewide GHG emissions are reduced to at least 40% below 1990 levels by December 31, 2030.

This section evaluates whether the GHG emissions trajectory after proposed Project completion would impede the attainment of the 2030 and 2050 GHG reduction goals identified in EOs B-30-15 and S-3-05.

To begin, CARB has expressed optimism with regard to both the 2030 and 2050 goals. It states in the First Update to the Climate Change Scoping Plan that “California is on track to meet the near-term 2020 GHG emissions limit and is well positioned to maintain and continue reductions beyond 2020 as required by AB 32” (CARB 2014, p. ES2). With regard to the 2050 target for reducing GHG emissions to 80% below 1990 levels, the First Update to the Climate Change Scoping Plan states the following (CARB 2014, p. 34):

This level of reduction is achievable in California. In fact, if California realizes the expected benefits of existing policy goals (such as 12,000 megawatts of renewable distributed generation by 2020, net zero energy homes after 2020, existing building retrofits under AB 758, and others) it could reduce emissions by 2030 to levels squarely in line with those needed in the developed world and to stay on track to reduce emissions to 80% below 1990 levels by 2050. Additional measures, including locally driven measures and those necessary to meet federal air quality standards in 2032, could lead to even greater emission reductions.

In other words, CARB believes that the state is on a trajectory to meet the 2030 and 2050 GHG reduction targets set forth in AB 32, EO B-30-15, and EO S-3-05. This is confirmed in the 2017 Scoping Plan, which states (CARB 2017):

The Scoping Plan builds upon the successful framework established by the Initial Scoping Plan and First Update, while identifying new, technologically feasible and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities.

As previously discussed, total proposed Project emissions, including operation and amortized construction, would exceed the SCAQMD significance threshold of 3,000 MT CO<sub>2e</sub> per year. As such, the proposed Project (without mitigation) would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050.

As discussed above, with implementation of mitigation measures MM-AQ-3 (Vehicle Miles Traveled Reduction Strategies), MM-AQ-4 (Encourage Electric Vehicles), MM-AQ-5 (Idling Restriction), MM-AQ-6 (Energy Conservation), MM-AQ-7 (Electric Forklifts), MM-GHG-1 (Water Conservation) and MM-GHG-2 Solid Waste Reduction), emissions of GHG would be reduced. However, the Project would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050. Therefore, the Project may conflict with applicable plans to reduce GHGs and would have a significant and unavoidable impact after mitigation.

### 4.6.5 Cumulative Impacts Analysis

The Project would emit GHGs that would contribute to increased accumulation of GHGs from more than one project and many sources in the atmosphere that may result in global climate change. An individual project’s GHG emissions typically would be very small in comparison to state or global GHG emissions. Due to the complex physical, chemical, and atmospheric mechanisms involved in global climate change and the nature of the issue, a project’s GHG emissions and the resulting significance of potential impacts are assessed on a cumulative basis. The thresholds developed by SCAQMD consider the cumulative development and the ability for the air basin to meet the required emissions reductions.

The analysis in Section 4.6.4 shows the Project would generate GHG emissions that may have a significant impact on the environment. Operation and amortized construction of the Project would generate 14,487 MT CO<sub>2e</sub> of GHG per year, which would exceed the SCAQMD threshold of 3,000 MT CO<sub>2e</sub> per year, which is the SCAQMD’s

recommended non-industrial project quantitative threshold for determining whether a project’s GHG emissions would have a significant impact on the environment. Even with incorporation of the mitigation identified in this Draft EIR below, the Project’s annual GHG emissions would still exceed the threshold of 3,000 MT CO<sub>2</sub>e per year, and impacts would be significant and unavoidable.

The Project would conflict with the applicable air quality management plans adopted for the purpose of reducing the emissions of GHG as well as exceed the threshold of 3,000 MT CO<sub>2</sub>e per year. As such, the Project would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050 and impacts would be significant and unavoidable. Therefore, the project would have a cumulatively considerable impact on GHG emissions.

### 4.6.6 Mitigation Measures and Level of Significance After Mitigation

As presented in Section 4.1.5, Air Quality, implementation of the following mitigation measures identified to reduce potential air quality impacts, would also reduce operation-related GHG emissions: MM-AQ-3 (Vehicle Miles Traveled Reduction Strategies), MM-AQ-4 (Encourage Electric Vehicles), MM-AQ-5 (Idling Restriction), MM-AQ-6 (Energy Conservation), and MM-AQ-7 (Electric Forklifts and Yard Trucks).

In addition, mitigation measures MM-GHG-1 (Water Conservation) and MM-GHG-2 (Solid Waste Reduction) shall be implemented to reduce GHG emissions generated during operation of the proposed Project:

**MM-GHG-1 Water Conservation.** Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction:

- a) Install low-water use appliances and fixtures
- b) Restrict the use of water for cleaning outdoor surfaces and prohibit systems that apply water to non-vegetated surfaces
- c) Implement water-sensitive urban design practices in new construction
- d) Install rainwater collection systems where feasible.

**MM-GHG-2 Solid Waste Reduction.** Prior to the approval of any construction-related permits, the Project applicant or its designee shall place the following requirements on all plans, which shall be implemented during construction:

- a) Provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available.
- b) Evaluate the potential for on-site composting.

**Threshold 4.6A: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment**

Implementation of mitigation measures MM-AQ-3 (Vehicle Miles Traveled Reduction Strategies), MM-AQ-4 (Encourage Electric Vehicles), MM-AQ-5 (Idling Restriction), MM-AQ-6 (Energy Conservation), MM-AQ-7 (Electric Forklifts), MM-GHG-1 (Water Conservation), and MM-GHG-2 (Solid Waste Reduction) would reduce operational GHG

emissions. Because some of the mitigation measures do not have reliable means to quantify the emissions reductions, only mitigation measures MM-AQ-4 through MM-AQ-7 were taken quantitative credit for. As such, impacts would be considered significant and unavoidable during operation after mitigation.

**Threshold 4.6B. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases**

With implementation of mitigation measures MM-AQ-3 (Vehicle Miles Traveled Reduction Strategies), MM-AQ-4 (Encourage Electric Vehicles), MM-AQ-5 (Idling Restriction), MM-AQ-6 (Energy Conservation), MM-AQ-7 (Electric Forklifts), MM-GHG-1 (Water Conservation) and MM-GHG-2 Solid Waste Reduction), emissions of GHG would be reduced. However, the Project would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050. Therefore, the Project may conflict with applicable plans to reduce GHGs and would have a significant and unavoidable impact after mitigation.

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## 4.7 Hazards and Hazardous Materials

This section describes the existing hazards and hazardous materials conditions at the proposed Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, and identifies associated regulatory requirements, thresholds of significance, impact analysis, cumulative impacts, mitigation measures, level of significance after mitigation, and references. Information sources used to prepare this section include review of a list of hazardous waste and substances sites (Cortese List) in accordance with California Government Code Section 65962.5, as well as information from the following appendix:

- Appendix E-1:** Phase I Environmental Site Assessment, Mission Tiki Drive-In Theatre and Related Sites, 10798 Ramona Avenue (27.4 Acres), Montclair, California 91763, dated February 20, 2019.
- Appendix E-2:** Phase II Soil and Soil Vapor Investigation, Mission Tiki Drive-In Theatre and Related Sites, 10798 Ramona Avenue (27.4 Acres), Montclair, California 91763, dated July 2, 2019.
- Appendix E-3:** Geotechnical Investigation, Proposed Commercial/Industrial Development, Project No. 19G146-1, prepared by Southern California Geotechnical dated June 26, 2019

Other sources consulted are listed in Section 4.7.7, References Cited.

### 4.7.1 Existing Conditions

#### Geology and Hydrogeology

The geotechnical investigation conducted by Southern California Geotechnical, Inc. (Appendix E-3) encountered artificial fill below the Project site at depths up to 1.5 to 6 feet below ground surface (bgs) in most areas. In one area, fill was encountered at a depth of 12 feet bgs. The artificial fill in all areas consists of loose to medium-dense fine to medium sands and silty sands with varying amounts of fine gravels and coarse sands. The fill is underlain by alluvial fan deposits, composed of mostly fine and medium sands and silty sands.

The subsurface exploration conducted for the Project consisted of seventeen (17) borings for the purpose of geotechnical investigation, advanced to depths of approximately 10 to 35 feet below currently existing site grades. All of the borings were drilled in areas developed with asphalt concrete pavements, with the exception of Boring No. B-1 in an unpaved planter area. At these locations, the pavement sections consist of approximately 1 to 4 inches of asphalt concrete with approximately 0 to 3 inches underlying aggregate base. Artificial fill soils were encountered at most of the boring locations. Native alluvial soils were encountered beneath the fill soils or pavements at all of the boring locations. Free water was not encountered during the drilling of any of the borings. Based on the lack of any water within the borings, and the moisture contents of the recovered soil samples, the static groundwater is considered to have existed at a depth in excess of 35 feet at the time of the subsurface exploration. Available groundwater data was reviewed as part of the Geotechnical Investigation in order to obtain more recent high groundwater level for the site. The nearest monitoring well is located approximately 4,900 feet southwest of the site. Water level readings within these monitoring wells indicate high groundwater levels of approximately 270 feet below site grades (Appendix E-3).

### Historical Chemical Use and Hazards

Information on past and current activities and former chemical use at the proposed Project site was obtained from a review of Phase I and II Environmental Site Assessments (ESAs) prepared by SCS Engineers (SCS) (Appendix E-1 and E-2). According to the 2019 Phase I ESA, the prior Project site was developed as an orange grove from the 1920s until the 1950s. By 1959, the majority of the Project site was redeveloped as a drive-in movie theater. Around that same time, the northwestern, northeastern, and southwestern portions of the Project site were developed for industrial uses. The Project site uses and associated chemical use are discussed below.

### Entire Project Site

The Project site was an orange grove with a few residences from 1928 to 1954. As noted in the 2019 Phase I ESA, the prior agricultural use indicates a potential for pesticides or metals contamination. The Phase I ESA noted; however, that the residual concentrations are typically low and are therefore considered to be a *de minimis* condition. Soil samples were not collected and analyzed for pesticides during the prior site sampling summarized in the 2019 Phase I ESA or in the 2019 Phase II ESA. A Phase II ESA was conducted in 2019 and included, among other analyses, several shallow soil samples for metals analysis; however, no metals impacts were identified.

The drive-in theater was constructed in part by 1959; a small area of orange groves was still present at this time. By 1967, the drive-in theater became fully-operational with the addition of office, storage and snack bar buildings; orange groves were no longer present on the Project site at that time. The drive-in theater expanded (from 1 to 4 screens) by 1975. No environmental concerns are associated with the drive-in theater.

### North-Central Portion of the Project Site

SCS observed maintenance paint, 5-gallon gasoline containers, motor oil, and a food grease container stored outside of the administration and snack bar building in the north-central part of the Project site during their 2019 Phase I ESA site visit.

### Northwest Corner of Project Site

Between 1955 and 1959, two industrial buildings were constructed in the northwest corner of the Project site (4359 and 4407 State Street). By 1967, Valley Metal Treating Company became the tenant of a building near the northwest corner of the property (4359 State Street). By 1983, at least five buildings were present in the industrial park in the northwest corner of the Project site. Industrial operations continued here throughout the 1980s, with tenants including Dumas Machine and Tool Company, Valley Metal Treating Company, Master Deburring, Chin-Tario Machinery and Equipment, Comprehensive Sheet Metal, SCSM&E, and Rudy's Service Station. By 1989, some of the buildings were apparently no longer used. All buildings were demolished from the northwestern portion of the site by 2009 (Appendix E-1). It appears that concrete building pads are still present. The locations of these former buildings are depicted in Figure 4.7-1, Known Hazards Building Footprints Map.

Environmental investigations conducted in the northwestern industrial park identified the presence of petroleum hydrocarbons in the subsurface. In 1989, Dames & Moore summarized their initial findings in a report that detailed the presence of numerous drums containing hazardous waste, stained soil and concrete, machine pits and the removal of a gasoline underground storage tank (UST) (Appendix E-1).

In 1988, two soil samples were collected beneath the former gasoline UST and analyzed for gasoline-related contaminants; only minor impacts were identified. During the 2019 Phase II ESA, it appears that nine soil samples

and one soil vapor sample were collected in the general vicinity of the former gasoline pump; no gasoline-related contaminants were identified.

Beginning in 1990, environmental investigations of the machine pits in Buildings 2 and 3 were conducted (Figure 4.7-1). Total petroleum hydrocarbons (TPH) were detected at concentrations up to 136,000 milligrams per kilogram (mg/kg). Tetrachloroethylene (PCE) was also detected in soil beneath the machine pits (Appendix E-1). Petroleum hydrocarbons originating in Building 2 were determined to extend up to 20 feet below the building and up to 10 feet in width (Appendix E-1). Approximately 500 cubic yards of contaminated soil were excavated from under Buildings 2 and 3 in 1990. Building 2 was excavated to a depth of 23 feet bgs and Building 3 was excavated to 15 feet bgs. A confirmation sample, taken from Building 3, indicated residual TPH at a concentration of 26 mg/kg. The excavated soil was stockpiled and sampled prior to being removed from the Project site; PCE and trichloroethylene (TCE) were detected at 86 and 16 micrograms per kilogram (ug/kg), respectively, in the stockpile samples (Appendix E-1). The excavations were backfilled with gravel.

Dames & Moore conducted a Phase I ESA of the site in 1994, after the removal of contaminated soil, and noted that there was no significant evidence of environmental impairment in the area of the machine bays (Appendix E-1).

The 2019 Phase I ESA conducted by SCS noted that releases of chromium and chlorinated solvents were possible given the various metal treatment and plating businesses that were tenants of the industrial park. They recommended further soil and soil vapor testing due to the lack of previous testing for chromium, chlorinated solvents and other volatile organic compounds (VOCs) (Appendix E-1). This further sampling was conducted later in 2019 during the Phase II ESA.

During the Phase II ESA, SCS analyzed 49 samples from 19 borings for VOCs and TPH; 10 of the samples contained concentrations of petroleum hydrocarbons. While the maximum concentration of TPH detected was 2,660 mg/kg (for oil-range TPH), none of the TPH concentrations exceeded the Regional Water Quality Control Board soil screening thresholds (Appendix E-2). Three samples contained toluene and benzene, two fuel-related VOCs, at low concentrations (maximum concentrations were 7.46 µg/kg for benzene and 4.14 µg/kg for toluene). All of these values were below the California Department of Toxic Substances Control (DTSC) or Environmental Protection Agency (EPA) soil screening thresholds. Twenty-three soil samples were analyzed for metals; none of the samples contained concentrations of metals above the soil screening levels (Appendix E-2).

SCS also conducted soil vapor monitoring at 5 feet bgs at 27 different locations in the northwestern portion of the Project site. TCE was detected in three soil vapor samples (SV-23, SV-24, and SV-28 at concentrations up to 1 microgram per liter [µg/L]) at 5 feet bgs. Probes were later installed at 15 feet bgs in these same locations and TCE was not detected in the 15 feet bgs soil vapor samples. Ethylbenzene (.8 µg/L) and o-xylene (.89 µg/L) were detected at 5 feet bgs in one soil vapor sample (SV-30), but not at the 15 feet sample collected from the same location. Lastly, m,p-xylene was detected in four soil vapor samples at concentrations up to 3 µg/L. The locations of these soil vapor samples are presented on Figure 4.7-1.

As noted in the SCS Phase II ESA, the soil vapor data were compared to the EPA ambient air screening levels (Regional Screening Levels [RSLs]) using an attenuation factor to account for attenuation of the VOCs as they migrate through the soil and through hypothetical cracks in a future building's foundation. Two different attenuation factors were used: one is based on the DTSC 2011 Final Vapor Intrusion Guidance (DTSC 2011) and the other is based on EPA guidance that has recently been proposed by the California State Water Resources Control Board (SWRCB) and DTSC in the 2020 Draft Supplemental Guidance: Screening and Evaluating Vapor Intrusion (SWRCB and DTSC 2020). As noted in the SCS Phase II ESA, the TCE and ethylbenzene soil vapor concentrations are less than the regulatory screening levels

using the attenuation factor from the 2011 final DTSC guidance document, but they exceed the regulatory screening levels using the newer 2020 draft guidance (as summarized in Table 4.7-1). Xylenes were detected at concentrations less than the screening level using either attenuation factor (Appendix E-2).

**Table 4.7-1. Summary of Soil Vapor Screening Level Exceedances**

Sample ID	TCE soil vapor concentration at 5 feet bgs	Ethylbenzene soil vapor concentration at 5 feet bgs
Commercial/Industrial EPA Regional Screening Level Using an Attenuation Factor of 0.03 (SWRCB and DTSC 2020)	100 µg/m <sup>3</sup>	163 µg/m <sup>3</sup>
Commercial/Industrial EPA Regional Screening Level Using an Attenuation Factor of 0.0005 (DTSC 2011)	6,000 µg/m <sup>3</sup>	9,800 µg/m <sup>3</sup>
SV-23	<b>0.21 µg/L</b> <b>(210 µg/m<sup>3</sup>)</b>	<0.4 µg/L (<400 µg/m <sup>3</sup> )
SV-24	<b>µg/L</b> <b>(1,000 µg/m<sup>3</sup>)</b>	<0.4 µg/L (<400 µg/m <sup>3</sup> )
SV-28	<b>0.18 µg/L</b> <b>(180 µg/m<sup>3</sup>)</b>	<0.4 µg/L (<400 µg/m <sup>3</sup> )
SV-30	<0.08 µg/L (<80 µg/m <sup>3</sup> )	<b>0.8 µg/L</b> <b>(800 µg/m<sup>3</sup>)</b>

**Note:** Bold concentrations exceed the screening level using an attenuation factor of 0.03. None of the detected concentrations exceed the screening level using an attenuation factor of 0.0005.

**Northeast Corner of Project Site**

In 1964, a building was erected in the northeast corner of the project site (which corresponds to the present-day building occupied by Montclair Tire Company, 4563 State Street). There is a large gap in historical data associated with the use and tenants of the building. Presently, the building is used by the Montclair Tire Company as a storage facility for equipment and miscellaneous items (paper products, furniture, etc.). Because of the large gap in historical data associated with the Montclair Tire Company site, Dudek has been unable to verify tenants prior to Montclair Tire Company. However, a real estate broker for the Montclair Tire Company site said that The Montclair Tire Company have used the building for an unknown amount of time and is unclear about the former uses or tenants of the building (Appendix E-1).

Two manholes and adjacent cut and capped pipes were observed southeast of the building during the Phase I ESA (Figure 4.7-1). It is possible that these manholes are associated with an underground storage tank or an oil/water separator. The manholes were opened during the Phase I ESA and no fill ports were observed (Appendix E-1). SCS hypothesized that the manholes were associated with a septic tank or sewer (Appendix E-1).

As a part of their Phase II investigation, SCS sampled soil and soil vapor around the building (Appendix E-2), including in the general area where the manholes were observed. Soil samples were collected at 10 and 15 feet from one boring in this area. The soil samples were analyzed for TPH and VOCs; all samples were non-detect. Four soil vapor samples were collected from this area of the site at 5 feet bgs and analyzed for VOCs; all samples were non-detect. Based on the sampling conducted in the northeast corner of the Project Site, no impacts were identified in that area.

### Southwest Corner of Project Site

Businesses including Gallagher’s Garage, F&S Automotive Repair, and PMA Irrigation Equipment Co. were listed as tenants for addresses located in the southwestern portion of the property (4356 and 4410 Mission Boulevard) in the early 1970s. The location of this site is presented on Figure 4.7-1. These types of businesses likely used fuels, oils, and solvents and may have impacted the subsurface in that area of the Project site. All buildings and trailers had been removed from the southwestern portion of the property by 1975.

During their Phase II sampling, SCS tested soil vapor in four locations in the southwestern corner of the property. No VOCs were detected at concentrations above the laboratory reporting limit in the four samples, indicating that major VOC impacts in this area are unlikely. No soil samples have been collected from this area; the soils in this area may be impacted from the former automotive repair businesses.

### Potential Off-Site Sources

Spiegel Carpet facility, a dry cleaner located at 4299 State Street, just to the west of the Project site, operated from at least 1982 to an unknown date (Figure 4.7-1; Appendix E-1). This dry cleaner used PCE. The use of PCE in dry cleaning is commonly associated with releases. SCS concluded that because there is no record of any releases of PCE and the Spiegel Carpet site is located 300 feet away from the Project site, this does not present a significant risk (Appendix E-1).

## 4.7.2 Relevant Plans, Policies, and Ordinances

### Federal

#### ***Resource Conservation and Recovery Act***

The Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901–6992) gives EPA the authority to control hazardous waste from “cradle-to-grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (PL 98-616), which affirmed and extended the “cradle-to-grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act. Under the authority of RCRA, the regulatory framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste, is found in 40 CFR 260–299. The 1986 amendments to RCRA enabled the EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances. Some of the other mandates of this law include increased enforcement authority for EPA, more stringent hazardous waste management standards, and a comprehensive UST program.

#### ***Occupational and Safety Health Act***

Congress passed the Occupational and Safety Health Act of 1970 to ensure worker and workplace safety. Its 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. In order to establish standards for workplace health and safety, the Occupational and Safety Health Act also created the National Institute for Occupational Safety and Health as the research institution for the Occupational Safety and Health Administration (OSHA). OSHA is a division of the U.S. Department of Labor

that oversees the administration of the Occupational and Safety Health Act and enforces standards in all 50 states. OSHA requirements are set forth in Title 29 of the Code of Federal Regulations (CFR). The state is responsible for administering OSHA regulations.

The Occupational Safety and Health Act sets requirement standards to comprehensively address the issue of evaluating and communicating chemical and physical standards to employees in the construction sector (the Construction Industry Hazards Communications Standard (29 CFR 1926.59). These requirements are also applicable to construction activities involving the demolition, salvage, removal, alternation, and maintenance, of any lead-containing materials, as well as lead contamination/emergency clean up, transportation. Disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed (the Lead in Construction Standard (29 CFR 1926.62).

### ***Federal Toxic Substances Control Act***

The federal Toxic Substances Control Act of 1976 (TSCA) (15 U.S.C. 2601–2697) established a program that provides the EPA with authority to require reporting, record keeping, testing requirements, and restrictions relating to chemical substances and/or mixtures. The TSCA establishes requirements on the use, handling and disposal of asbestos containing materials (ACM). These regulations include the phasing out of friable asbestos and ACM in new construction materials beginning in 1979. Therefore, any building, structure, surface asphalt driveway, or parking lot constructed prior to 1979, could potentially contain ACM.<sup>1</sup>

### ***Hazardous Materials Transportation Act***

The U.S. Department of Transportation regulates hazardous materials transportation under Title 49 of the United States Code (U.S.C.). State agencies with primary responsibility for enforcing federal and state regulations and responding to hazardous materials transportation emergencies are the California Highway Patrol and the California Department of Transportation. These agencies also govern permitting for hazardous materials transportation. Title 49 of the CFR reflects laws passed by Congress as of January 2, 2006, which govern hazardous material transportation. These state agencies work together to determine driver training requirements, load labelling procedures, and specification for container types. This Act promotes uniformity among different state and local highway routing regulations, to develop criteria for the issuance of federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

### ***International Fire Code***

The International Fire Code (IFC; ICC 2012), created by the International Code Council (ICC), is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The IFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The IFC and the International Building Code use a hazard classification system to determine what protective measures are required to protect life safety in relation to fire. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the IFC employs a permit system based on hazard classification. The IFC is updated every 3 years.

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<sup>1</sup> EPA, “Summary of the Toxic Substances Control Act,” <http://www2.epa.gov/laws-regulations/summary-toxic-substances-control-act> (2018).

### ***Federal Response Plan***

The Federal Response Plan of 1999 (FEMA 1999) is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a presidential declaration of a major disaster or emergency.

### **State**

#### ***Cortese List/Government Code 65962.5***

California Government Code Section 65962.5 requires that information regarding environmental impacts of hazardous substances and wastes be maintained and provided at least annually to the Secretary for Environmental Protection. Commonly referred to as the Cortese list, this information must include the following: sites impacted by hazardous wastes, public drinking water wells that contain detectable levels of contamination, USTs with unauthorized releases, solid waste disposal facilities from which there is migration of hazardous wastes, and all cease and desist and cleanup and abatement orders. This information is maintained by various agencies, including the DTSC, State Department of Health Services, SWRCB, and local Certified Unified Program Agency (CUPA). As each of the regulatory agencies typically now maintains these records in an electronic format, those requesting a Cortese list for a site are directed to the individual regulatory agencies. Typically, records searches are conducted via a regulatory database search company. Unless otherwise requested, the records search companies usually conduct the records searches in accordance with American Society for Testing and Materials (ASTM) Standard of Practice E 1527-13 Standard Practice for ESAs. The list of databases searched is more comprehensive than the Cortese list; thus, the Cortese list is not just a single list.

#### ***California Health and Safety Code***

In California, the handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95 of the California Health and Safety Code. Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan. Hazardous materials business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state.

Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for hazardous materials business plans. Each business shall prepare a hazardous materials business plan if that business uses, handles, or stores a hazardous material (including hazardous waste) or an extremely hazardous material in disclosable 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 (highly toxic with a threshold limit value of 10 parts per million or less)
- Extremely hazardous substances in threshold-planning quantities

Section 25250.4 of the Health and Safety Code requires that used oils be managed as California hazardous waste in accordance with Title 22 of the CCR unless it is recycled or otherwise qualifies for an exclusion under the Health and Safety Code.

### ***Title 22 of the California Code of Regulations and Hazardous Waste Control Law, Chapter 6.5***

The DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste under RCRA and the California Hazardous Waste Control Law. Both laws impose cradle-to-grave regulatory systems for handling hazardous waste in a manner that protects human health and the environment. California EPA has delegated some of its authority under the Hazardous Waste Control Law to county health departments and other CUPAs. According to Title 22 of the California Code of Regulations (CCR) 66001 et seq., substances having a characteristic of toxicity, ignitability, corrosivity, or reactivity are considered hazardous waste.

### ***Title 8 and Title 17 of the California Code of Regulations***

Title 8 of the CCR, Section 1529 presents construction safety orders related to work involving asbestos-containing materials, including safe work practices and control methods, exposure assessments, monitoring, respiratory protection, protective clothing, medical surveillance, and notification and communication requirements. Title 8 of the CCR also includes certification requirements for asbestos workers. Title 8 of the CCR, Section 1532.1 covers similar construction safety orders related to work involving potential lead exposure. Title 17 of the CCR, Section 35001 et seq. presents requirements for lead survey and abatement activities, including the certification requirements for inspection and abatement personnel. Title 17 of the CCR also details the manner in which surveys and abatement must be conducted, along with safe work practices.

### ***California Hazardous Waste Control Act***

The DTSC is responsible for the enforcement of the Hazardous Waste Control Act (California Health and Safety Code, Section 25100 et seq.), which creates the framework under which hazardous wastes are managed in California. The law provides for the development of a state hazardous waste program that administers and implements the provisions of the federal RCRA cradle-to-grave waste management system in California. It also provides for the designation of California-only hazardous waste and development of standards that are equal to or, in some cases, more stringent than federal requirements. The Hazardous Waste Control Act lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identifies some wastes that cannot be disposed of in landfills.

### ***Unified Hazardous Waste and Hazardous Materials Management Regulatory Program***

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program was created in 1993 by Senate Bill 1082 to consolidate, coordinate, and make consistent the administrative requirements, permits, inspections, and enforcement activities of environmental and emergency management programs. The program is implemented at the local government level by CUPAs. The program consolidates, coordinates, and makes consistent the following hazardous materials and hazardous waste programs (program elements):

- Hazardous Waste Generation (including on-site treatment under Tiered Permitting)
- Aboveground Petroleum Storage Tanks (only the spill prevention, control, and countermeasure (SPCC) plan)
- USTs
- Hazardous Material Release Response Plans and Inventories



- California Accidental Release Prevention Program
- Uniform Fire Code Hazardous Material Management Plans and Inventories

The San Bernardino County Fire Department has CUPA jurisdiction over the City of Montclair.

### ***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 330 et seq.). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.

The demolition of buildings containing lead-based paints is subject to a comprehensive set of California regulatory requirements that are designed to assure the safe handling and disposal of these materials. Cal/OSHA has established limits of exposure to lead contained in dusts and fumes, which provide for exposure limits, exposure monitoring, and respiratory protection, and mandate good working practices by workers exposed to lead, particularly since demolition workers are at greatest risk of adverse health exposure. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with applicable provisions of the California Health and Safety Code.

### ***California Accidental Release Prevention Program***

Similar to the EPA Risk Management Program, the California Accidental Release Prevention (CalARP) Program (19 CCR 2735.1 et seq.) regulates facilities that use or store regulated substances, such as toxic or flammable chemicals, in quantities that exceed established thresholds. The overall purpose of CalARP is to prevent accidental releases of regulated substances and reduce the severity of releases that may occur. The CalARP Program meets the requirements of the EPA Risk Management Program, which was established pursuant to the Clean Air Act Amendments.

In the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by the California Health and Safety Code, facilities are also required to prepare a risk management plan and California accidental release plan. The risk management plan and accidental release plan provide information on the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and mitigate potential impacts.

### ***California Fire Code***

The California Fire Code (CFC) is Chapter 9 of Title 24 of the CCR. It was created by the California Building Standards Commission and is based on the IFC created by the ICC. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years.

### ***California Emergency Services Act***

Under the Emergency Services Act (California Government Code, Section 8550 et seq.), the State of California developed an emergency response plan to coordinate emergency services provided by federal, state, and local agencies. Rapid response to incidents involving hazardous materials or hazardous waste is an integral part of the plan, which is administered by the Governor's Office of Emergency Services. The Office of Emergency Services coordinates the responses of other agencies, including the California EPA, California Highway Patrol, Regional Water Quality Control Boards, air quality management districts, and county disaster response offices.

### **Regional**

#### ***South Coast Air Quality Management District***

The South Coast Air Quality Management District (SCAQMD) regulates asbestos through Rule 1403, Asbestos Emissions from Renovation/Demolition Activities. Rule 1403 defines asbestos as a toxic material and controls the emissions of asbestos from demolition and renovation activities by specifying agency notifications, appropriate removal procedures, and handling cleanup procedures. Rule 1403 applies to owners and operators involved in the demolition or renovation of asbestos-containing structures, asbestos storage facilities, and waste disposal sites.

### **Local**

#### ***Certified Unified Program Agency***

A CUPA is a local agency that has been certified by California EPA to implement the local Unified Program. The CUPA can be a county, city, or joint powers authority. A participating agency is a local agency that has been designated by the local CUPA to administer one or more Unified Programs within their jurisdiction on behalf of the CUPA. A designated agency is a local agency that has not been certified by California EPA to become a CUPA but is the responsible local agency that would implement the six unified programs until they are certified.

San Bernardino County Fire Department is the primary local agency with responsibility for implementing federal and state laws pertaining to hazardous materials management. The Fire Department maintains records regarding location and status of hazardous materials sites in the City and administers programs that regulate and enforce the transport, use, storage, and manufacturing, and remediation of hazardous materials. The Fire Department manages hazardous waste inspection and enforcement components of the unified program.

#### ***City of Montclair General Plan***

The City of Montclair General Plan (City of Montclair, 1999) addresses a variety of natural and human-related hazards and contains guidelines and policies aimed at reducing the risk associated with these hazards. Some relevant policies from the Safety Element (SE) include:

- SE 5.1.1: Maintain a local permit requirement for the regulation of transportation and storage of hazardous materials.
- SE 5.1.2: Develop a monitoring program for the industrial use and storage of hazardous materials.
- SE 5.1.3: Promote public awareness of the dangers and proper disposal methods of hazardous materials.
- The City of Montclair has designated certain areas for industrial uses in order to protect residential areas: "The primary method available to the city to protect residents from [hazardous waste] risks is to separate

industrial uses from other land uses. Industrial uses are limited to the area along Arrow Highway and the area between Holt Boulevard and Mission Boulevard.” (City of Montclair, 1999). The Project site is located in the area designated for industrial uses, between Holt Boulevard and Mission Boulevard.

- The City of Montclair has designated approved streets and highways for the transport of hazardous materials. These highways and streets include:
  - Interstate 10: “The State Department of Transportation has designed Interstate 10 (I-10) as an approved hazardous materials route.” (City of Montclair, 1999)
  - Other truck routes in Montclair, listed in Figure II-11 of the General Plan, have been approved for transportation of hazardous materials. Approved truck routes that connect the Property to the I-10 corridor are Mission Boulevard and Central Avenue. Sections of Arrow Highway, Palo Verde Street, Holt Boulevard, and Mills Avenue (designated in Figure II-11) are also approved for unrestricted truck use.
- The City of Montclair delegates regulation of hazardous wastes on roadways to the appropriate State and Federal agencies.
  - “The USDOT has developed safety standards which regulate the shipment of hazardous materials by both truck and rail. These standards have been incorporated into the Environmental Health Division of the California Administrative Code. Under state law, the DHS is required to establish routes along the state highway system for the transportation of hazardous materials. These routes include a limited number of locations where trucks may stop. The CHP is responsible for enforcing these routes, and in the case of accidents, Caltrans is responsible for directing emergency cleanup operations.” (City of Montclair, 1999)
  - “Under this system, the USEPA is responsible for ensuring that containers of hazardous materials are properly labeled with instructions for use. Both the National Institute of Occupational Safety and Health and the State Department of Industrial Relations are responsible for ensuring that hazardous materials are properly used. The State Department of Health Services is responsible for controlling the storage and disposal of hazardous wastes.” (City of Montclair, 1999)
- The Montclair Fire Department is responsible for responding to hazardous materials emergencies, with additional resources being provided through the West End Hazardous Materials Response Unit.
- The County of San Bernardino has been contracted by the City of Montclair to provide the following services:
  - “Sampling: Collection of chemical(s), utilizing specialized personal protection equipment and sampling containers;
  - Field Identification: Partial classification via various types of field sampling and assessment equipment;
  - Laboratory Services: Determine type and quantity of samples necessary, best suited laboratory for analysis, transportation of samples, and interpretation of results;
  - Contractor Clean-Up Services: Selection of best suited contractor(s) and coordination of clean-up services, determine adequacy of clean-up activities;
  - Follow-Up Survey of Site: Including laboratory analyses, verification and directing necessary remedial work; and
  - Investigation and Enforcement: In-depth enforcement with the County District Attorney or local city attorney to recover total clean-up costs from responsible party” (City of Montclair, 1999)

### *Emergency Response Plan*

The City of Montclair has developed a draft Emergency Operations Plan and a Hazard Mitigation Plan. Because the Emergency Operations Plan is not available for review, Dudek discussed the draft plan with the City of Montclair Police Department. Rob Pipersky of the Police Department discussed emergency evacuation routes in the City and stated that Mission Boulevard is a main emergency evacuation route for the City (Pipersky, pers. com. 2020). The Hazard Mitigation Plan addresses the City's planned response to natural or human-caused disasters. It provides overviews of operational concepts and identify components of the City's emergency/disaster management organization. The plans focus on large-scale events and place an emphasis on emergency/disaster planning and resources to cope with disaster response.

### 4.7.3 Thresholds of Significance

The January 2021 Initial Study (Appendix A) for the proposed Project included an analysis of the following significance criteria based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.). It was concluded in the Initial Study that there were no impacts or less than significant impacts for the following significance criteria, which are, therefore, not analyzed as part of this EIR:

- D. 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 create a significant hazard to the public or the environment.
- E. 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.
- F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- G. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

The following significance criteria, included for analysis in this EIR, is based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.), and will be used to determine the significance of potential hazards and hazardous materials impacts. Impacts to hazards and hazardous materials would be significant if the Project would:

- A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- B. 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.
- C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

## 4.7.4 Impacts Analysis

**Threshold 4.7A:** Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

### Short-Term Construction Impacts

**Less than Significant Impact with Mitigation Incorporated.** During construction, hazardous substances and wastes would be stored, used, and generated on the Project site, including fuels for machinery and vehicles, new and used motor oils, cleaning solvents, paints, and storage containers. Accidental spills, leaks, fires, explosions, or pressure releases involving hazardous materials represent a potential threat to human health and the environment if not properly treated, which would result in a significant impact. Provisions to properly manage hazardous substances and wastes during construction are typically included in construction specifications and are under the responsibility of the construction contractors. Adherence to the construction specifications and applicable regulations regarding hazardous materials and hazardous waste, including disposal, would ensure that construction of the proposed Project would not create a significant hazard to the public or the environment during the construction phase of the proposed Project.

The Project will require demolition of existing buildings and structures on the Project site. Due to the age of buildings on the Project site, there is a potential for the existing site buildings to contain lead-based paint and/or asbestos. If such materials are present, asbestos fibers or dust containing lead may be released into the air when the materials are disturbed during demolition. Asbestos fibers can be breathed in; asbestos fibers can become lodged in the lung and can cause diseases such as lung cancer or mesothelioma. Lead in dust can be breathed in or ingested, which can contribute to lead poisoning. Existing state regulations require an asbestos and lead-based paint survey, followed by abatement and control of asbestos and lead, as needed, in advance of demolishment or renovation activities, as regulated in SCAQMD Rule 1403 (asbestos) and Titles 8 and 17 of the California Code of Regulations. Friable asbestos-containing materials, once removed or abated and if the waste contains once percent or more asbestos, must be disposed of as a California hazardous waste in accordance with Title 22 of the CCR. Non-friable asbestos-containing waste can be disposed of as non-hazardous waste.

SCS observed maintenance paint, 5-gallon gasoline containers, motor oil, and a food grease container stored outside of the administration and snack bar building in the north-central part of the Project site during their 2019 Phase I ESA site visit. It is not known if these materials are still present on the Project site. No industrial chemicals are known to remain on the Project site in other locations. These small quantities of general maintenance chemicals must be removed from the Project site in accordance with federal, state, and local laws regulating the management of hazardous waste prior to construction of the proposed Project including RCRA, California Health and Safety Code, and Title 22 of the CCR. Compliance with these regulations will ensure that the materials are properly removed from the Project site.

Two manholes and cut and capped pipes were observed southeast of the building in the northeastern corner of the Project site. The presence of the manholes indicates the potential for an UST or oil/water separator in this area; the SCS Phase I hypothesized that they could be associated with a septic tank or otherwise related to the sewer system. A potential UST, clarifier, or oil/water separator may be present on the site, and if so, would need to be properly closed or removed prior to redevelopment. MM-HAZ-1 addresses the potential for an UST or oil/water separator in the northeast corner of the Project site. MM-HAZ-1 requires further evaluation of this area. If, during

that evaluation, a feature is discovered, then the feature shall be closed and removed from the Project site in accordance with San Bernardino County Fire Department requirements prior to site construction.

Compliance with applicable regulations regarding the transport, use and disposal of hazardous materials, as well as the implementation of mitigation measure MM-HAZ-1, would ensure the Project does not create a significant hazard to the public or the environment through routine, transport, use or disposal of hazardous materials related to asbestos containing materials or lead based paints during Project construction. As such, impacts during construction of the Project are considered less than significant with mitigation incorporated.

### Long-Term Operational Impacts

**Less than Significant Impact.** Once Project construction is complete, it is not anticipated that the Project will involve the storage of large quantities of hazardous materials. The transport, use, or disposal of hazardous materials during the operational phase of the Project would likely be limited to cleaning products, landscaping chemicals and fertilizers, and other typical substances associated with the potential logistics, office, and possibly light manufacturing or assembly uses of the proposed Project. To the extent hazardous materials may be stored at a future on-site industrial or other use in quantities greater than 500 pounds of a solid, 55 gallons of a liquid, or 200 cubic feet of a compressed gas, then the site will need to prepare a Hazardous Materials Business Plan for submittal to the San Bernardino County Fire Department, in accordance with local regulations. Hazardous Materials Business Plans contain information on the location, type, quantity, and health risks of hazardous materials stored and used on the site. The Hazardous Materials Business Plan includes a chemical inventory for all hazardous materials or waste stored in quantities greater than or equal to the threshold amounts listed above.

It is not anticipated that any storage tanks will be installed as part of the proposed Project. Any tank systems (such as a tank associated with an emergency generator), if planned for the proposed Project, shall be designed in accordance with the California Fire Code, Uniform Fire Code, International Fire Code, and other applicable federal, state, and local regulations. Additionally, all chemicals shall be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5).

California Accidental Release Program (CalARP), overseen by the San Bernardino County Fire Department, requires businesses that store, handle, or use more than threshold quantities of a regulated substance to develop a plan and prepare supporting documentation that summarizes the facility's potential risk to the local community and identify safety measures to reduce potential risks to the public. Should future tenants of the Project handle or store CalARP regulated substances above threshold quantities, a risk management plan will be required in accordance with state regulations.

Significant impacts associated with long-term operation of the site are not expected. Therefore, impacts from any potentially significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during operation of the proposed Project would be less than significant, and no mitigation is required.

**Threshold 4.7B:** 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?

### Short-Term Construction Impacts

**Less than Significant Impact with Mitigation Incorporated.** As discussed above, a variety of hazardous substances and wastes would be stored, used, and generated on the Project site during construction. Accidental spills, leaks, fires, explosions, or pressure releases involving hazardous materials represent a potential threat to human health and the environment if not properly treated. Accident prevention and containment would be the responsibility of the demolition contractors, and provisions to properly manage hazardous substances and wastes are typically included in contract specifications.

As discussed in Section 4.7.1, there are areas on and around the Project site that are known or potential sources of VOC contamination (Figure 4.7-1).

- **Northwest Corner of Project Site**

Soil samples from this area indicate that there are residual petroleum hydrocarbons present in the soil, particularly near the former location of the gasoline UST and between the former locations of Buildings 2, 3 and 4; however, the residual concentrations are below soil screening levels. TCE was detected at concentrations less than the regulatory screening levels using the attenuation factor from the 2011 final DTSC guidance document, but above the regulatory screening levels using the newer 2020 draft guidance in three soil vapor samples. Ethylbenzene was likewise detected at a concentration above the regulatory screening levels using the newer 2020 draft guidance in one soil vapor sample. The locations of the samples with elevated VOCs are within and adjacent to the northwestern corner of the footprint of a proposed structure, under the proposed Project (Figure 4.7-1).

- **Southwestern Corner of Project Site**

Petroleum hydrocarbons could be encountered during excavation in the southwestern corner of the site because of the historical presence of automotive and manufacturing businesses. Although previous soil vapor sampling was conducted and did not detect any VOCs in this area, no soil sampling was conducted. Soils may be impacted with petroleum hydrocarbons from the former automotive repair businesses.

Based on the presence of the known impacts in the northwestern portion of the Project site and the potential impacts in the southwestern portion of the Project site, impacted soils could be encountered during construction and excavation activities. The potential discovery of subsurface impacts during construction could cause a significant impact and MM-HAZ-2 would be required to ensure potential impacts from encountering potentially contaminated soils during excavation are reduced to less than significant. As noted below, MM-HAZ-2 requires preparation of a hazardous materials contingency plan. This plan shall include detailed information on the locations of known soil impacts, along with detailed instructions on removal and management of such soils. The hazardous materials contingency plan will also be used to manage previously-unidentified suspect soils encountered during excavation at the site. The plan will also include procedures for safe excavation, such as air monitoring in areas with potential vapor concerns, such as the northwestern corner.

Due to known vapor intrusion concerns in the northwestern corner of the Project site, mitigation is required. MM-HAZ-3 addresses potential vapor intrusion concerns by requiring vapor mitigation or further data collection and evaluation in the northwestern corner of the site.

Lastly, due to the potential presence of other hazardous building materials in the existing on-site structures (e.g., universal waste, PCBs and mercury), MM-HAZ-4 is provided and would require preparation of a hazardous materials building survey to document the presence of any potentially hazardous materials other than asbestos and lead paint within the structures present on the property. MM-HAZ-4 also contains provisions for management of hazardous materials identified during the building survey. Hazardous materials must be disposed of in accordance with federal, state, and local laws regulating the management of hazardous waste including RCRA, California Health and Safety Code, and Title 22 of the CCR. The potential impacts from PCBs, mercury, and other hazardous materials potentially released during demolition would be mitigated to a level that is less than significant with the implementation of MM-HAZ-4. With completion of the required asbestos and lead paint abatement and implementation of MM-HAZ-4, impacts would be less than significant.

Through implementation of mitigation measures MM-HAZ-2, MM-HAZ-3, and MM-HAZ4, impacts from demolition and construction would be less than significant.

### Long-Term Operational Impacts

**Less than Significant Impact.** As discussed above, operation of the proposed Project would likely only require limited use of commercially available hazardous materials, although the future tenant uses are not yet defined and other hazardous materials may be used on site. Should the amount of on-site hazardous materials, including hazardous wastes, be greater than reporting thresholds (55 gallons of liquid, 500 pounds of solid, or 200 cubic feet of compressed gas), an HMBP would be required under California Health and Safety Code, Division 20, Chapter 6.11, Sections 25404–25404.9. The HMBP, which would be submitted to the San Bernardino County Fire Department (the local CUPA) via the California Environmental Reporting System, would include emergency and spill prevention and response measures, thereby reducing the potential for an upset or accident condition. Use of extremely hazardous materials and accumulation of acutely hazardous wastes are not anticipated. Operation of the proposed Project is not anticipated to impact nearby industrial uses. Project operational impacts are not anticipated to create a foreseeable upset or accident condition that would release hazardous materials to the environment. Thus, long-term operations of the Project are not anticipated to 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. Therefore, long-term operational impacts are less than significant, and no mitigation is required.

**Threshold 4.7C:**            **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?**

### Short-Term Construction Impacts

**Less than Significant Impact with Mitigation Incorporated.** Howard Elementary School is located approximately 0.2-mile southeast of the Project site. As previously discussed, demolition and construction of the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment involving the release of hazardous materials into the environment after incorporation of MM-HAZ-1.

Additionally, as described in detail in Section 4.1, Air Quality, a construction health risk assessment (HRA) was prepared to evaluate the health impacts of diesel particulate matter (DPM), a carcinogenic air toxic, that would be emitted from construction equipment associated with the Project. The HRA evaluated the Project’s potential cancer and noncancer health impacts using exposure periods appropriate to evaluate long-term emission increases (third trimester to 30 years), and took into account the exposure duration for a student who would both live in proximity



of the Project and attend school at Howard Elementary School. As shown in Table 4.1-14 in Section 4.1, the Project construction activities would result in a Residential Maximum Individual Cancer Risk of 52.1 in 1 million, which is greater than the significance threshold of 10 in 1 million. Project construction would result in a Residential Chronic Hazard Index of 0.03, which is below the 1.0 significance threshold. The Project construction TAC health risk impacts would be potentially significant, and MM-AQ-2 is required to reduce impacts to levels less than significant. No additional mitigation beyond MM-HAZ-1 and MM-AQ-2 is required for construction-related impacts within 0.25-mile of a school. With these mitigation measures incorporated, impacts from construction would be less than significant.

### Long-Term Operational Impacts

**Less than Significant Impact with Mitigation Incorporated.** As discussed above, Howard Elementary School is located approximately 0.2-mile southeast of the Project site. As previously discussed, the long-term operations of the proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or create a significant hazard to the public or the environment involving the release of hazardous materials into the environment after incorporation of MM-HAZ-2, MM-HAZ-3, and MM-HAZ-4. Use of extremely hazardous materials and accumulation of acutely hazardous wastes are not anticipated.

Additionally, as discussed in Section 4.1, Air Quality, an operational HRA was prepared to evaluate the health impacts of diesel particulate matter (DPM), a carcinogenic air toxic, that would be emitted from operational truck traffic associated with the Project. As shown in Table 4.1-16 in Section 4.1, the DPM emissions from operation of the Project would result in a Residential Maximum Individual Cancer Risk of 65.7 in 1 million and a Residential Chronic Hazard Index of 0.02. These impact levels would be greater than the SCAQMD significance threshold resulting in a potentially significant impact and MM-AQ-3 through MM-AQ-7 are required to reduce impacts to levels less than significant. No additional mitigation beyond MM-AQ-3 through MM-AQ-7 are required for operational-related impacts within 0.25-mile of a school. With these mitigation measures incorporated, impacts from long-term operations would be less than significant.

### 4.7.5 Cumulative Impacts Analysis

For cumulative analysis, the hazardous materials geographic scope is generally restricted to the area immediately surrounding the Project site as the potential for risk is limited to the area immediately surrounding an affected hazardous material site or risk generator. However, other topics associated with human health and safety such as transportation of hazardous materials, can expand through the surrounding region.

As described above, there are a variety of hazardous material and public health and safety issues that are relevant and applicable to the Project. Many potential impacts related to hazardous materials and public health and safety risks would be minimized due to compliance with federal, state, and local regulatory requirements. These legal requirements and regulations, as detailed in Section 4.7.2, minimize potential for health and safety risks.

Cumulative projects would also be subject to federal, state, and local regulations related to hazardous materials and other public health and safety issues. In a manner similar to the proposed Project, adherence to these regulatory requirements would reduce incremental impacts associated with public exposure to health and safety hazards in each of the affected project areas. Additionally, most hazardous material and safety-related risks are localized, generally affecting a specific site and immediate surrounding area, thus minimizing the potential for an impact to combine with another project to create a cumulative scenario.

Because cumulative projects would be fully regulated, thus reducing potential for public safety risks, cumulative impacts associated with exposure to hazards and hazardous materials would be less than significant. Through mitigation and compliance with regulatory requirements, the construction or operation of the proposed Project itself would not create significant human or environmental health or safety risks that could combine with other Project impacts to create a significant and cumulatively considerable impact. The quantities of hazardous materials that would be present during occupancy of the proposed Project are expected to be minimal and would consist likely of cleaning and maintenance products (paints, solvents, cleaning supplies, pesticides, and herbicides). Implementation of applicable hazardous materials management laws and regulations adopted at the federal, state, and local level would ensure cumulative impacts related to hazardous materials use remain less than significant.

Hazardous materials incidents would typically be site-specific and would involve accidental spills or inadvertent releases. Associated health and safety risks generally would be limited to those individuals using the materials or to persons in the immediate vicinity of the materials. Thus, the Project's contribution to increased use of hazardous materials and associated exposure risks would not be cumulatively considerable.

For these reasons, the proposed Project would not result in cumulatively considerable impacts related to hazards and hazardous materials.

### 4.7.6 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.7A:**            **Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

The Project would result in potentially significant impacts with regard to the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. MM-HAZ-1 would be implemented, and Project impacts would be less than significant with mitigation incorporated.

**MM-HAZ-1**            Prior to issuance of a grading permit, the existing subsurface feature in the northeastern portion of the Project site (as evidenced by the manholes) shall be identified. If it is determined to be a subsurface tank, clarifier, or oil/water separator, the feature shall be closed and removed from the Project site in accordance with San Bernardino County Fire Department requirements prior to site construction. The closure will include the following:

- Obtain permits from the San Bernardino County Fire Department
- Remove all wastes from the units for proper disposal
- Remove the subsurface feature for proper disposal/recycling and remove or cap/plug associated piping in accordance with the permit requirements
- Follow permit requirements
- If impacted soil is identified, manage soil in accordance with MM-HAZ-2

**Threshold 4.7B:**            **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?**

The Project would result in potentially significant impacts with regard to the creation of 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. MM-HAZ-2, MM-HAZ-3, and MM-HAZ-4 would be implemented, and Project impacts would be less than significant with mitigation incorporated.

**MM-HAZ-2** Prior to issuance of a grading permit, a hazardous materials contingency plan (HMCP) shall be prepared and shall be followed during demolition, excavation, and construction activities for the proposed Project. The hazardous materials contingency plan shall include, at a minimum, the following:

- Identification of known and suspected areas with hazardous waste and/or hazardous materials of concern.
- Procedures for identifying suspect materials
- Procedures for temporary cessation of construction activity and evaluation of the level of environmental concern
- Procedures for restricting access to the contaminated area except for properly trained personnel
- Procedures for notification and reporting, including internal management and local agencies (e.g., San Bernardino County Fire Department), as needed
- Health and safety measures for excavation of contaminated soil
- Procedures for characterizing and managing excavated soils

Site workers shall be familiar with the hazardous materials contingency plan and should be fully trained on how to identify suspected contaminated soil.

**MM-HAZ-3** Prior to commencement of construction of the northwestern proposed building (Building 1), a vapor intrusion mitigation system shall be designed for the portion of Building 1 with vapor intrusion concerns (see Figure 4.7-1, Known Hazards Building Footprints Map). The vapor mitigation system shall include one or more of the methods presented in the Department of Toxic Substances Control's *Vapor Intrusion Mitigation Advisory* dated October 2011. The construction contractor shall design a vapor intrusion mitigation system that adequately mitigates potential vapor intrusion in the northwestern corner of the building. The vapor mitigation design shall be submitted to the City for review and approval prior to issuance of a building permit. Typical vapor mitigation systems are comprised of a sub-slab geomembrane or vapor barrier. Sub-slab ventilation piping is typically installed below the geomembrane layer for capturing VOCs in the soil gas and discharging them above the building roof through vent stacks. The vapor barrier, if used, shall be installed and inspected in accordance with the manufacturer's specifications. Operation of the Project shall maintain functionality of these features as required to continue protection from vapor intrusion.

Alternatively, if collection and evaluation of additional data, such as statistical evaluation of further soil vapor sampling data throughout the Building 1 footprint or site-specific soil and/or building parameters, demonstrate that concentrations are below soil vapor or ambient air screening levels, such data shall be presented to the City for review and consideration of elimination of the need for the vapor intrusion mitigation system.

**MM-HAZ-4** Prior to the issuance of a demolition permit for any existing on-site structure, a qualified environmental specialist shall conduct a survey for PCBs, mercury, and other hazardous building materials (other than asbestos and lead paint) such as universal wastes and refrigerant to document the presence of any potentially hazardous materials within the structures. Any potentially hazardous materials identified as part of this survey shall be handled in accordance with the

federal and state hazardous waste and universal waste regulations. Demolition plans and contract specifications would incorporate any necessary materials management measures in compliance with the Metallic Discards Act (Public Resources Code, Section 42160 et seq.), particularly Public Resources Code, Section 42175, Materials Requiring Special Handling, for the removal of mercury switches, PCB-containing ballasts, and refrigerants and the DTSC June 2019 Fact Sheet Guidance on Major Appliances for Scrap Recycling Facilities.

**Threshold 4.7C: 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?**

The Project would result in less-than-significant impacts following implementation of mitigation measures MM-HAZ-1, MM-HAZ-2, MM-HAZ-3, MM-HAZ-4, listed above, and MM-AQ-3 through MM-AQ-7, detailed in Section 4.1, Air Quality.

### 4.7.7 References Cited

City of Montclair. 1999. *City of Montclair General Plan*. Accessed September 15, 2021.

<https://cloud.cityofmontclair.org/main.html?download&weblink=d9839f79a4f97e12ef5124cfc6527d13&realfilename=City%20of%20Montclair%20General%20Plan.pdf>

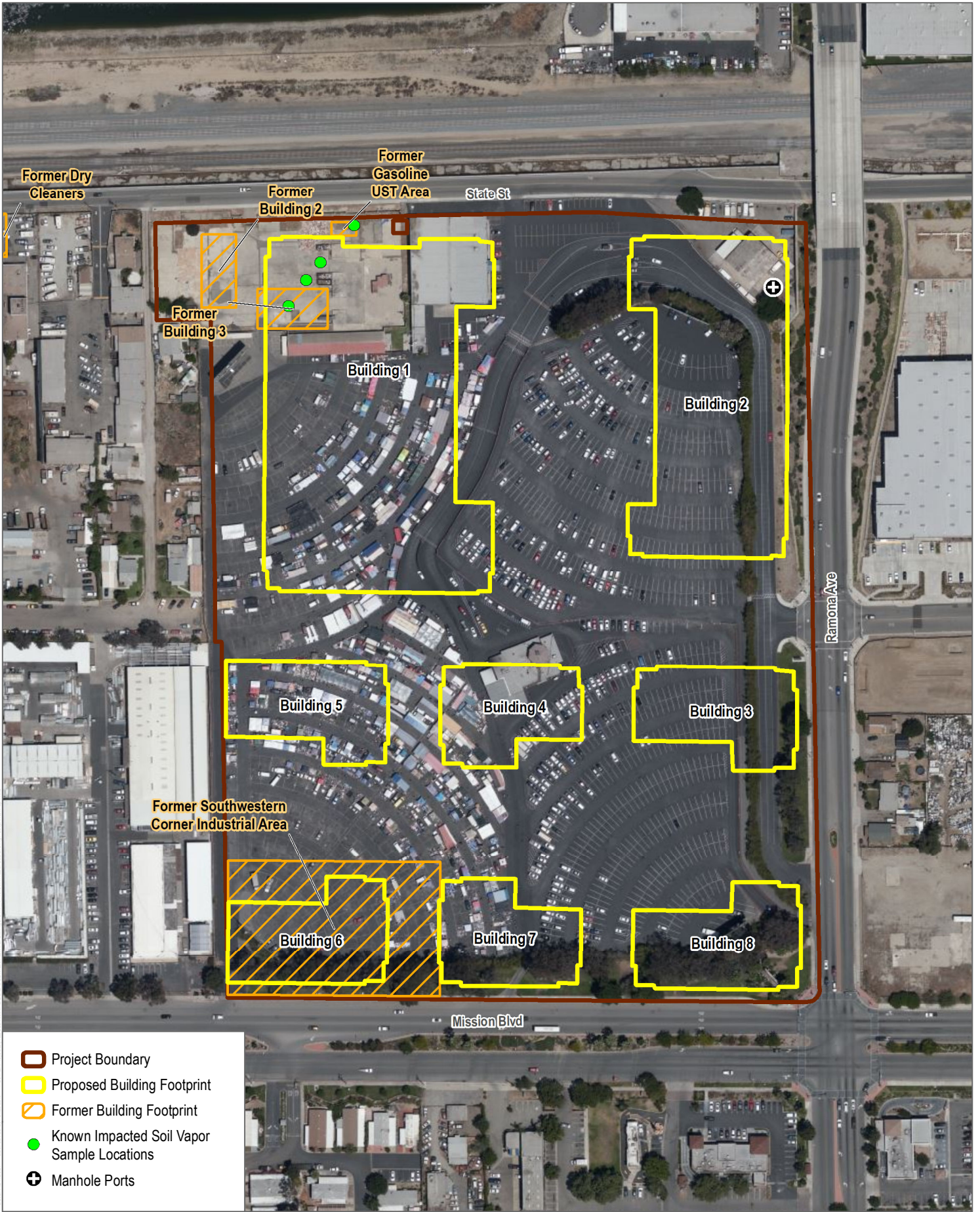
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SOURCE: Bing Maps 2020

FIGURE 4.7-1



Known Hazards Building Footprints Map  
Mission Boulevard and Ramona Avenue Business Park Project

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## 4.8 Land Use and Planning

This section describes the existing land use and planning conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, and identifies associated regulatory requirements, thresholds of significance, impact analysis, cumulative impacts, and references. Information contained in this section is based on review of local, regional, and statewide policies and regulations encompassing the Project site, including:

- Southern California Association of Government’s (SCAG) Regional Transportation Plan/Sustainable Communities Plan (RTP/SCS; Connect SoCal)
- South Coast Air Quality Management District (SCAQMD) 2016 Air Quality Management Plan
- San Bernardino County Congestion Management Plan (CMP)
- Ontario International Airport Land Use Compatibility Plan
- City of Montclair General Plan
- City of Montclair Municipal Code

Other sources consulted are listed in Section 4.8.7, References Cited.

### 4.8.1 Existing Conditions

#### City-Wide Conditions

The City of Montclair, California is located in the greater Pomona Valley and is one of many suburban communities comprising the Inland Empire region of Southern California. The City is located near the base of the San Gabriel Mountains and is notable for its dramatic mountain views. The City is bisected by the San Bernardino Freeway (Interstate 10). The freeway traverses the City and serves as an important regional circulation corridor, providing access between the City and other areas in Southern California.

The City comprises a mix of different land use types and density. Single-family residential uses comprise the largest land use totaling approximately 1,800 acres. The other residential use types occurring throughout the City include two-family residential, multifamily residential, and mobile home parks, which are primarily located north of Kingsley Street. Commercial land uses make up the City’s most dominant use. Montclair Place (formerly Montclair Plaza), Montclair Entertainment Plaza, auto dealerships, and surrounding commercial land uses are highly visible from Interstate 10, which helped create an image of the City as a regional commercial hub. Industrial and related land uses are primarily situated between Brooks Street and the north side of Mission Boulevard, within the vicinity of the Project site (City of Montclair 1999)

#### Existing Project Site Conditions

The 27.74-acre Project site includes a drive-in theater, office building, storage building, refreshment structures, and the foundations of demolished industrial buildings (Figure 3-3, Project Aerial and Existing Uses, found in Chapter 3, Project Description).

The drive-in theatre encompasses the majority of the Project site and contains four screens and associated parking areas, an accessory ticket booth, office building, storage building, and refreshment structure. The drive-in theater operates six days a week and has the capacity for approximately 1,450 cars. Two films per screen are typically

shown each night with the latest start time typically at 10:00 p.m. During daytime hours, the drive-in theater is also used as a swap meet, which operates from 6:00 a.m. to 2:00 p.m. on Wednesdays and Fridays through Sundays. When not operating, commercial vendors will typically store their commercial goods in storage sheds located on the northern portion of the site.

The northwest corner of the Project site contains a largely concrete-paved area containing building foundations and partially demolished masonry block walls associated with former industrial buildings that were demolished at various points between 1989 and 2009. This area is now used by the swap meet/theater business to manage solid waste generated during operations.

The Montclair Tire Company occupies a metal building located on a triangular-shaped area at the northeastern corner of the Project site but is not currently an operating business.

The Project site is composed of nine existing parcels identified by a unique Assessor's Parcel Number (APN):

- APN 1012-151-20
- APN 1012-151-27
- APN 1012-151-28
- APN 1012-151-29
- APN 1012-161-01
- APN 1012 161-02
- APN 1012-161-03
- APN 1012-161-04
- APN 1012-161-05

The City's General Plan designates the entire Project site as General Commercial, as shown on Figure 3-5, Existing and Proposed General Plan Land Use, found in Chapter 3, Project Description. According to the City's Zoning Map, the Project site contains a mix of zoning designations including C3 General Commercial, MIP Manufacturing Industrial, and M1 Limited Manufacturing, as shown on Figure 3-6, Existing and Proposed Zoning, found in Chapter 3, Project Description (City of Montclair 2013; City of Montclair 2018). Table 4.8-1 provides a summary of the current General Plan Land Use and Zoning designations associated with each APN, and these designations may also be referenced on Figure 3-5 and Figure 3-6, also found in Chapter 3, Project Description.

**Table 4.8-1. Current General Plan Land Use and Zoning Designations**

Assessor Parcel Number	General Plan Land Use Designation	Zoning Designation
APN 1012151-20	General Commercial	M1 Limited Manufacturing
APN 1012-151-27	General Commercial	MIP Manufacturing Industrial
APN 1012-151-28	General Commercial	MIP Manufacturing Industrial
APN 1012-151-29	General Commercial	M1 Limited Manufacturing
APN 1012-161-01	General Commercial	C3 General Commercial
APN 1012-161-02	General Commercial	C3 General Commercial
APN 1012-161-03	General Commercial	M1 Limited Manufacturing
APN 1012-161-04	General Commercial	M1 Limited Manufacturing
APN 1012-161-05	General Commercial	C3 General Commercial

**Note:** See Figure 3-5 and Figure 3-6.  
**Source:** City of Montclair 2013; City of Montclair 2018.

**Surrounding Land Uses**

The Project site is situated within the State Street corridor. The State Street corridor is generally located between Brooks Street and the north side of Mission Boulevard and is a primarily industrial area situated around the Union Pacific railroad lines (City of Montclair 1999). As shown on Figure 3-3, Project Aerial and Existing Uses, found in



Chapter 3, Project Description, the land uses surrounding the Project site consist of a mix of industrial, manufacturing, automotive, commercial, non-conforming residential uses. Specific land uses located in the immediate vicinity of the Project site include the following:

- **North:** State Street, State Street Storm Drain Channel, Union Pacific railroad tracks, Brooks Street Groundwater Recharge Basin, and industrial uses
- **East:** Ramona Avenue, industrial uses, commercial uses, residential uses, and vacant land
- **South:** Mission Boulevard, commercial uses, and residential uses
- **West:** Industrial, manufacturing, and residential uses

### 4.8.2 Relevant Plans, Policies, and Ordinances

#### **Federal**

There are no federal plans, policies, or ordinances applicable to the land use considerations of the Project.

#### **State**

##### ***California Planning and Zoning Law***

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000-66499.58. Under State planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. As stated in Section 65302 of the California Government Code, “The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principle, standard, and plan proposals.” While a general plan will contain the community vision for future growth, California law also requires each plan to address the mandated elements listed in Section 65302. The mandatory elements for all jurisdictions are land use, circulation, housing, conservation, open space, noise, and safety. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals.

##### ***Senate Bill 743***

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. The purpose of SB 743 is to streamline the review under the California Environmental Quality Act (CEQA) to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions. An in-depth discussion of SB 743 is provided in Section 4.9, Transportation. In summary, SB 743 changes the focus of environmental review of transportation impacts. In the past, environmental review of transportation impacts focused on the delay that vehicles experience at intersections and on roadway segments, which is often measured using levels of service (LOS). Under SB 743, LOS can no longer be used to determine significant transportation impacts under CEQA.

### **Regional/Regional**

#### ***Regional Transportation Plan/Sustainable Communities Strategy***

Southern California Association of Governments (SCAG) is the designated Metropolitan Planning Organization (MPO) for six Southern California counties (Los Angeles, Ventura, Orange, San Bernardino, Riverside, and Imperial), and is federally mandated to develop plans for transportation, growth management, hazardous waste management, and air quality. The City of Montclair is one of the many jurisdictions that fall under SCAG.

The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (also known as the Connect SoCal Plan) was adopted on September 3, 2020, and presents the land use and transportation vision for the region through the year 2045, providing a long-term investment framework for addressing the region's challenges (SCAG 2020). The RTP/SCS explicitly lays out goals related to housing, transportation, equity and resilience in order to adequately reflect the increasing importance of these topics in the region, and where possible the goals have been developed to link to potential performance measures and targets. The RTP/SCS development process involved working closely with local governments throughout the region to collect and compile data on land use and growth trends. The core vision of the RTP/SCS is to build upon and expanded land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern.

#### ***SCAQMD 2016 Air Quality Management Plan***

An Air Quality Management Plan (AQMP) is a plan for the regional improvement of air quality. The SCAQMD 2016 AQMP is the applicable AQMP for the South Coast Air Basin and was approved by the SCAQMD Governing Board in March 2017 (SCAQMD, 2017). The Project's consistency with the 2016 AQMP was analyzed in detail in Section 4.1, Air Quality.

#### ***San Bernardino County Congestion Management Program***

The *San Bernardino County Congestion Management Plan* (CMP) was prepared by the San Bernardino Associated Governments (SANBAG) to more directly link land use, transportation, and air quality planning and to prompt reasonable growth management programs that would more effectively utilize new and existing transportation funds to alleviate traffic congestion and related impacts and improve air quality. The *San Bernardino County CMP* was first adopted in November 1992 and has since been updated 12 times, with the most recent comprehensive update in June 2016. The Project's consistency with the *San Bernardino County CMP* is discussed in detail in Section 4.9, *Transportation*.

#### ***Ontario International Airport Land Use Compatibility Plan***

The Ontario International (ONT) Airport Land Use Compatibility Plan (ALUCP) was adopted by Ontario City Council on April 19, 2011 (City of Ontario 2011). The basic function of the ONT ALUCP is to promote compatibility between ONT and the land uses that surround it. As required by State law, the ALUCP provides guidance to affected local jurisdictions with regard to airport land use compatibility matters involving ONT. The main objective of the ALUCP is to avoid future compatibility conflicts rather than to remedy existing incompatibilities. Also, the ALUCP is aimed at addressing future land uses and development.

The geographic scope of the ONT ALUCP is the Airport Influence Area (AIA), the area in which current or future airport-related noise, safety, airspace protection and/or overflight factors may affect land uses or impose restrictions on those uses. The AIA includes portions of the cities of Chino, Claremont, Fontana, Montclair, Ontario,

Pomona, Rancho Cucamonga and Upland, the counties of Los Angeles, Riverside and San Bernardino. The City of Ontario is responsible for implementing the ONT ALUCP and coordinating with affected agencies (i.e., those agencies within the AIA). However, the affected agencies are not bound to the terms of the ONT ALUCP but rather encouraged to adopt requirements for the portions of the AIA within their respective jurisdictions that are similar to the requirements of the ONT ALUCP.

The ONT ALUCP contains compatibility policy maps that regulate development within specific zones. Policy maps include the AIA, Safety Zones, Noise Impact Zones, Airspace Protection Zones, and Overflight Notification Zones.

Each affected agency is required to notify the City of Ontario of proposed Major Land Use Actions (e.g., expansion or creation of sphere of influence, general plan, specific plan, or zoning amendments, and major capital improvements) within its portion of the AIA. As an affected agency, the City of Montclair is required to provide a consistency analysis of a proposed project with the ALUCP. The City of Ontario is then responsible for forwarding information regarding these proposed Major Land Use Actions to other Affected Agencies for comment. Commenting agencies are then provided 15 calendar days to review and comment on proposed projects. Comments shall be limited to the issues related to a project's consistency with the ALUCP. If a commenting agency raises a concern with the submitting agency's consistency analysis, the two agencies are encouraged to collaborate to seek solutions that will bring the project into voluntary compliance with the ALUCP.

### **Local**

#### ***City of Montclair General Plan***

The City of Montclair General Plan is intended to provide direction for future development of the City. It represents a formal expression of community goals and desires, provides guidelines for decision making about the City's development, and fulfills the requirements of California Government Code Section 65302 requiring local preparation and adoption of General Plans. The General Plan should be viewed as a dynamic guideline to be refined as the physical environment of the City's changes. The General Plan includes the following mandated and optional elements: Land Use Element, Circulation Element, Public Safety Element, Community Design Element, Noise Element, Public Utilities and Facilities Element, Air Quality Element, Conservation Element, and Open Space Element.

The City is currently in the process of updating its General Plan. However, it is anticipated that the General Plan Update will be considered for adoption after the Project and this Draft EIR are considered. As such, this Draft EIR analyzes the Project's consistency with the current General Plan.

#### ***City of Montclair Zoning Ordinances***

The Zoning Ordinance, Title 11 of the Montclair Municipal Code, includes regulations concerning where and under what conditions various land uses may occur in the City. It also establishes zone-specific height limits, setback requirements, parking ratios, and other development standards, for residential, commercial, industrial, and all other types of sites. The Zoning Ordinance is a primary tool for implementing the City's General Plan. The purpose of the Zoning Ordinances is to encourage, classify, designate, regulate and restrict the highest and best locations and uses of buildings and structures, for residential, commercial, and industrial or other purposes.

### 4.8.3 Thresholds of Significance

The January 2021 Initial Study (Appendix A) for the proposed Project included an analysis of the following significance criteria based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (14 CCR 15000 et seq.). It was concluded in the Initial Study that there was a less than significant impact for the following significance criterion. Therefore, the following significance criterion is not included as part of this EIR:

- A. Would the project physically divide an established community?

The following significance criterion, included for analysis in this EIR, is based on Appendix G of the State CEQA Guidelines (14 CCR 15000 et seq.), and will be used to determine the significance of potential land use and planning impacts. Impacts to land use and planning would be significant if the Project would:

- B. Conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

### 4.8.4 Impacts Analysis

**Threshold 4.8B:** **Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

**Significant and Unavoidable Impact.** To evaluate the proposed Project’s impacts related to land use and planning, this analysis examines the Project’s consistency with both regional and local plans, policies, and regulations that regulate uses on the Project site. These plans are as follows:

- SCAG 2020-2045 RTP/SCS
- 2016 AQMP
- San Bernardino County CMP
- Ontario International Airport Land Use Compatibility Plan
- City of Montclair General Plan
- City of Montclair Municipal Code

As detailed below, the Project would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

#### **Southern California Association of Governments 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy**

Consistency with SCAG’s 2020-2045 RTP/SCS Goals, shown in Table 4.8-2 below, demonstrates that the proposed Project would not conflict with the applicable goals in the RTP/SCS that were adopted for the purpose of avoiding or mitigating and environmental effects.

Table 4.8-2. Consistency with 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Project Applicable Component (s)
<p>Goal 1 Encourage regional economic prosperity and global competitiveness.</p>	<p><b>Consistent.</b> This policy would be implemented at the jurisdiction level by cities and counties within the SCAG region as part of local land use and policy planning efforts. Nonetheless, the Project would involve construction of an eight-building business park. Thus, the Project would establish a jobs-producing and tax-generating land use that would meet contemporary industry standards, can accommodate a wide variety of users, and is economically competitive with similar buildings in the local area and region.</p>
<p>Goal 2 Improve mobility, accessibility, reliability, and travel safety for people and goods.</p>	<p><b>Consistent.</b> The Project would include construction and operation of an eight-building business park that would be easily and efficiently accessible to I-10 and SR-60 which would help to facilitate regional goods movement throughout Southern California.</p>
<p>Goal 3 Enhance the preservation, security, and resilience of the regional transportation system.</p>	<p><b>Consistent.</b> A traffic impact analysis (Appendix G) has been prepared to determine the Project’s potential effect on the regional and local circulation system. Improvements have been identified to an adjacent roadway facility and would be implemented as part of the Project. The Project would otherwise not adversely affect the local or circulation system.</p>
<p>Goal 4 Increase person and goods movement and travel choices within the transportation system.</p>	<p><b>Consistent.</b> The Project would include construction and operation of an eight-building business park that would be easily and efficiently accessible to I-10 and SR-60, which would help to facilitate regional goods movement throughout Southern California.</p>
<p>Goal 5 Reduce greenhouse gas emissions and improve air quality.</p>	<p><b>Consistent.</b> The Project would involve development of a warehouse/industrial park use that inherently involves the emission of GHG and air contaminant emissions. As discussed in Section 4.1, Air Quality, and Section 4.5, Greenhouse Gas Emissions, the Project would implement mitigation measures to reduce air quality and greenhouse gas emissions to the maximum extent feasible.</p> <p>In addition, according to SCAG’s Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of suitably zoned vacant land designated for warehouse facilities in or around 2028. Thus, the Project would meet the growing demand warehousing space, and would do so in an area that is proximate to regional highways (i.e., I-10 and SR-60), thereby reducing the need for longer distance trips which could result in additional air pollutant and GHG emissions.</p> <p>Additionally, the Project would employ approximately 244 workers, helping the City better meet its jobs/housing balance (See existing setting and Project objectives discussion in Chapter 3, Project Description), which should shorten commute distances of City residents who choose to work on the Project site, which would have a direct positive effect on tailpipe GHG and air contaminant emissions.</p>
<p>Goal 6 Support healthy and equitable communities.</p>	<p><b>Consistent.</b> This policy pertains to health and equitable communities, which are addressed at the policy-level by the City’s Safety Element. The Project would be designed consistent with applicable health and safety requirements, including the California Building Code.</p> <p>Additionally, as discussed in Section 4.1, Air Quality, health risk assessments were prepared for the Project, which concluded that the</p>

Table 4.8-2. Consistency with 2020-2045 RTP/SCS Goals

RTP/SCS Goal	Project Applicable Component (s)
	<p>Project would not have a significant adverse effect on the health of the local community.</p> <p>By providing a tax-generating and jobs-producing land use, the Project would drive economic growth within the City and region, thereby supporting equity in the City.</p>
<p>Goal 7 Adapt to a changing climate and support an integrated regional development pattern and transportation network.</p>	<p><b>Consistent.</b> As climate change continues to increase the number of instances of disruption to local and regional systems, it will become increasingly more urgent for local jurisdictions to employ strategies to reduce their individual contributions.</p> <p>The Project would involve development of a warehouse/industrial park use that inherently involves the emission of GHG and air contaminant emissions. However, as discussed in Section 4.1, Air Quality, and Section 4.5, Greenhouse Gas Emissions, the Project would implement mitigation measures to reduce air quality and greenhouse gas emissions to the maximum extent feasible. Moreover, siting the Project in a location that is proximate to regional highways would facilitate the integration of a regional transportation network, reducing the need to place warehouse/industrial park uses in areas that are on the periphery of the regional transportation network.</p>
<p>Goal 8 Leverage new transportation technologies and data-driven solutions that result in more efficient travel.</p>	<p><b>Consistent.</b> Development of the Project at the Project site would provide quick and efficient access to I-10 and SR-60, thereby eliminating the need for truck traffic to take longer routes through residential areas and supporting efficient travel. The Project would also include passenger EV charging stations, per CALGreen standards.</p>
<p>Goal 9 Encourage development of diverse housing types in areas that are supported by multiple transportation options.</p>	<p><b>Consistent.</b> The Project site is not currently zoned to allow for housing and is located within an established industrial area. The Project would not interfere with the City’s ability to encourage the development of diverse housing types that are supported by multiple transportation options in other parts of the City, as appropriate.</p>
<p>Goal 10 Promote conservation of natural and agricultural lands and restoration of habitats.</p>	<p><b>No conflict identified.</b> The Project site is entirely developed and located within an urban area. No natural and agricultural lands are located within the Project vicinity.</p>

## 2016 AQMP

The Project’s consistency with the SCAQMD 2016 AQMP was addressed in detail in 4.1, Air Quality. As concluded in Section 4.1, implementation of the Project would exceed the growth assumptions assumed in the AQMP (and, thus, contribute air pollution to the SCAB that was not anticipated by the AQMP) and would contribute a volume of pollutants to the SCAB that could delay the attainment of federal and State ozone standards. Mitigation measures MM-AQ-1 through MM-AQ-7 are provided to reduce the Project’s air pollutant emissions to the maximum level feasible and resolve inconsistencies in growth projections, but not to below a level of significance. Because the Project would conflict with the 2016 AQMP, which contains standards to address air quality impacts, impacts would be significant and unavoidable. The Project would not result in any other land use and planning conflicts with the 2016 AQMP that were not already disclosed in Section 4.1.

**San Bernardino County CMP**

The Project’s consistency with the San Bernardino County CMP is addressed in Section 4.9, Transportation. As concluded in Section 4.9, the Project would not conflict with the San Bernardino County CMP LOS standards for the CMP arterial roadway and freeway network. Land use and planning impacts associated with CMP consistency would thus be less than significant.

**Ontario International Airport Land Use Compatibility Plan**

As discussed in Section 4.8.2, Relevant Plans, Policies, and Ordinances, Montclair is within the AIA of the ONT ALUCP. Given that the Project involves a general plan amendment and zone change (which is considered a “Major Land Use” action), the Project is subject to the ONT ALUCP notification process. As part of the notification process, the City has prepared an analysis of the Project’s consistency with the ONT ALUCP and determined that it is consistent with the ONT ALCUP. The City will provide this consistency analysis to the City of Ontario for review and distribution to other affected CMP agencies. A summary of the Project’s consistency is provided below.

**Table 4.8-3. Consistency with the Ontario International Airport Land Use Compatibility Plan**

Criteria	Consistency
Safety Policies	The safety compatibility policies of the ONT ALUCP are intended to minimize the risk associated with an off-airport aircraft accident or emergency landing. The Project site is located outside of all ONT ALUCP Safety Zones <sup>1</sup> that limit usage intensity (number of people per acre) for non-residential projects. As such, the Project is consistent with the ONT ALUCP safety policies.
Noise Policies	The noise compatibility policies of the ONT ALUCP are intended to avoid the establishment of noise-sensitive land uses in portions of the AIA that are exposed to significant levels of aircraft noise. The Project site is partially located within the ONT ALUCP 60-65 dB CNEL Noise Impact Area <sup>2</sup> . According to Table 2-3 of the ONT ALCUP, indoor storage/warehouses, as well as office uses (for the offices of the warehouses) are normally compatible uses within the 60-65 dB CNEL Noise Impact Area.
Airspace Protection Policies	The airspace protection policies of the ONT ALCUP are intended to prevent creation of land use features that can be hazards to aircraft flight. Such hazards may be physical, visual, or electronic. The Project site is not located within a FAA Height Notification Surface area, Airspace Obstruction Area, or Airspace Avigation Easement Area <sup>3</sup> . The Project site is an area where heights are allowed to be greater than 200 feet tall <sup>3</sup> . The tallest structure proposed as part of the Project would be 41 feet tall and would therefore be compatible with ONT ALUCP airspace protection zones. Furthermore, the Project would not introduce land uses that may cause visual, electronic, or wildlife hazards to aircraft. The Project would not involve any changes in land use to the extent that additional wildlife would be attracted to the area. Furthermore, the Project would not be a substantial source of steam or dust that would impair pilots’ vision or cause thermal plumes and would not present a substantial source of glare or electrical interference.
Overflight Policies	The Project site is located within a Recorded Overflight Notification area and real estate disclosure area <sup>4</sup> . An overflight notification and real estate disclosure requirement would be recorded with the land as a condition of approval of the Project.

**Notes:** ALCUP = Airport Land Use Compatibility Plan; AIA = Airport Influence Area; FAA = Federal Aviation Administration.

- <sup>1</sup> As depicted on Map 2-2: Safety Zones of the ONT ALUCP (City of Ontario 2011).
- <sup>2</sup> As depicted on Map 2-3: Noise Impact Zones of the ONT ALUCP (City of Ontario 2011).
- <sup>3</sup> As depicted on Map 2-4: Airspace Protection Zones of the ONT ALUCP (City of Ontario 2011).
- <sup>4</sup> As depicted on Map 2-5: Overflight Zones of the ONT ALUCP (City of Ontario 2011).

As discussed in Table 4.8-3, the Project would not conflict with any policies of the ONT ALUCP.

**City of Montclair General Plan**

As depicted on Figure 3-5, Existing and Proposed General Plan Land Use, found in Chapter 3, Project Description, the City’s General Plan currently designates the entire Project Site for “General Commercial” land uses. The proposed General Plan Amendment would change the land use designation of the northern half of the Project site to “Limited Manufacturing”, and the southern half of the Project site to “Industrial Park”. Approval of the proposed General Plan Amendment would eliminate any potential inconsistency between proposed land uses and the site’s existing land use designations. Impacts to the environment associated with the Project’s proposed General Plan Amendment are evaluated throughout this Draft EIR, and where significant impacts are identified, mitigation measures are imposed to reduce impacts to the maximum feasible extent. There are no environmental impacts that would result as a specific consequence of the proposed changes to the site’s General Plan land use designation, beyond what is already evaluated and disclosed by this EIR.

Table 4.8-4 outlines the applicable goals, objectives, and policies identified in the City’s General Plan and the Project’s consistency with each of these policies. In some cases, mitigation measures identified within this Draft EIR for the purposes of reducing impacts to other Appendix G CEQA environmental resource areas (i.e., air quality and noise) would assist the Project in maintaining consistency with applicable goals, objectives, and policies adopted for the purpose of avoiding or mitigating environmental effects. As shown below, with implementation of mitigation, the Project would be consistent with the applicable goals and policies of the General Plan.

**Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies**

Goals	Response
<i>Land Use</i>	
LUO-1.1.0. To encourage compatible land uses within the City.	<p><b>Consistent.</b> The Project involves the development of a warehouse/industrial park use along the State Street corridor, which is an established industrial corridor within the City. The Project’s site plan, architecture, and landscaping have been designed to create a contemporary, unified, and high-quality business park environment that would be compatible with other industrial uses within the industrial corridor. While residential uses are located within the vicinity of the Project site, these uses are either buffered from the Project site by a major landscaped arterial roadway (i.e., for the residential neighborhood to the south) or are non-conforming uses that are inconsistent with the underlying General Plan and Zoning designations. In the cases of the non-conforming uses, as discussed in Section 4.1, Air Quality, Section 4.7, Hazards and Hazardous Materials, Section 4.9, Noise, and Chapter 6, Effects Found Not to Be Significant, the Project would not have a significant effect on persons living at these residences.</p>



**Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies**

Goals	Response
<p>LUO-1.3.0. To promote the rational utilization of underdeveloped and undeveloped parcels.</p>	<p><b>Consistent.</b> The Project site currently contains a drive-in theater, tire shop, and the foundations of demolished industrial buildings. These uses are underutilized (i.e., the area containing foundations and the tire shop which is not an operating business and used for storage) or have historically underperformed, as is the case for the drive-in theater. Since the opening of the drive-in theater in the 1960s, number of drive-in theaters operating nationwide dropped from more than 4,000 to 305 in 2019 due to bleak financial performance (UDITOA 2019). While the COVID-19 pandemic resulted in an increase in patronization of the drive-in theater, the owner of the Mission Tiki Drive-In theater anticipates that the industry is unlikely to be a long-term profitable venture (Los Angeles Magazine 2021).</p> <p>The Project would promote the rational utilization of underdeveloped parcels by the replacement of the underutilized uses with an eight-building business park that would drive economic growth within the City.</p>
<p>LUO-1.6.0. To continually improve as a place for industrial development by encouraging the development of modern, attractive plants and industrial parks which will not produce detrimental effects on surrounding properties while providing employment opportunities for the citizens.</p>	<p><b>Consistent.</b> The Project would involve construction of an eight-building business park that would meet contemporary industry standards and accommodate a wide variety of users. Thus, the Project would provide employment opportunities for City residents. As discussed in Section 4.1, Air Quality, Section 4.7, Hazards and Hazardous Materials, Section 4.9, Noise, and Chapter 6, Effects Found Not to Be Significant, with incorporation of mitigation measures, the Project would not result in significant impacts to surrounding properties.</p>
<p>LUO-1.7.0. To coordinate all aspects of City development in accordance with the General Plan, including land use, population densities, public facilities, circulation, transportation, and utilities, based on public need.</p>	<p><b>Consistent.</b> As part of the Project's entitlement process, City staff have considered development of this Project in accordance with the General Plan and the City's Development Code. Additionally, the Project's effects with respect to land use, population densities, public facilities, circulation, transportation, and utilities, have been discussed throughout this Draft EIR in Section 4.10, Transportation, Chapter 5, Effects Found Not To Be Significant, and throughout this section (Section 4.8, Land Use). As discussed, the Project would have a less than significant impact with regard to these aspects.</p>
<p>LUP-1.1.8. Promote the utilization and consolidation of smaller parcels, both commercial and residential uses, into larger, more usable properties.</p>	<p><b>Consistent.</b> Under the existing conditions, the Project site is composed nine parcels ranging in size from 0.29 acres to 8.93 acres. A Tract Map would be prepared for the Project to reorganize the Project site into eight parcels. Reorganization of the site would allow for the development of the proposed Project.</p>

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
LUO-1.9.0. To attract a solid core of residents and occupations in an effort to provide community stability and enhance the general character of the City.	<b>Consistent.</b> The Project would involve the development of a high-quality business park campus that would employ approximately 244 persons, thereby providing community stability and enhancing the general character of the City.
LUO-1.2.0. To promote the mitigation of existing land use conflicts.	<b>Consistent.</b> The Project involves the development of a business park campus within the State Street corridor, which is an established industrial corridor. While residential uses are located within the vicinity of the Project site, these uses are either buffered from the Project site by a major landscaped arterial roadway (i.e., for the residential neighborhood to the south) or are non-conforming uses that are inconsistent with the underlying General Plan and Zoning designations. In the cases of the non-conforming uses, the Project's design incorporates features (e.g., screening walls, landscaping, building orientation) to reduce potential impacts (i.e., noise, light) to the maximum extent feasible. As discussed in Section 4.1, Air Quality, Section 4.7, Hazards and Hazardous Materials, Section 4.9, Noise, and Chapter 6, Effects Found Not to Be Significant, the Project would not have a significant effect on these residences.
LUP-1.1.16. Protect residential property values and privacy by preventing the intrusion of incompatible land uses.	<b>Consistent.</b> The Project involves the development of a business park campus within the State Street corridor, which is an established industrial corridor. While residential uses are located within the vicinity of the Project site, these uses are either buffered from the Project site by a major landscaped arterial roadway (i.e., for the residential neighborhood to the south) or are non-conforming uses that are inconsistent with the underlying General Plan and Zoning designations. In the cases of the non-conforming uses, the Project's design incorporates features (e.g., screening walls, landscaping, building orientation) to reduce potential impacts (i.e., noise, light) to the maximum extent feasible to maintain privacy. As discussed in Section 4.1, Air Quality, Section 4.7, Hazards and Hazardous Materials, Section 4.9, Noise, and Chapter 6, Effects Found Not to Be Significant, the Project would not have a significant effect on these residences.
LUP-1.1.17. Discourage through traffic as a means of assuring safe neighborhoods	<b>Consistent.</b> As discussed in Section 4.10, Transportation, the Project's truck traffic would use established truck routes within the City to avoid potential conflicts with residential neighborhoods.

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
LUP-1.1.20. Protect residential property values and privacy by preventing the intrusion and detrimental effects of noise, air pollution and vibration.	<b>Consistent.</b> While residential uses are located within the vicinity of the Project site, these uses are either buffered from the Project site by a major landscaped arterial roadway (i.e., for the residential neighborhood to the south) or are non-conforming uses that are inconsistent with the underlying General Plan and zoning designations. In the cases of the non-conforming uses, the Project’s design incorporates features (e.g., fences and screening walls, landscaping, building orientation) to reduce potential impacts (i.e., noise, light) to the maximum extent feasible. These features would have the added benefit of providing an additional layer of privacy to these residences. The Project’s noise, air pollution, and vibration effects are discussed in Section 4.1, Air Quality, and Section 4.9, Noise. Mitigation measures are provided to reduce potentially significant impacts to the maximum extent feasible. As discussed, with incorporation of mitigation, the Project would not have a significant impact on adjacent residential uses.
LUP-1.1.27. Improve the relationship between commercial and adjacent non-commercial land through landscaped buffer strips to ensure the protection of the adjacent residential land from such annoyances as noise, light, and traffic.	<b>Consistent.</b> As discussed above, while the existing residential uses in the vicinity of the Project are non-conforming and inconsistent with the General Plan and zoning designations, the Project’s design incorporates features (e.g., screening walls, landscaping, building orientation) to buffer the Project’s utilitarian features from adjacent residential land. Landscaping would also be featured along State Street, Mission Boulevard, and Ramona Avenue to provide for a campus-like appearance.
LUP-1.1.36. Protect residential areas from industrial intrusion by requiring industries to provide proper screening, landscaping space, buffer strips and compatible architectural treatment in the areas immediately adjacent to more restrictive uses.	<b>Consistent.</b> While residential uses are located within the vicinity of the Project site, these uses are either buffered from the Project site by a major landscaped arterial roadway (i.e., for the residential neighborhood to the south) or are non-conforming uses that are inconsistent with the underlying General Plan and zoning designations. In the cases of the non-conforming uses, the Project’s design incorporates features (e.g., screening walls, landscaping, building orientation) to reduce potential impacts (i.e., noise, light) to the maximum extent feasible. As discussed in Section 4.1, Air Quality, Section 4.7, Hazards and Hazardous Materials, Section 4.9, Noise, and Chapter 6, Effects Found Not to Be Significant, the Project would not have a significant effect on these residences.

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
LUP-1.1.8. Promote the utilization and consolidation of smaller parcels, both commercial and residential uses, into larger, more usable properties.	<b>Consistent.</b> Under the existing conditions, the Project site is composed nine parcels ranging in size from 0.29 acres to 8.93 acres. A Tract Map would be prepared for the Project to reorganize the Project site into eight parcels. Reorganization of the site would allow for the development of the proposed business park.
LUO-1.8.0. To play a significant role in planning the long-range development of the region and to seek a maximum coordination of growth and development.	<b>Consistent.</b> While this is a policy that would be implemented at the city level, pursuant to MM-AQ-1, because the Project involves a General Plan Amendment and zone change, the City would coordinate with SCAG to ensure that the Project site's updated General Plan and zoning designations are accounted for in long-term plans.
LUP-1.1.19. Provide adequate streets, sidewalks, utilities, water, sewers, storm drainage and street lighting systems in balance with the varying neighborhood population densities.	<b>Consistent.</b> The Project would either be served by or involve the construction of streets, sidewalks, utilities, water, sewers, storm drainage and street lighting systems. Additional detail is provided in Section 4.10, Transportation, and Section 4.11, Utilities and Service Systems. As discussed in these sections, the Project's impacts with respect to the provision of these features would be less than significant.
LUP-1.1.33. Promote the general visual improvement of industrial areas by encouraging professional architectural and landscape architectural design and the careful signing of industries so that these areas contribute to the betterment of the total community.	<b>Consistent.</b> The Project has been designed by a professional architectural and landscape team and features a contemporary and unified design to create a high-quality business-park campus.
LUP-1.1.36. Protect residential areas from industrial intrusion by requiring industries to provide proper screening, landscaping space, buffer strips and compatible architectural treatment in the areas immediately adjacent to more restrictive uses.	<b>Consistent.</b> The Project would be located in close proximity to residences. However, these residences are non-conforming uses that are inconsistent with the underlying General Plan and zoning designations. Nonetheless, the Project's design incorporates features (e.g., screening walls, landscaping, building orientation) to prevent industrial intrusion and maintain or improve privacy at adjacent residential uses.
<b>Circulation</b>	
CG-1.0.0. To provide residents and visitors to the City a circulation network which provides for safe and efficient travel.	<b>Consistent.</b> While this is a City-level goal, a TIA was prepared (Appendix G) to evaluate the Project's effect on the circulation network. As determined in the TIA, with incorporation of Project design features, the Project would not affect the safety or effectiveness of travel.
CP-1.1.2. Protect street traffic capacities by controlling access points from adjoining land and by restricting on-street parking when and where feasible.	<b>Consistent.</b> Site access was evaluated in the Project's TIA (Appendix G) and it was determined that the Project would not have a significant effect on street traffic capacities.

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
CP-1.1.6. Keep traffic on all streets in balance with the capacity of the circulation system by regulating the intensity and density of land use in conformity with LOS “D” or better performance during typical weekday peak hours.	<b>Consistent.</b> A TIA was prepared (Appendix G) to was prepared to evaluate the Project’s effects on the LOS on transportation facilities in the Project area, including eight intersections and one roadway segment. LOS was addressed for informational purposes only and can no longer be used to determine significant transportation impacts under CEQA as directed by SB 743. The detailed results of the LOS Analysis are provided in Appendix G. Although the City’s LOS policy was determined to no longer be applicable as a transportation impact under CEQA, based on the results of the TIA, the Project would not be consistent with the City’s General Plan operational standards (Policy CE-1.1.6) at the Silicon Avenue/Mission Boulevard intersection under the Existing plus Project and Opening Year (2045) plus Project conditions. Although this intersection is already operating with deficient LOS during the Existing conditions, the addition of Project traffic would be inconsistent with the City’s LOS standards. As part of the Project’s conditions of approval, the City will require that the applicant work with the City to help implement an improvement to address this condition to improve to LOS “D” or better performance during typical weekday peak hours.
CP-1.1.13. Examine existing truck routing and establish alternative routes for truck travel as a result of problem vehicular conflict.	<b>Consistent.</b> While this is a City-level policy, trucks accessing the Project site would use the City’s established truck routes.
CP-1.1.8. Continue promotion of the construction of sidewalks in all residential areas to provide safe pedestrian circulation.	<b>Consistent.</b> While this policy is oriented at residential areas, the Project would provide sidewalks.
CO-1.1.9. Ensure, where possible, the development and maintenance of adequate, efficient, safe, and attractive pedestrian walkways between major pedestrian generators.	<b>Consistent.</b> The Project would provide pedestrian pathways throughout the Project site and along its boundaries.
<b>Community Design</b>	
CD-1.0. To coordinate, through the General Plan, the physical elements of the City into an attractive as well as a functional relationship in order to establish, preserve and enhance the City's setting and identity.	<b>Consistent.</b> Under existing conditions, the General Commercial General Plan land use designation conflicts with the Limited Manufacturing and Manufacturing Industrial zoning designations for the Project site. The Project’s proposed land use changes with resolve these conflicts and provide for a use that would be consistent with the overall area, which is an established industrial corridor. The Project would incorporate design principles and concepts contained in the Community Design Element to create a contemporary, unified, and high-quality warehouse/industrial park environment.
CDO-1.4.0. To promote the maintenance of compatible land uses and mitigate existing land use	<b>Consistent.</b> Under existing conditions, the General Commercial General Plan land use designation

**Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies**

Goals	Response
<p>conflicts through redevelopment and/or incorporating the design principles and concepts contained in the Community Design Element.</p>	<p>conflicts with the Limited Manufacturing and Manufacturing Industrial zoning designations for the Project site. The Project’s proposed land use changes with resolve these conflicts and provide for a use that would be consistent with the overall area. The Project would incorporate design principles and concepts contained in the Community Design Element to create a contemporary, unified, and high-quality warehouse/industrial park environment.</p>
<p>CD-1.6.0. To encourage the development of parcels along Central Avenue and Holt and Mission Boulevards where development has previously been hindered due to parcel size and configuration, access and multiple ownership.</p>	<p><b>Consistent.</b> Under the existing conditions, the Project site is composed nine parcels ranging in size from 0.29 acres to 8.93 acres. A Tract Map would be prepared for the Project to reorganize the Project site into eight parcels, facilitating the orderly development of the proposed business park.</p>
<p>CDP-1.1.19. All efforts should be made to identify, protect and enhance all historical and archaeological points of interest.</p>	<p><b>Consistent.</b> As part of the Projects entitlement process a Historic Resources Technical Report has been prepared (Appendix D). As discussed in the Historical Resources Technical Report, the Project would not affect an identified or potential historical and archaeological point of interest.</p>
<p>CP-1.1.5. Promote the beautification of streets by promoting and maintaining a tree planting, tree replacement, tree maintenance, and landscaping program on all streets, with special emphasis on the entrance to the City, to screen from view service road areas and along major/minor roadway corridors and median dividers.</p>	<p><b>Consistent.</b> The Project involves a landscape plan which would involve the installation of landscape and trees along Mission Boulevard, Ramona Avenue, 3rd Street, and State Street. The landscaping materials along the Project frontages incorporate a layering concept to provide different height trees and border or accent shrubs and low ground covers.</p>
<p>CDP-1.1.1. Continue the establishment of an individual and distinctive identity by encouraging the highest quality design in architecture, landscape architecture, sign graphics and in the design of street furniture and fixtures.</p>	<p><b>Consistent.</b> The Project has been designed by a professional architectural and landscape team and features a contemporary and unified design to create a high-quality business park campus. The Project’s architecture, landscape architecture, and sign program are reviewed by City staff as part of the project review process to ensure that the Project features an appropriate and desirable design that is consistent with City design standards and principles.</p>
<p>CDP-1.1.17. Site planning, architectural design should result in an attractive appearance and a harmonious relationship among the various elements of the development to blend with the image of the community.</p>	<p><b>Consistent.</b> The Project has been designed in such a way that exterior facing improvements feature attractive architectural and landscaping designs so as to create a contemporary, unified, and high-quality business park campus.</p>
<p><b>Public Facilities and Utilities</b></p>	
<p>PU-1.0.0. To coordinate, through the General Plan, the development of public facilities within the City including Civic Center, library, recreation facilities, and schools.</p>	<p><b>Consistent.</b> As discussed in Chapter 5, Effects Found Not To Be Significant, the Project would have a less than significant impact on public services and facilities.</p>
<p>PFO-1.1.0. To coordinate the location, size and type of public services including water, electricity, telephone,</p>	<p><b>Consistent.</b> As discussed in Section 4.11, Utilities, the location, size, and types of public services, including</p>

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
sewers and gas with the land use element they are to serve.	water, electricity, telephone, sewers, and gas, have been coordinated as part of the Project's entitlement process.
PFP-1.1.1. Review the public utility plans for the City and ensure that they are coordinated with the City's plans.	<b>Consistent.</b> As discussed in Section 4.11, Utilities, the Project's utility plans have been reviewed for consistency with the City-wide utility plans.
PU- 1.1.2. Continue to promote the underground of all overhead utility lines that serve or pass through the City.	<b>Consistent.</b> The Project would involve the undergrounding of overhead utility lines on and adjacent to the Project site.
PF-1.4.0. To emphasize quality in all development by providing for a stable, steady population growth. To ensure that the residents of the City shall be provided with adequate services including utilities, street capacities, open space for recreation and other public facilities.	<b>Consistent.</b> While Project would involve a change in the site's General Plan and zoning designations, the proposed land use would be consistent with the surrounding area and would facilitate development of a high-quality business park campus. As discussed in Section 4.10, Transportation, 4.11, Utilities and Service Systems, and Chapter 5, Effects Found Not To Be Significant, the Project can be adequately served by the existing circulation system, utilities, and public services (or where it cannot be adequately served, improvements have been identified and are incorporated into the Project [see Chapter 3, Project Description]).
PFO-1.5.0. To continue to develop remedial programs to reduce nuisance flooding and ponding on local streets during periods of normal precipitation. These programs should include a priority rating system for an expedient resolution of the most severe problems.	<b>Consistent.</b> While this is a city-level policy objective, as discussed in Chapter 5, Effects Found Not To Be Significant, a Preliminary Hydrology Report and Preliminary WQMP (Appendices H-1 and H-2) have been prepared to ensure that the Project would not result in nuisance flooding and ponding on local streets during periods of normal precipitation.
SE-2.1.1. Protect adjacent upstream and downstream, public and private, landowners from direct and substantial increases in flood damage.	<b>Consistent.</b> As discussed in Chapter 5, Effects Found Not To Be Significant, a Preliminary Hydrology Report and Preliminary WQMP (Appendices H-1 and H-2) determined that the Project would not result in downstream flooding.
SE-2.1.2. Prohibit the occupancy or encroachment of any structure, improvement or development that would obstruct the flow of water in a designated floodway on the flood plain.	<b>Consistent.</b> The Project would not result in the placement of a structure within a designated floodway on the flood plain as described in Chapter 5, Effects Found Not To Be Significant.
SE-4.4.0. Require that all development plans be reviewed by local planning, fire, water, health, road, and flood control authorities.	<b>Consistent.</b> As part of the Project's review process, the Project's plans have been or will be reviewed by local planning, fire, water, health, road, and flood control authorities. Additionally, this Draft EIR has been made available for public review to allow for interested agencies and members of the public to review aspects of the Project's plans.
<b>Noise</b>	
NO-1.1.0. Noise mitigation measures for future development should comply with the standards included in the City of Montclair Noise Element.	<b>Consistent.</b> The mitigation measures identified in Section 4.9, Noise, are designed to bring the Project into compliance with the General Plan Noise Element.

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
NE-1.1.3. Prior to the recordation of a final tract/parcel map or prior to the issuance of grading permits, at the sole discretion of the City, an acoustical analysis report shall be submitted to the City for approval. The report shall describe in detail the exterior noise environment and preliminary mitigation measures. Acoustical design features to achieve interior noise standards shall be included in the report.	<b>Consistent.</b> An acoustical analysis has been prepared for the Project and is provided in Section 4.9, Noise. As discussed, with implementation of mitigation, the Project would result in less than significant noise impacts.
NE-1.1.9. All sources of temporary noise shall comply with the City of Montclair Noise Ordinance.	<b>Consistent.</b> As discussed in Section 4.9, Noise, the Project would comply with the City of Montclair Noise Ordinance.
NE-1.2.3. All sources of stationary noise shall comply with the City of Montclair Noise Ordinance.	<b>Consistent.</b> As discussed in Section 4.9, Noise, the Project would comply with the City of Montclair Noise Ordinance.
NE-1.2.4. A noise study shall be prepared at the discretion of the City of Montclair by an acoustical consultant for new development including but not limited to any of the following uses: (1) Printing Press; (2) Riveting Machine; (3) Milling Machine; (4) Rock Crusher; (5) Commercial Trash Compactors; (6) Truck Loading Docks; (7) Power Generators; (8) Air Wrenches; (9) Drive-Through Speakerphones; (10) Well Pumps; (11) Shooting Ranges; and Other uses which generate significant noise levels This study should quantify future noise levels and recommend specific mitigation measures.	<b>Consistent.</b> The Project would involve truck loading docks; as such, an acoustical analysis was prepared and is included within Section 4.9, Noise. As discussed, with implementation of mitigation, the Project would result in less than significant noise impacts.
NE-1.2.9. Noise impacts from the construction operations shall be reduced during the evening by eliminating back up bells and replacing them with backup strobe lights or other warning devices.	<b>Consistent.</b> Pursuant to MM-NOI-1, a Construction Noise Control Plan shall be submitted to the City for review and approval. The Construction Noise Control Plan shall include best management practices to reduce short-term construction noise. Should the City determine that back up bells be replaced, construction crews would replace with backup strobe lights.
NP-1.2.5. All construction vehicles or equipment fixed or mobile operated shall be equipped with properly operating and maintained mufflers.	<b>Consistent.</b> Pursuant to MM-NOI-1, all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with the manufacturers' specifications and standards
NP-1.2.6. Stockpiling and/or vehicle staging areas shall be located as far as practical from residential homes.	<b>Consistent.</b> Pursuant to MM-NOI-1, construction and stationary equipment (including stockpiles and vehicles) should be placed as far away from the adjacent residential property boundary as feasible and positioned such that emitted noise is directed away from or shielded from sensitive receptors.
NP-1.2.7. The noisiest operations shall be arranged to occur together in the construction program to avoid continuing periods of greater annoyance.	<b>Consistent.</b> Pursuant to MM-NOI-1, a Construction Noise Control Plan shall be submitted to the City for review and approval. The Construction Noise Control Plan shall include best management practices to



Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
	reduce short-term construction noise and will include a specification that noisiest operations be arranged to occur together in the construction program to avoid continuing periods of greater annoyance.
NP-1.2.8. Construction which can impact noise sensitive receptors shall be limited to the hours of 7:00 AM to 8:00 PM per the City’s Noise Ordinance on any given day and provided that the building official determines that the public health and safety will not be impaired.	<b>Consistent.</b> As described in Chapter 3, Project Description, Project construction would be limited to the hours of 7:00 AM to 8:00 PM per the City’s Noise Ordinance on any given day.
NG-1.0.0. Protect noise sensitive land uses, including residences, schools, hospitals, libraries, churches and convalescent homes from high noise levels from existing and future noise sources.	<b>Consistent.</b> As discussed in Section 4.9, Noise, while noise sensitive land uses are located in proximity to the Project, the Project would have a less-than-significant noise impact to these receptors.
NE-1.2.2. New noise generators shall not be located in the vicinity of noise sensitive receptors unless they can be adequately mitigated. Land use should be zoned such that high noise generators such as industrial or manufacturing activities are buffered from sensitive uses by moderate uses such as commercial or office uses.	<b>Consistent.</b> An acoustical analysis was prepared and is included within Section 4.9, Noise. As discussed, the Project would not generate excessive and intrusive noise and would have a less-than-significant noise impact to adjacent noise sensitive receptors. Notwithstanding, the Project’s design incorporates features (e.g., screening walls, landscaping, building orientation) to further reduce already less-than-significant noise impacts.
<b>Air Quality</b>	
AQG-4.0.0. Reduce to a minimum particulate emissions from such uses as construction, operation of roads, and buildings.	<b>Consistent.</b> As discussed in Section 4.1, Air Quality, MM-AQ-2 would reduce particulate emissions to the maximum extent feasible.
AQO-4.1.0. Reduce particulate emissions from roads, parking lots, construction sites, and agricultural lands.	<b>Consistent.</b> As discussed in Section 4.1, Air Quality, MM-AQ-2 would reduce particulate emissions to the maximum extent feasible. Additionally, pursuant to the Project’s WQMP (Appendix H-1), the Project’s parking areas would be regularly swept and maintained so as to reduce particulate emissions.
AQO-4.5.0. Reduce emissions from building materials and methods of construction which generate excessive pollutants.	<b>Consistent.</b> The Project’s buildings would be primarily constructed with concrete tilt-up panels that would not generate excessive pollutants. Project construction would comply with SCAQMD Rule 1113 which requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories. As discussed in Section 4.1, Air Quality, the Project’s construction air quality impacts would be less than significant with incorporation of mitigation.
AQG-1.0.0. To achieve coordination of air quality improvements	<b>Consistent.</b> While this is a City-level policy goal, the Project would be required to implement mitigation measures identified within Section 4.1, Air Quality, to reduce pollutants.

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
within the portion of the South Coast Air Basin (SCAB) in San Bernardino County and improve air quality through reductions in pollutants.	
AQO-2.1.0. Use market incentives, regulations, and transportation demand management in cooperation with other jurisdictions in the SCAB to reduce vehicle miles traveled for auto trips.	<b>Consistent.</b> While this is a City-level policy goal, pursuant to MM-AQ-3, the Project applicant or its designee shall prepare a Transportation Demand Management Program to facilitate increased opportunities for transit, bicycling, and pedestrian travel, as well as provide the resources, means, and incentives for ride-sharing and carpooling to reduce vehicle miles traveled and associated criteria air pollutant emissions.
AQO-2.2.0. Use incentives, regulations, and transportation demand management in cooperation with other jurisdictions in the SCAB to eliminate unnecessary vehicle trips which would otherwise be made.	<b>Consistent.</b> While this is a City-level policy goal, pursuant to MM-AQ-3, the Project applicant or its designee shall prepare a Transportation Demand Management Program to facilitate increased opportunities for transit, bicycling, and pedestrian travel, as well as provide the resources, means, and incentives for ride-sharing and carpooling to reduce vehicle miles traveled and associated criteria air pollutant emissions.
AQO-2.3.0. Improve traffic flow by implementing the State mandated Congestion Management Program, the Air Quality Management Plan (AQMP), and other means to lessen roadway congestion.	<b>Consistent.</b> While this is a City-level policy objective to implement plans, the Project would not conflict with the San Bernardino County Congestion Management Program and would implement mitigation measures to reduce or resolve conflicts with the Air Quality Management Plan.
AQP-1.1.4. Participate with SANBAG to implement the CMP.	<b>Consistent.</b> As discussed in the Project's TIA (Appendix G), the Project would not conflict with the San Bernardino County Congestion Management Program.
AQP-2.3.2. Require interconnected signal control systems for all primary arterials including those which cross inter-jurisdictional boundaries.	<b>Consistent.</b> The Project would involve improvements to the intersection at Mission Boulevard and Ramona Avenue. Improvements to the signal control system would be undertaken in coordination with the City's Engineering Department to ensure that the signal is interconnected with the regional circulation system.
<b>Safety</b>	
SE-1.0.0 To reduce loss of life, injuries, and damage to property and natural resources due to flooding, fire, seismic hazards, criminal activities, and hazardous materials.	<b>Consistent.</b> As discussed in Chapter 3, Project Description, and Chapter 5, Effects Found Not To Be Significant, the Project would be designed consistent with applicable regulatory requirements that would address potential impacts associated with flooding, fire, seismic hazards, criminal activities, and hazardous materials
SO-3.1.0. To reduce crime through the extensive use of prevention techniques, methodology, and experience into the physical planning process.	<b>Consistent.</b> The design of the Project would incorporate the basic principles from the Crime Prevention Through Environmental Design philosophy, including controlling access to buildings to reduce

Table 4.8-4. Consistency with City of Montclair General Plan Goals, Objectives, and Policies

Goals	Response
	opportunities for crime to occur and making as much of the site visible from the public right-of-way to deter on-site crimes
SP-3.1.1. Maintain interagency input, coordination, and review to incorporate crime prevention techniques and methodology into the planning process.	<b>Consistent.</b> As part of the Project’s plan review process, the Project’s plans have been or will be reviewed by the Montclair Police Department.
SP-3.1.3. Advocate the design of proposed developments to facilitate their surveillance and neighborhood watch by the people who utilize or inhabit them.	<b>Consistent.</b> The Project would feature standard surveillance systems to deter potential trespassers and vandals.
SE- 1.1.11. Require all new developments to comply with State of California seismic safety standards.	<b>Consistent.</b> The Project would be required to comply with the most recent version of the California Building Code, which contains universal standards related to seismic load requirements. Further, as part of the Project design process, a site-specific Geotechnical Investigation was conducted for the Project site to detail the geotechnical characteristics of the site and develop specific design recommendations to ensure the structural integrity of the Project.
SE- 1.1.0. To maintain regulations which will provide a degree of safety from structure failure.	<b>Consistent.</b> As discussed above, compliance with the California Building Code and incorporation of the recommendations of the Geotechnical Investigation would ensure the structural integrity of the Project.
SSP-1.1.3. Request geologic studies for proposed development for human occupancy, emphasizing all critical facilities and structures of high or involuntary occupancy, within areas needing special management.	<b>Consistent.</b> As discussed above, compliance with the California Building Code and incorporation of the recommendations of the Geotechnical Investigation would ensure the structural integrity of the Project.
SSP-1.1.4. Stress compatibility between structural design and local geologic hazards.	<b>Consistent.</b> As discussed above, compliance with the California Building Code and incorporation of the recommendations of the Geotechnical Investigation would ensure the structural integrity of the Project.

### City of Montclair Zoning Code

As depicted on Figure 3-6, Existing and Proposed Zoning, found in Chapter 3, Project Description, the Project site currently has three zoning designations: Limited Manufacturing (M1), Manufacturing Industrial (MIP), and General Commercial (C3). The Project would involve a Zone Change to change the Project site’s zoning to Limited Manufacturing (M1) and Manufacturing Industrial Park (MIP), removing the General Commercial (C3) zoning designation from the Project site. If the proposed Zone Change is approved, the Limited Manufacturing (M1) and Manufacturing Industrial Park (MIP) would become the applicable zoning designations for the site.

As discussed above in Section 4.8.2, Title 11 of the Montclair Municipal Code, includes regulations concerning where and under what conditions various land uses may occur in the City. It also establishes zone-specific height limits, setback requirements, parking ratios, and other development standards, for residential, commercial, industrial, and all other types of sites. According to the City’s Municipal Code, the Limited Manufacturing (M1) zone

is intended for limited manufacturing and limited industrial uses. The Manufacturing Industrial Park Zone (MIP) is intended to provide an appropriate physical environment for the establishment of industrial and light manufacturing uses. Additionally, the M1 Limited Manufacturing Zone and MIP Manufacturing Industrial Zone have specified development regulations that are outlined in Title 11 of the City's Municipal Code (City of Montclair 2021). The purpose of the development regulations is, in part, to regulate the uses of buildings and structures, and to encourage the most appropriate use of land.

If the proposed Zone Change is approved, the Project's proposed uses (i.e., warehouse/logistics uses) would be consistent with the M1 and MIP zones. The Project does not involve any component that would be incompatible with the development regulations of these zones, and no variances or administrative adjustments are contemplated as part of the Project. Additionally, as part of the Project's development review process, the Project would be subject to review by the City's Development Review Committee. The City's Development Review Committee was established by the City Council to review the preliminary development proposal and provides a list of recommendations and conditions. The list is then forwarded to the Planning Commission for consideration as a condition of project approval. All final considerations for project approvals are made by the Planning Commission, and not the Development-Review Committee (Montclair Zoning Chapter 11.06).

Should a project require a zoning amendment, as is the case with the proposed Project, applications shall be filed with the Secretary of the Planning Commission and accompanied by enough information to ensure the Planning Commission has the fullest practical presentation of facts for the permanent record. A public hearing is then scheduled, and appropriate notice is given per the provisions described in Chapter 11.84.040 of the Montclair Zoning Code. If, from the facts presented to the Planning Commission in the application, at the public hearing, the Planning Commission approves the proposed change or amendment by a two-thirds vote, the Planning Commission shall recommend such proposed change or amendment to City Council. The City Council will then consider the Planning Commission report, after it has conducted a public hearing, to approve, modify, or disapprove the recommendations of the Planning Commission (Montclair Zoning Code Chapter 11.84).

Approval of the Project, in accordance with the provisions outlined in Title 11 of the Montclair Zoning Code, would ensure compliance with applicable development standards. Additionally, through the application process, the City would thoroughly review all plans for the proposed Project to ensure compliance with the Montclair Municipal Code, and other relevant plans, policies, and regulations. Therefore, compliance with the City's development review process would ensure that the proposed Project would not conflict with the Montclair Zoning Code. Impacts would be less than significant.

### 4.8.5 Cumulative Impacts Analysis

The proposed General Plan Amendment and Zone Change would allow for the development of the proposed eight-building business park. Implementation of the Project's proposed General Plan Amendment and Zone Change would eliminate any inconsistencies between the proposed land use and the site's existing General Plan land use designation and zoning code, respectively. Presumably, as development occurs elsewhere throughout the City of Montclair and the larger San Bernardino County area, any proposal to change the underlying land use or development intensity for a specific property would similarly be resolved through an amendment to the applicable land use plan. Given that amendments to land use plans are discretionary in nature, any action involving an amendment would be subject to CEQA and reviewed on a case-by-case basis. Should any amendment result in a significant environmental effect, mitigation measures would be identified to reduce those impacts. Additionally, the periodic and frequent nature of regional planning efforts such as updates to Connect SoCal Plan and AQMP allow

for changes in land use to be integrated into a regional planning context, thereby accounting for ever-changing land use patterns. Given these factors, the Project would not result in any cumulatively considerable land use and planning conflicts in the context of compliance with applicable environmental plans, policies, and regulations beyond those identified in other Sections of this EIR.

### 4.8.6 Mitigation Measures and Level of Significance after Mitigation

**Threshold 4.8B:** **Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

The Project would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, as described in Section 4.1, Air Quality. Despite implementation of MM-AQ-1 through MM-AQ-7, impacts would be **significant and unavoidable**. The Project would not result in any other land use and planning conflicts that were not already disclosed in Section 4.1.

### 4.8.7 References

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## 4.9 Noise

This section describes the existing noise conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and surrounding vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project. For the relevant modeling data, refer to the following appendices:

**Appendix F-1** Field Noise Data Sheets, prepared by Dudek

**Appendix F-2** Construction Noise Modeling Inputs and Output, prepared by Dudek

**Appendix F-3** Equipment Specifications and On-Site Noise Calculations, prepared by Dudek

**Appendix F-4** Traffic Noise Modeling Input and Output, prepared by Dudek

Other sources consulted are listed in Section 4.9.8, References Cited.

### 4.9.1 Existing Conditions

#### **Noise Terminology and Characteristics**

##### ***Sound, Noise, and Acoustics***

Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a liquid or gaseous medium (e.g., air) to a hearing organ, such as a human ear. Noise is defined as loud, unexpected, or annoying sound. In the science of acoustics, the fundamental model consists of a sound (or noise) source, a receptor, and the propagation path between the two. The loudness of the noise source and obstructions or atmospheric factors affecting the propagation path to the receptor determine the sound level and characteristics of the noise perceived by the receptor. The field of acoustics deals primarily with the propagation and control of sound.

##### ***Frequency***

Continuous sound can be described by frequency (pitch) and amplitude (loudness). A low-frequency sound is perceived as low in pitch. Frequency is expressed in terms of cycles per second, or Hertz (Hz) (e.g., a frequency of 250 cycles per second is referred to as 250 Hz). High frequencies are sometimes more conveniently expressed in kilohertz (kHz), or thousands of Hertz. The audible frequency range for humans is generally between 20 Hz and 20,000 Hz.

##### ***Sound Pressure Levels and Decibels***

The amplitude of pressure waves generated by a sound source determines the loudness of that source. Sound pressure amplitude is measured in micro-Pascals (mPa). One mPa is approximately one hundred billionth (0.00000000001) of normal atmospheric pressure. Sound pressure amplitudes for different kinds of noise environments can range from less than 100 to 100,000,000 mPa. Because of this huge range of values, sound is rarely expressed in terms of mPa. Instead, a logarithmic scale is used to describe sound pressure level (SPL) in terms of decibels (dB). The threshold of hearing for young people is about 0 dB, which corresponds to 20 mPa.

### Addition of Decibels

Because decibels are logarithmic units, SPL cannot be added or subtracted through ordinary arithmetic. Under the decibel scale, a doubling of sound energy corresponds to a 3 dB increase. In other words, when two identical sources are each producing sound of the same loudness, the resulting sound level at a receptor equidistant to each sound source would be 3 dB higher than one source under the same conditions. For example, if one automobile produces an SPL of 70 dB when it passes an observer, two cars passing simultaneously would not produce 140 dB—rather, they would combine to produce 73 dB. Under the decibel scale, three sources of equal loudness together produce a sound level 5 dB louder than one source.

### A-Weighted Decibels

The decibel scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Although the intensity (energy per unit area) of the sound is a purely physical quantity, the loudness or human response is determined by the characteristics of the human ear.

Human hearing is limited in the range of audible frequencies as well as in the way it perceives the SPL in that range. In general, people are most sensitive to the frequency range of 1,000–8,000 Hz, and perceive sounds within that range better than sounds of the same amplitude in higher or lower frequencies. To approximate the response of the human ear, sound levels of individual frequency bands are weighted, depending on the human sensitivity to those frequencies. Then, an “A-weighted” sound level (expressed in units of dBA) can be computed based on this information.

The A-weighting network approximates the frequency response of the average young ear when listening to most ordinary sounds. When people make judgments of the relative loudness or annoyance of a sound, their judgments correlate well with the A-scale sound levels of those sounds. Other weighting networks have been devised to address high noise levels or other special problems (e.g., B-, C-, D-, and G-scales), but these scales are rarely used in conjunction with highway traffic noise. Noise levels for traffic noise reports are typically reported in terms of A-weighted decibels (dBA). Table 4.9-1 arranges typical outdoor and indoor noise sources against a decreasing linear scale of A-weighted sound levels.

**Table 4.9-1. Typical A-Weighted Noise Levels**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	– 110 –	Rock band
Jet fly-over at 1000 feet		
	– 100 –	
Gas lawn mower at 3 feet		
	– 90 –	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	– 80 –	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawn mower, 100 feet	– 70 –	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet



Table 4.9-1. Typical A-Weighted Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Heavy traffic at 300 feet	– 60 –	
		Large business office
Quiet urban daytime	– 50 –	Dishwasher next room
Quiet urban nighttime	– 40 –	Theater, large conference room (background)
Quiet suburban nighttime		
	– 30 –	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	– 20 –	
		Broadcast/recording studio
	– 10 –	
Lowest threshold of human hearing	– 0 –	Lowest threshold of human hearing

Source: Caltrans 2013.

### Human Response to Changes in Noise Levels

As discussed above, doubling sound energy results in a 3 dB increase in sound. However, given a sound level change measured with precise instrumentation, the subjective human perception of a doubling of loudness will usually be different than what is measured.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dB changes in sound levels, when exposed to steady, single-frequency (“pure-tone”) signals in the mid-frequency (1,000 Hz–8,000 Hz) range (Caltrans 2013). In typical noisy environments, changes in noise of 1 to 2 dB are generally not perceptible. However, it is widely accepted that people are able to begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dB increase is generally perceived as a distinctly noticeable increase, and a 10 dB increase is generally perceived as a doubling of loudness. Therefore, a doubling of sound energy (e.g., doubling the volume of traffic on a highway) that would result in a 3 dB increase in sound would generally be perceived as barely detectable.

### Noise Descriptors

Noise in our daily environment fluctuates over time at varying rates. Various noise descriptors have been developed to describe time-varying noise levels. The following are the noise descriptors are utilized in this analysis.

- **Equivalent Sound Level ( $L_{eq}$ ):**  $L_{eq}$  represents an energy average of the sound level occurring over a specified period. The 1-hour A-weighted equivalent sound level ( $L_{eq}[h]$ ) is the energy average of A-weighted sound levels occurring during a one-hour period, and is the basis for noise abatement criteria used by the California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA). Note

that  $L_{eq}$  is not an arithmetic average of varying dB levels over a period of time, it accounts for greater sound energy represented by higher decibel contributions.

- **Percentile-Exceeded Sound Level ( $L_{xx}$ ):**  $L_{xx}$  represents the sound level exceeded for a given percentage of a specified period (e.g.,  $L_{10}$  is the sound level exceeded 10% of the time, and  $L_{90}$  is the sound level exceeded 90% of the time).
- **Maximum Sound Level ( $L_{max}$ ):**  $L_{max}$  is the highest instantaneous sound level measured during a specified period.
- **Day-Night Level ( $L_{dn}$ ):**  $L_{dn}$  is the energy average of A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during nighttime hours between 10 p.m. and 7 a.m.
- **Community Noise Equivalent Level (CNEL):** Similar to  $L_{dn}$ , CNEL is the energy average of the A-weighted sound levels occurring over a 24-hour period, with a 10 dB penalty applied to A-weighted sound levels occurring during the nighttime hours between 10 p.m. and 7 a.m., and a 5 dB penalty applied to the A-weighted sound levels occurring during evening hours between 7 p.m. and 10 p.m.

### Vibration Characteristics

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Vibration can be a serious concern, causing buildings to shake and rumbling sounds to be heard. In contrast to noise, vibration is not a common environmental problem. It is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. Some common sources of vibration are trains, buses on rough roads, and construction activities, such as blasting, pile driving, and heavy earth-moving equipment.

Several different methods are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings and is usually measured in inches per second. The root mean square amplitude is most frequently used to describe the effect of vibration on the human body and is defined as the average of the squared amplitude of the signal. Decibel notation (VdB) is commonly used to measure root mean square. The decibel notation acts to compress the range of numbers required to describe vibration.

High levels of vibration may cause physical personal injury or damage to buildings. However, vibration levels rarely affect human health. Instead, most people consider vibration to be an annoyance that can affect concentration or disturb sleep. In addition, high levels of vibration can damage fragile buildings or interfere with equipment that is highly sensitive to vibration (e.g., electron microscopes). Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or slamming of doors. Typical outdoor sources of perceptible vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If the roadway is smooth, the vibration from traffic is rarely perceptible.

### Sensitive Receptors

Noise and vibration-sensitive land uses are locations where people reside or where the presence of unwanted sound could adversely affect the use of the land. Residences, schools, hospitals, guest lodging, libraries, and some

passive recreation areas would be considered noise- and vibration-sensitive and may warrant unique measures for protection from intruding noise. Sensitive receptors near the proposed Project site include the following:

- Several residential uses to the west, adjacent to the Project site. The nearest building construction would be approximately 80 feet from the property line, whereas asphalt/parking lot construction would occur adjacent to the residential properties.
- Residential uses to the south, south of Mission Boulevard. Substantial construction work would take place within approximately 200 feet.
- Several residential uses to the east, east of Ramona Avenue. Substantial construction work would take place within approximately 120 feet.

The above existing sensitive receptors represent the nearest land uses with the potential to be impacted by construction and operation of future projects under the proposed Project, including noise levels associated with the addition of Project-related traffic on the local roadway network. Additional sensitive receptors are located farther from the proposed Project area in the surrounding community and would be less impacted by noise and vibration levels than the above-listed sensitive receptors.

### Existing Noise Levels

To characterize the existing ambient noise levels in the general vicinity of the Project site, noise measurements were taken with a SoftdB Piccolo sound level meter, which conforms to industry standards set forth in American National Standards Institute (ANSI) S1.4-1983 (R2006) – Specification for Sound Level Meters/Type 2 (General Purpose). The accuracy of the instrument was verified using a calibrator and operated according to the manufacturer’s written specifications. At the measurement sites, the sound level meter’s microphone was placed at a height of approximately five feet above grade and covered with the manufacturer-provided windscreen.

The measured noise levels are shown in Table 4.9-2, and measurement locations are shown in Figure 4.9-1, Noise Measurement and Modeling Locations. The nearest sensitive receptors that could potentially be subject to noise impacts associated with the Project include the adjacent residential uses to the west, south, and east, as well as residential uses located further away to the north, south and east, which could be impacted by Project-related traffic. As shown in Table 4.9-2, ambient noise levels in the Project vicinity ranged from approximately 58 dBA  $L_{eq}$  (at ST1) to approximately 65 dBA  $L_{eq}$  (at ST7). Traffic noise was the primary noise source; other noise sources included rail noise, distant aircraft, and distant landscaping activities.

**Table 4.9-2. Existing Measured Ambient Noise Levels in Project Site Vicinity**

Receiver No.	Location	Primary Noise Sources	Noise Levels		
			$L_{eq}$	$L_{min}$	$L_{max}$
ST1	West of Project site (industrial/residential use at 4341 E. 3 <sup>rd</sup> Street)	Light Traffic on 3 <sup>rd</sup> Street, distant aircraft	57.7	40.9	79.7
ST2	South of Project site (4361 Mission Boulevard (mobile homes))	Traffic on Mission Boulevard	61.5	56.1	85.8
ST3	East of Project site (residence at 10839 Ramona Avenue)	Traffic on Ramona Avenue	65.3	53.9	86.5

**Table 4.9-2. Existing Measured Ambient Noise Levels in Project Site Vicinity**

Receiver No.	Location	Primary Noise Sources	Noise Levels		
			<i>L<sub>eq</sub></i>	<i>L<sub>min</sub></i>	<i>L<sub>max</sub></i>
ST4	South of Project site (residence at 4513 Mane Street)	Traffic on Ramona Avenue	62.9	52.1	80.4
ST5	West of Project site (industrial/residential use at 4329 State Street)	Traffic on State Street, train pass-by	64	52.7	93.6
ST6	North of Project site (residence at 10462 Calico Court)	Traffic on Ramona Avenue	61	54.4	93.6
ST7	East of Project site (residence at 4806 Rawhide Street)	Traffic on Mission Boulevard	65.3	51.5	90.2

**Source:** Appendix F-1

**Notes:** Noise measurements were taken on January 21, 2020, at each location for a duration of 15 minutes.

## 4.9.2 Relevant Plans, Policies, and Ordinances

### Federal

There are no federal noise standards that would directly regulate noise during construction and operation of the Project. The following is provided because guidance summarized herein is used or pertains to the analyses for construction noise and vibration, as well as for analysis of what constitutes a substantial increase.

#### ***Federal Transit Administration***

In its Transit Noise and Vibration Impact Assessment Manual, the Federal Transit Administration (FTA) recommends a daytime construction noise level threshold of 80 dBA *L<sub>eq</sub>* over an 8-hour period (FTA 2018) when detailed construction noise assessments are performed to evaluate potential impacts to community residences surrounding a project. Although this FTA guidance is not a binding regulation, it is provided here for comparison purposes and to establish a quantitative threshold of significance for construction noise, in the absence of such limits at the state and local jurisdictional levels.

Additionally, the Transit Noise and Vibration Impact Assessment guidance Manual provides methodology and guidance related to groundborne vibration which is used in this analysis. For analysis of human response related to project-related construction vibration, a recommended threshold of 78 VdB for human response within residential structures was used, while for the analysis of the potential for structural damage, a recommended threshold of 0.20 inches per second was used.

#### ***Federal Interagency Committee on Noise (FICON)***

In 1992 the Federal Interagency Committee on Noise (FICON) assessed the annoyance effects of changes in ambient noise levels resulting from aircraft operations. Although the FICON recommendations were developed to address aircraft noise impacts, they are used in this analysis to define a substantial increase in community noise levels related to roadway traffic, as detailed in Section 4.9.3 (Thresholds of Significance).

## State

### Government Code Section 65302(g)

California Government Code Section 65302(g) requires the preparation of a Noise Element in a general plan, which shall identify and appraise the noise problems in the community. The Noise Element shall also recognize the guidelines adopted by the Office of Noise Control in the State Department of Health Services and shall quantify, to the extent practicable, current and projected noise levels for the following sources:

- Highways and freeways
- Primary arterials and major local streets
- Passenger and freight on-line railroad operations and ground rapid transit systems
- Aviation and airport-related operations
- Local industrial plants
- Other ground stationary noise sources contributing to the community noise environment.

### California General Plan Guidelines

The California General Plan Guidelines, published by the Governor’s Office of Planning and Research (OPR), provides guidance for the acceptability of specific land use types within areas of specific noise exposure. Table 4.9-3, Land Use Compatibility for Community Noise Environments, presents guidelines for determining acceptable and unacceptable community noise exposure limits for various land use categories. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community’s sensitivity to noise, and the community’s assessment of the relative importance of noise pollution. OPR guidelines are advisory in nature. Local jurisdictions, including the City of Montclair, have the responsibility to set specific noise standards based on local conditions.

**Table 4.9-3. Land Use Compatibility for Community Noise Environments**

	Community Noise Exposure (CNEL)			
	<i>Normally Acceptable</i> <sup>1</sup>	<i>Conditionally Acceptable</i> <sup>2</sup>	<i>Normally Unacceptable</i> <sup>3</sup>	<i>Clearly Unacceptable</i> <sup>4</sup>
Residential-low density, single-family, duplex, mobile homes	50–60	55–70	70–75	75–85
Residential – multiple-family	50–65	60–70	70–75	70–85
Transit lodging – motel, hotels	50–65	60–70	70–80	80–85
Schools, libraries, churches, hospitals, nursing homes	50–70	60–70	70–80	80–85
Auditoriums, concert halls, amphitheatres	NA	50–70	65–85	NA
Sports arenas, outdoor spectator sports	NA	50–75	70–85	NA
Playgrounds, neighborhood parks	50–70	67.5–75	72.5–85	NA
Golf courses, riding stables, water recreation, cemeteries	50–70	NA	70–80	80–85

Table 4.9-3. Land Use Compatibility for Community Noise Environments

	Community Noise Exposure (CNEL)			
	<i>Normally Acceptable</i> <sup>1</sup>	<i>Conditionally Acceptable</i> <sup>2</sup>	<i>Normally Unacceptable</i> <sup>3</sup>	<i>Clearly Unacceptable</i> <sup>4</sup>
Office buildings, business commercial and professional	50–70	67.5–77.5	75–85	NA
Industrial, manufacturing, utilities, agriculture	50–75	70–80	75–85	NA

**Source:** OPR 2017

**Notes:** CNEL = community noise equivalent level; NA = not applicable

- <sup>1</sup> Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
- <sup>2</sup> Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features have been included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
- <sup>3</sup> Normally Unacceptable: New construction or development should be discouraged. If new construction of development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise-insulation features included in the design.
- <sup>4</sup> Clearly Unacceptable: New construction or development should generally not be undertaken.

## Local

### *City of Montclair General Plan Noise Element*

The City of Montclair General Plan prescribes noise standards for interior and exterior noise, as well as maximum residential/non-residential noise levels. Refer to Table 4.9-4 for a summary of City noise standards. Refer to Table 4.9-3 for a chart of noise compatibility standards.

Table 4.9-4. City of Montclair Interior and Exterior Noise Standards

Categories	Land Use	Noise Standards (CNEL)	
		<i>Interior</i> <sup>1,2</sup>	<i>Exterior</i>
Residential	Single and multi-family, duplex, mobile homes	45	65 <sup>3</sup>
Commercial	Hotel, motel, transient lodging	45	65 <sup>3</sup>
	Commercial retail, bank, restaurant	55	—
	General office, reception/clerical	50	—
	Private offices, research and development	45	—
	Amphitheater, concert hall, auditorium, theater	45	—
Institutional	Hospital, nursing home, school classroom, church, library	45	65 <sup>3</sup>
Industrial	Manufacturing, warehousing, etc.	65	—

**Source:** City of Montclair General Plan, Noise Element

**Notes:**

- <sup>1</sup> Noise standard with windows closed. Mechanical ventilation shall be provided per UBC requirements.
- <sup>2</sup> Indoor environment excluding bathrooms, toilets, closets, and corridors.
- <sup>3</sup> Outdoor environment limited to rear yard of single-family residences, multi-family patios and balconies.

In addition, the following objectives and policies are contained within the City's General Plan Noise Element:

### Objectives

- NO-1.1.0.** Noise mitigation measures for future development should comply with the standards included in the City of Montclair Noise Element.
- NO-1.2.1.** Potential noise impacts due to stationary sources should be mitigated in the planning stage.

### Implementing Policies

- NE-1.1.2.** For all areas within the Year 2020 65 dBA CNEL roadway contours, future residential lots and dwellings shall be sound attenuated against present and projected noise, which shall be the sum of all noise impacting the project, so as not to exceed an exterior standard of 65 dBA CNEL in outdoor living areas and an interior standard of 45 dBA CNEL in all habitable rooms. An acoustical study shall be prepared under the supervision of a person experienced in the field of acoustical engineering.
- NE-1.1.4.** Prior to the issuance of any building permits, an acoustical analysis report describing the acoustical design features of the structures required to satisfy the exterior and interior noise standards shall be submitted to the City for approval along with satisfactory evidence which indicates that the sound attenuation measures specified in the approved acoustical report(s) have been incorporated into the design of projects.
- NE-1.1.5.** Prior to the issuance of any Certificates of Use and Occupancy, field testing in accordance with California Administration Code Title 25 regulations may be required by the City, to verify compliance with Sound Transmission Class (STC) and Impact Insulation Class (IIC) design standards.
- NE-1.1.6.** Noise mitigation measures shall be developed from a list of City approved measures. The approved noise mitigation measures include: site design, such as set-backs from the roadways, grade separations and exterior living area orientations, noise barriers, mechanical ventilation (i.e., air conditioning) and upgraded windows. Additional measures shall be approved at the discretion of the City of Montclair.
- NE-1.1.9.** All sources of temporary noise shall comply with the City of Montclair Noise Ordinance.
- NE-1.2.2.** New noise generators shall not be located in the vicinity of noise sensitive receptors unless they can be adequately mitigated. Land use should be zoned such that high noise generators such as industrial or manufacturing activities are buffered from sensitive uses by moderate uses such as commercial or office-uses.
- NE-1.2.5.** All construction vehicles and equipment, fixed or mobile operated, shall be equipped with properly operating and maintained mufflers.
- NE-1.2.6.** Stock piling and/or vehicle staging areas shall be located as far as practical from residential homes.
- NE-1.2.7.** The noisiest operations shall be arranged to occur together in the construction programs to avoid continuing periods of greater annoyance.

- NE-1.2.8.** Construction which can impact noise sensitive receptors shall be limited to the hours of 7:00 AM to 8:00 PM on any given day and provided that the building official determines that the public health and safety will not be impaired.

### City of Montclair Municipal Code

Noise-generating sources (excluding those from transportation sources such as aircraft, roadway traffic and rail) in the City are regulated in Chapter 6.12 (Noise Control) of the City’s Municipal Code (City of Montclair 2021). The noise limits in Sections 6.12.040 and 6.12.050 of the Municipal Code apply to noise generation from one property to an adjacent property. The noise level limits depend on time of day, duration of the noise, and City of Montclair land use zoning designation. Section 6.12.040 of the City’s Municipal Code specifies base ambient exterior noise levels (shown in Table 4.9-5, Operational Base Ambient Exterior Noise Levels). Based upon Section 6.12.050 of the City’s Code, the Base Ambient Noise Levels (BANLs) shown in Table 4.9-5 are not to be exceeded beyond the allowances itemized below:

- The BANL for 30 minutes or more in any 1-hour period;
- 5 to 9 dBA above BANL for 15 minutes in any 1-hour period
- 10 to 14 dBA above BANL for 5 minutes in any 1-hour period
- 15 to 16 dBA above BANL for 1 minute in any 1-hour period
- 16 dBA or greater above BANL at any time

Section 6.12.100(D) (Specific Noises Prohibited) includes a reference to air conditioning: “Machinery, Equipment, Fans and Air Conditioning. It is unlawful for any person to operate, cause to operate, or permit the operation of any machinery, equipment, device, pump, fan, compressor, air conditioning apparatus, or similar mechanical device in any manner so as to create any noise which would cause the noise level at the property line of any property to exceed the ambient noise level by 5 dB(A).”

**Table 4.9-5. Operational Base Ambient Exterior Noise Levels**

Land Use Zone	Noise Level (dBA)	
	<i>Nighttime 10:00 p.m.–7:00 a.m.</i>	<i>Daytime 7:00 a.m.–10:00 p.m.</i>
Residential	45	55
Commercial	55	65
Industrial	60	70

**Source:** City of Montclair Municipal Code Section 6.12.040, 2009

Subsection 6.12.060 (Exemptions) addresses noise from construction, among other activities. Specifically, noise associated with construction, repair, remodeling, or grading of any real property are exempt, provided that said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on any given day and provided that the City Building Official determines that the public health and safety will not be impaired. Additionally, industrial or commercial construction or public improvements that are not otherwise feasible except between these hours may be approved on a limited, short-term basis, subject to the approval of the Director of Community Development.



### 4.9.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts related to noise are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to noise would occur if the Project would:

- A. Result in generation of 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.
- B. Result in generation of excessive groundborne vibration or groundborne noise levels.
- C. For a project located within the vicinity of a private airstrip or 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, expose people residing or working in the project area to excessive noise levels.

Threshold of Significance C (relating to excessive noise levels from a private airstrip or airport) was addressed as part of the proposed Project's Initial Study (Appendix A of this Draft EIR). It was determined that no impacts associated with public airport noise would occur, and that no further analysis is necessary. Therefore, Threshold of Significance C is not discussed further.

Quantitative thresholds of significance have been established for the purposes of this analysis based on the local polices and regulations described in Section 4.9.2 as well as those of federal agencies and are listed below.

- **Construction Noise** - In the absence of quantifiable local regulations for construction noise, this analysis is based on the FTA's guidance for maximum noise during construction. During construction activities, an exceedance of the FTA's 80 dBA  $L_{eq, 8-hour}$  threshold for residential land uses is considered a significant noise impact.
- **Traffic Noise** - Guidance regarding the determination of a substantial permanent increase in transportation noise levels in the Project vicinity above existing levels is provided by the 1992 findings of the Federal Interagency Committee on Noise (FICON), which assessed the annoyance effects of changes in ambient noise levels resulting from aircraft operations. The FICON recommendations are based upon studies that relate aircraft noise levels to the percentage of persons highly annoyed by the noise. Annoyance is a qualitative measure of the adverse reaction of people to noise that generates speech interference, sleep disturbance, or interference with the desire for a tranquil environment.

The rationale for the FICON recommendations is that it is possible to consistently describe the annoyance of people exposed to transportation noise in terms of  $L_{dn}$  (and, by extension, CNEL<sup>1</sup>). The changes in noise exposure that are shown in Table 4.9-6 are expected to result in equal changes in annoyance at sensitive land uses. Although the FICON recommendations were specifically developed to address aircraft noise impacts, they are used in this analysis to define a substantial increase in community noise levels related to all transportation noise sources<sup>2</sup>.

<sup>1</sup> As discussed in Section 4.9.1, the  $L_{dn}$  and CNEL noise metrics are very similar and often used interchangeably.

<sup>2</sup> Traffic noise and other transportation noise sources are similar to aircraft/airport noise in that all of these noise sources can and do operate throughout the daytime and nighttime hours. The FICON recommendations use a weighted 24-hour noise metric, in which noise occurring during nighttime hours has a penalty applied to account for the increased sensitivity of persons to noise at night. Additionally, the graduated levels of the FICON guidance for substantial increase account for the diminishing tolerance of the typical person to noise increases as ambient noise levels are increased. Such is the case whether the dominant noise source is aircraft, or some other transportation source.

- **On-Site Project-Attributed Stationary Noise** – A noise impact would be considered significant if noise from typical operation of HVAC and other electro-mechanical systems would cause the noise level at the property line of any property to exceed the ambient noise level by 5 dBA. The Base Ambient Noise Levels (BANLs) shown in Table 4.9-5 are used for this assessment. For other on-site operational noise associated with the project (such as parking lot and loading dock activities noise) a noise impact would be considered significant if the applicable City Municipal Code BANLs are exceeded as detailed in Section 6.12.050 of the City's Code.
- **Construction Vibration** – Construction or operation of the proposed Project would be considered significant if the Project resulted in vibration levels exceeding 78 VdB for potential impacts relating to human response or 0.20 inches per second for potential impacts related to structural damage.

**Table 4.9-6. Measures of Substantial Increase for Transportation Noise Sources**

Ambient Noise Level Without Project ( $L_{dn}/CNEL$ )	Significant Impact Assumed to Occur if the Project Increases Ambient Noise Levels by:
<60 dB	+ 5 dB or more
60–65 dB	+ 3 dB or more
>65 dB	+ 2 dB or more

Source: FICON 1992.

#### 4.9.4 Methodology

Ambient noise measurements were conducted to characterize the existing daytime noise environment at seven sites in the Project area, using the  $L_{eq}$ ,  $L_{min}$  and  $L_{max}$  noise metrics. (see Section 4.9.1). The ambient noise levels are used to compare with estimated construction noise levels, as well as to validate the traffic noise model (discussed below).

The FHWA's Roadway Construction Noise Model (RCNM) (FHWA 2008) was used to estimate construction noise levels at the nearest occupied noise-sensitive land use. Although the model was funded and promulgated by the FHWA, the RCNM is often used for non-roadway projects because the same types of construction equipment used for roadway projects are also used for other project types. Input variables for the RCNM consist of the receiver/land use types, the equipment type and number of each (e.g., two graders, a loader, a tractor), the duty cycle for each piece of equipment (e.g., percentage of hours the equipment typically works per day), and the distance from the noise-sensitive receiver. The construction scenario used in this noise analysis is consistent with the construction assumptions used for the air quality analysis (presented in Section 4.1, Air Quality). The RCNM has default duty-cycle values for the various pieces of equipment, which were derived from an extensive study of typical construction activity patterns. Those default duty-cycle values were used for this noise analysis. Because the nearest noise-sensitive receivers would have a direct view of the Project site during construction, no noise reduction for acoustical shielding from intervening structures or terrain was assumed.

The noise levels associated with roadway traffic were determined based on ambient noise measurements and using the Federal Highway Administration TNM 2.5 Traffic Noise Model version 2.5 (FHWA 2004). Information used in the model included the Existing, Existing plus Project, Year 2024 without Project, and Year 2024 with Project traffic volumes and speeds. Traffic volumes for each of the previously mentioned scenarios were obtained from the traffic study conducted for the proposed Project (Appendix G of this Draft EIR) and used to model noise levels

under those scenarios. Noise levels were modeled at representative noise-sensitive receivers. The receivers were modeled to be five feet above the local ground elevation, unless otherwise specified.

## 4.9.5 Impacts Analysis

**Threshold 4.9A:** **Would the Project result in generation of 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?**

On-site noise-generating activities associated with the proposed Project would include short-term construction as well as long-term operational noise. The proposed Project would also generate off-site traffic noise along various roadways in the area. These potential effects are analyzed below.

### Short-Term Construction Impacts

**Less Than Significant Impact with Mitigation Incorporated.** Construction of the Project would generate noise that could expose nearby receptors to elevated noise levels that may disrupt communication and routine activities. The magnitude of the impact would depend on the type of construction activity, equipment, duration of the construction, distance between the noise source and receiver, and intervening structures. The following discussion addresses the noise levels estimated to result from construction of the Project at nearby sensitive receptors (i.e., residences).

CalEEMod was used to identify the construction equipment anticipated for development of the Project. Based on this information, CalEEMod identified the anticipated equipment for each phase of Project construction, listed in Table 4.9-7.

**Table 4.9-7. Construction Equipment by Phase**

Construction Phase	Equipment	Quantity
Demolition	Concrete/Industrial Saws	1
	Excavators	3
	Rubber Tired Dozers	2
Site Preparation	Rubber Tired Dozers	3
	Tractors/Loaders/Backhoes	4
Grading	Graders	1
	Rubber Tired Dozers	1
	Scrapers	5
	Tractors/Loaders/Backhoes	2
Building Construction	Cranes	1
	Forklifts	3
	Generator Sets	1
	Tractors/Loaders/Backhoes	3
	Welders	1

**Table 4.9-7. Construction Equipment by Phase**

Construction Phase	Equipment	Quantity
Paving	Pavers	2
	Paving Equipment	2
	Rollers	2
Architectural Coating	Air Compressors	1

**Source:** Appendix B-1

With the construction equipment noise sources identified in Table 4.9-7, a noise analysis was performed using the RCNM (FHWA 2008). Sensitive receptors near the Project site include residential uses to the east, south, and west. Construction noise in a well-defined area typically attenuates at approximately 6 decibels (dB) per doubling of distance. Proposed Project construction would take place both near and far from adjacent, existing noise-sensitive uses. For example, paving would take place within approximately 10 feet of existing residences near the western Project boundary, but during construction of other Project components, nearest construction would be approximately 80 (at the nearest) to 900 (at the farthest) feet from the same noise-sensitive receptors. Most construction activities associated with the proposed Project would occur at an average distance of approximately 450 feet or more from existing noise-sensitive uses, which represents activities both near and far from any one receiver, as is typical for construction projects.

The results are summarized in Table 4.9-8 (see Appendix F-2 for model results). Table 4.9-8 provides construction noise estimates for both a “typical worst-case” 1-hour average scenario in which construction equipment may be operating in proximity to any one receiver for extended periods, as well as an 8-hour average workday in which it is assumed that typically the equipment would be in motion and working both near and far from any one receiver, equating to approximately twice as far compared to the 1-hour scenario. The resulting 8-hour levels are thus 6 decibels lower than the 1-hour levels, based upon a noise attenuation rate of 6 decibels per doubling of distance.

As shown in Table 4.9-8, the highest noise levels from construction are predicted to range from approximately 70 dBA  $L_{eq\ 1-hour}$  (during the architectural coating phase) to 94 dBA  $L_{eq\ 1-hour}$  (during demolition) at the nearest receivers. These maximum noise levels are considered to be a peak exposure, only occurring while the construction activity is taking place along the property boundary closest to these nearest off-site receivers. In terms of a typical 8-hour workday, the highest noise levels from construction are predicted to range from approximately 64 dBA  $L_{eq\ 8-hour}$  (during the architectural coating phase) to 88 dBA  $L_{eq\ 8-hour}$  (during demolition) at the nearest receivers. The average construction noise levels (for construction taking place at a range of locations on site and modeled at the acoustical center for analysis purposes) range from approximately 55 dBA  $L_{eq\ 1-hour}$  (during architectural coating) to approximately 70 dBA  $L_{eq\ 1-hour}$  (during grading) at the closest residences and are also shown in Table 4.9-8. Because the majority of the time, construction would take place within the Project site and not at the property boundary, the average noise levels (based upon the acoustic center) are considered a better representation of the overall noise exposure experience for adjacent receivers over the duration of each construction phase. Noise levels would be relatively high when equipment is operating near the Project boundaries and would exceed the FTA’s 80 dBA  $L_{eq\ 8-hour}$  threshold by as much as 8 dBA during demolition. The FTA’s 80 dBA  $L_{eq\ 8-hour}$  threshold is also predicted to be exceeded during the site preparation and grading phases.

Based upon the City’s municipal code, noise associated with construction, repair, remodeling, or grading of any real property is exempt, provided these activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on any given day and provided that the City Building Official determines that the public health and safety will not be

impaired. Project construction activities would be short-term, occurring within the hours of 7:00 a.m. and 8:00 p.m., and would cease upon construction completion. Furthermore, the Project would be required to adhere to the City General Plans Implementing Policies as detailed in Section 4.9.2, including the following pertaining to construction:

- NE-1.2.5. All construction vehicles and equipment, fixed or mobile operated, shall be equipped with properly operating and maintained mufflers.
- NE-1.2.6. Stock piling and/or vehicle staging areas shall be located as far as practical from residential homes.
- NE-1.2.7. The noisiest operations shall be arranged to occur together in the construction programs to avoid continuing periods of greater annoyance.
- NE-1.2.8. Construction which can impact noise sensitive receptors shall be limited to the hours of 7:00 AM to 8:00 PM on any given day and provided that the building official determines that the public health and safety will not be impaired.

Because construction noise levels would be substantially higher than existing ambient noise levels, as shown in Table 4.9-2 and because the FTA's 80 dBA  $L_{eq\ 8\text{-hour}}$  threshold would be exceeded, additional measures as outlined in **MM-NOI-1** are required. **MM-NOI-1** includes the required installation of an 8-foot high temporary noise barrier at the western site boundary adjacent to the residential land uses. Based upon calculations (provided in Appendix F-2), the construction noise barrier would provide 9.5 dBA attenuation, and would thus reduce the loudest-phase 8-hour average noise level to below 80 dBA. Additionally, mitigation measure **MM-NOI-2** will further minimize noise impacts from construction. **MM-NOI-2** requires that the Project Applicant notify surrounding neighbors, including the residences to the east, south and west of the Project site, listing the construction activity and construction hours, as well as providing contact information in the event of noise complaints (see **MM-NOI-2** below). Construction noise would be less than significant with mitigation incorporated (**MM-NOI-1** and **MM-NOI-2**).

**Table 4.9-8. Construction Noise Summary of Results (dBA  $L_{eq\ 1\text{-hour}}$ / dBA  $L_{eq\ 8\text{-hour}}$ )**

Receiver Location (Distance)/ Description	Construction Noise Level by Construction Phase <sup>1</sup>					
	<i>Demo.</i>	<i>Site Prep.</i>	<i>Grading</i>	<i>Building Const.</i>	<i>Paving</i>	<i>Arch. Coating</i>
Nearest Source-Receiver Distance: Approximately 10' (Demolition, Site Preparation, Paving); approximately 80' (Grading, Building Construction, Architectural Coating)	94/88	93/87	82/75	76/70	90/84	70/64
Typical Source-Receiver Distance (approximately 450 feet)	67/67	67/67	70/70	65/65	63/63	55/55

**Notes:** dBA = A-weighted decibels;  $L_{eq\ 1\text{-hour}}$  = equivalent continuous sound level (time-averaged sound level) during a 1-hour period near the Project boundary;  $L_{eq\ 8\text{-hour}}$  = equivalent continuous sound level (time-averaged sound level) during an 8-hour construction work day; Demo. = Demolition; Site Prep. = Site Preparation; Building Const. = Building Construction; Arch. Coating = Architectural Coating.

**Source:** Appendix F-2.

<sup>1</sup> See Section 4.1, Air Quality.

**Off-Site Construction Noise.** The Project would result in local, short-term increases in roadway noise as a result of construction traffic. Based on information developed as part of the Project's air quality analysis, Project-related traffic would include workers commuting to and from the Project site as well as vendor and haul trucks bringing or removing materials. The highest number of average daily worker trips would be 508, occurring during the building

construction phase. The highest number of average daily vendor truck trips would be 198, also during building construction. The highest number of average daily haul trips is estimated to be 75, during the grading phase.

Based upon a review of average daily traffic volumes (City of Montclair Public Works 2016), Ramona Avenue carries approximately 13,679 vehicles per day (from Howard Street to Mission Boulevard), and approximately 19,204 vehicles per day (from Mission Boulevard to State Street). Mission Boulevard carries approximately 17,257 (from Monte Vista Avenue to Ramona Avenue) to approximately 18,717 vehicles per day (from Ramona Avenue to Pipeline Avenue). Comparing the maximum number of daily construction-related trips (508 worker trips, 198 vendor truck trips and 75 haul truck trips) to the lower range of ADT volumes (13,679), the additional vehicle trips would amount to an increase of less than six percent. Based upon the fundamentals of acoustics, a doubling (i.e., a 100 percent increase) would be needed to result in a 3 decibel increase in noise levels, which is the level corresponding to an audible change to the typical human listener. An incremental increase of six percent would not correspond to an audible or a measurable increase on an hourly average basis, and thus would be less than significant. Therefore, traffic related to construction activities would not result in 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. Impacts from Project-related construction traffic noise would be less than significant and no mitigation is required.

### Long-Term Operational Impacts

Potential operational noise impacts include on-site noise (from vehicle activities on the Project site as well as mechanical equipment) and off-site noise from Project-related increases in traffic. As such, the following analysis is organized into separate discussions of on-site noise effects and off-site roadway noise effects.

**Less Than Significant Impact.** The proposed Project would include the construction of 513,295 square feet of warehouse, manufacturing, and office space. The Project would include construction of new buildings for warehouse/office use, loading docks located interior to the Project site, and parking spaces for the proposed warehouse/office use. Because loading docks would face the interior frontages; the buildings would act as a visual and acoustical screen for properties located to the west, east and south. from truck maneuvering and loading/unloading activities. In addition, the Project would include the construction of 8-foot-tall concrete screen walls between Buildings 1 and 6, 2 and 5, 3 and 4, and 7 and 8, as shown in Figure 4.9-2, Proposed Screen Walls.

Implementation of the Project would result in changes to existing noise levels on the Project site by developing new stationary sources of noise, including introduction of outdoor heating, ventilation and air conditioning (HVAC) equipment, and vehicle parking lot and truck loading dock activities. These sources may affect noise-sensitive vicinity land uses off the Project site. The following analysis evaluates noise from exterior mechanical equipment and activities associated with vehicle parking lots and truck loading docks.

### On-site Outdoor Mechanical Equipment

The proposed warehouse spaces within the warehouse/office buildings would not be served by heating or air conditioning equipment. However, the proposed office areas would be equipped with single-packaged rooftop HVAC units with air-handling capacity of 20 to 60 nominal tons. For the analysis of noise from HVAC equipment operation, a Carrier WeatherMaker A HVAC unit was used as a reference. Based upon the provided site plan, there would be one HVAC unit for the offices located within Buildings 1 through 6 (one office per building), and two HVAC units for each of the two offices located within Buildings 7 and 8 (two offices per building).

Noise level data provided by the manufacturer was used to determine the noise levels that would be generated by the HVAC equipment. Based on the warehouse/office building's roof design, there will be a 6-foot-high parapet extending along the perimeter of the roofs. The worst-case calculated noise levels at the nearest residential properties (to the west, east and south) and the property lines to the north, south, east and west) are presented in Table 4.9-9. The calculations were performed at the worst-case locations of each of the subject property lines—that is, the closest distances between the proposed office locations and the adjacent property lines, to ensure that the shortest distance from equipment to property line was examined.

As shown in Table 4.9-9, the maximum hourly noise level for the HVAC equipment operating at each examined point would range from approximately 31 to 33 dBA  $L_{eq}$  at the nearest residential properties and approximately 32 to 33 dBA  $L_{eq}$  at the Project's property boundaries. The results of the mechanical equipment operations noise analysis indicate that the Project would comply with Section 6.12.100(d) of the City's Municipal Code, which prohibits noise levels from exceeding the Base Ambient Noise Level by 5 dBA or more at the property line. Therefore, impacts associated with on-site HVAC noise would be less than significant.

**Table 4.9-9. Mechanical Equipment (HVAC) Noise**

Equipment	Receiver Location	Zone	HVAC Noise Level (dBA $L_{eq}$ )	Applicable Noise Standard <sup>1</sup> (Base Ambient Noise Level + 5) (dBA) (Daytime (7 a.m. to 10 p.m.) / Nighttime (10 p.m. to 7 a.m.))	Applicable Noise Standard Exceeded?
HVAC	Northern Property Line	Industrial	33	75/65	No
HVAC	Southern Property Line	Commercial	32	70/60	No
HVAC	Eastern Property Line	Commercial	33	70/60	No
HVAC	Western Property Line / ST1 <sup>2</sup>	Industrial	33	75/65	No
HVAC	ST2 <sup>2</sup>	Commercial	31	70/60	No
HVAC	ST3 <sup>2</sup>	Commercial	32	70/60	No
HVAC	ST5 <sup>2</sup>	Industrial	31	75/65	No

**Source:** Appendix F-3.

**Note:** HVAC = heating, ventilation and air conditioning; dBA = A-weighted decibel;  $L_{eq}$  = equivalent continuous sound level.

<sup>1</sup> Section 6.12.100(d) of the City's Municipal Code. Based upon the City of Montclair's Operational Base Ambient Exterior Noise Levels (presented in Table 4.9-5) and the City's Zoning Map (<https://www.cityofmontclair.org/documents/city-zoning-map/> )

<sup>2</sup> The residences represented by ST1, ST2, ST3 and ST5 are located within commercial and industrial zones per the City's Zoning Map.

### On-site Parking Lot Activity

**Less Than Significant Impact.** A comprehensive study of noise levels associated with surface parking lots was published in the Journal of Environmental Engineering and Landscape Management (Baltrėnas et al. 2004). The study found that average noise levels for parking lots of similar size during the peak period of use of the parking lot (generally in the morning with arrival of commuters, and in the evening with the departure of commuters), was 47 dBA  $L_{eq}$  at 1 meter (3.28 feet) from the outside boundary of the parking lot. The parking area would function as a point source for noise, which means that noise would attenuate at a rate of 6 dBA with each doubling of distance. Employee parking lots are proposed to be distributed throughout the Project site adjacent to the warehouse/office buildings, no closer than 5 feet from the western<sup>3</sup> property line of the Project site (and approximately 10 feet from the edge of the parking lot to the nearest residences to the west). At a distance of 5 feet, parking lot noise levels would be approximately 43 dBA  $L_{eq}$  at the western property line, and approximately 37 dBA  $L_{eq}$  at the nearest residence. Accounting for the noise attenuation provided by the Project’s proposed 7-foot high perimeter barrier along the western boundary, the resulting parking lot noise level would be approximately 23 dBA  $L_{eq}$  at the nearest residence. The combined noise levels from the parking lot noise (23 dBA  $L_{eq}$ ) and the HVAC equipment level (31 dBA  $L_{eq}$ ) would be 32 dBA  $L_{eq}$ <sup>4</sup>, which is well below the applicable limits (i.e., the BANLs for industrial-zoned properties) of 70 dBA  $L_{eq}$  daytime (7:00 a.m. to 10:00 p.m.) and 60 dBA  $L_{eq}$  nighttime (10:00 p.m. to 7:00 a.m.) Therefore, impacts associated with parking lot noise would be less than significant.

Very brief, intermittent noise levels (such as from car alarm “beeps” or car door slams) generating higher noise levels would also occur. These sources typically range from about 30 to 66 dBA at a distance of 100 feet (Gordon Bricken & Associates 1996). The estimated maximum noise level of 66 dBA from 100 feet would equate to a level of 86 dBA at 10 feet. Accounting for the noise attenuation provided by the Project’s proposed 7-foot high perimeter barrier along the western boundary, the resulting parking lot noise level would be approximately 72 dBA  $L_{eq}$ . This level would be less than the City’s Municipal Code standard for maximum noise levels during the nighttime hours for industrial zones (60 dBA plus 16 dBA equals 76 dBA), as well as the maximum noise standard for daytime hours (70 dBA plus 16 dBA equals 86 dBA). Therefore, the impact from maximum noise levels from parking lots would be less than significant.

### On-Site Truck Loading Dock/Truck Yard Activity

**Less Than Significant Impact.** The aforementioned parking lot study (Baltrėnas et al. 2004) also examined noise levels associated with cargo truck delivery activity. The study concluded that maximum noise levels (i.e.,  $L_{max}$ ) from truck loading/unloading areas was 96 dBA at 1 meter (3.28 feet) from the boundary of the truck activity area. Average noise levels would be lower. Truck loading docks would be located not closer than 230 feet from the nearest residential property line (located to the northwest). Using the outdoor attenuation rate of 6 dBA with each doubling of distance, truck loading activity at residences to the northwest would produce noise levels of approximately 59 dBA  $L_{eq}$ . However, the proposed warehouse/office buildings, as well as the 8-foot-tall concrete screen walls, would provide a substantial amount of noise reduction by blocking the direct line-of-sight between the truck loading dock area and the residences to the northwest. Because of the height and size of the buildings and barriers, it is estimated that the noise from loading dock activities would be reduced by approximately 24 dB or more<sup>5</sup>. Thus, the loading dock noise at the nearest residences would be approximately 35 dBA  $L_{max}$  or less, which

<sup>3</sup> The western project boundary is the critical location because of proximity to the nearest residences

<sup>4</sup> Noise levels are summed in the energy (that is, the logarithmic) domain, not arithmetically; for example, two sound sources, each generating noise levels of 65 dBA at a given distance, would result in a combined noise level of 68 dBA.

<sup>5</sup> The buildings would be approximately 35 feet high and the truck loading dock areas would be configured so as to block the direct line of sight from the loading dock areas and noise-sensitive receivers. As such the buildings would function as massive noise barriers. Noise barrier calculations are included in Appendix F-3.



would be well below the City’s Municipal Code standard for maximum noise levels during the nighttime hours for industrial zones (76 dBA), and daytime hours (86 dBA). Because the average noise level would be less than 35 dBA, the City’s Municipal Code standard for average noise levels for industrial zones (60 dBA  $L_{eq}$ ), and daytime hours (70 dBA  $L_{eq}$ ) would also not be exceeded. Therefore, impacts associated with truck loading docks and truck yard noise would be less than significant.

### Off-Site Traffic Noise Levels

**Less Than Significant Impact.** The Project has the potential to result in significant off-site noise impacts from Project-related traffic at nearby noise-sensitive land uses. Based upon the Project’s Transportation Impact Analysis (Appendix G of this Draft EIR), during the AM peak hour, implementation of the Project would result in a total of 82 passenger vehicles, 7 2-axle trucks, 6 3-axle trucks, and 43 4-or-more axle trucks. During the PM peak hour, implementation of the Project would result in a total of 87 passenger vehicles, 6 2-axle trucks, 5 3-axle trucks, and 45 4-or-more axle trucks. In terms of average daily trips, the Project would generate approximately 762 passenger vehicle trips, 53 2-axle truck trips, 53 3-axle truck trips, and 381 4-or-more axle truck trips. All truck trips would access and exit the Project site to the east, via Ramona Avenue, and then travel in all directions along designated truck routes.

Potential noise effects from vehicular traffic were assessed using the Federal Highway Administration’s Traffic Noise Model Version 2.5 (FHWA 2004). Information used in the model included the Existing, Existing plus Project, Year 2024, and Year 2024 plus Project traffic volumes. Noise levels were modeled at representative noise-sensitive receivers. The receivers were modeled to be 5 feet above the local ground elevation. The seven receiver locations used for the short-term noise measurements were used to represent existing off-site noise-sensitive land uses (residences) (Figure 4.9-1).

The information provided from this modeling, along with the results from ambient noise survey measurements, was compared to the noise impact significance criteria to assess whether Project-related traffic noise would cause a significant impact and, if so, where these impacts would occur. The results of the comparisons for the off-site noise-sensitive land uses are summarized in Table 4.9-10.

**Table 4.9-10. Summary of Off-Site Existing and Future (Year 2024) Unmitigated Traffic Noise Levels (dBA CNEL)**

Modeled Receptor	Existing	Existing plus Project	Noise Level Increase	Future (Year 2024)	Future (Year 2024) plus Project	Noise Level Increase
ST1 - West of Project site (residence)	58	58	0	60	60	0
ST2 - South of Project site (residence)	61	62	1	63	64	1
ST3 - East of Project site (residence)	66	67	1	66	66	0
ST4 - South of Project site (residence)	64	64	0	64	64	0
ST5 - West of Project site (industrial/residential)	61	63	2	61	63	2
ST6 - North of Project site (residence)	62	62	0	62	62	0

**Table 4.9-10. Summary of Off-Site Existing and Future (Year 2024) Unmitigated Traffic Noise Levels (dBA CNEL)**

Modeled Receptor	Existing	Existing plus Project	Noise Level Increase	Future (Year 2024)	Future (Year 2024) plus Project	Noise Level Increase
ST7 - East of Project site (residence)	66	66	0	66	66	0

**Source:** Appendix F-4.

**Notes:** dBA = A-weighted decibel; CNEL = Community Noise Equivalent Level; dB = decibel.

Traffic noise levels are rounded to the nearest whole numbers.

The 24-hour CNEL noise levels were estimated based upon the assumption that the peak hourly traffic volumes on local roadways is approximately equal to 10 percent of the overall Average Daily Traffic (ADT). In general, 10% of the of the ADT is accepted as being equivalent to the worst-case hourly volume; using this value in the traffic noise model results in an average hourly equivalent noise level approximately equal to the CNEL (Caltrans 2013).

As shown in Table 4.9-10, the Project would increase the traffic noise levels along the nearby arterial roadways by 0 to 2 dBA (when rounded to whole numbers). Based upon the FICON guidance (shown in Table 4.9-6. Measures of Substantial Increase for Community Noise Sources), the Project would not result in substantial traffic noise increases or cause an exceedance of applicable traffic noise standards. Therefore, impacts associated with off-site traffic noise would be less than significant.

**Threshold 4.9B: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?**

**Less Than Significant Impact with Mitigation Incorporated.** During operation, no major sources of groundborne vibration or groundborne noise are anticipated. Construction activities that might expose persons to excessive ground-borne vibration or ground-borne noise could cause a potentially significant impact. Groundborne vibration from construction activities is typically attenuated over short distances. The heavier pieces of construction equipment used at this site could include bulldozers, excavators, loaded trucks, water trucks, and pavers. Based on published vibration data, the anticipated construction equipment would generate an RMS vibration level of approximately 87 VdB re 1 micro-inch/second at a distance of 25 feet from the source (FTA 2018). At the distance from the nearest vibration-sensitive receivers (residences located to the west) to where construction activity would be occurring on the Project site (approximately 40 feet), and with the anticipated construction equipment, the RMS vibration levels would be approximately 80.9 VdB. This would be greater than the recommended threshold of 78 VdB for human response within residential structures during daytime hours<sup>6</sup>. Vibration from construction equipment would likely be perceptible at times, although the amount of time would be relatively brief as the construction equipment moves around the site. Nonetheless, the impact from groundborne vibration during construction is considered potentially significant. Mitigation measures **MM-NOI-1** and **MM-NOI-2** will reduce vibration impacts from construction. **MM-NOI-1** provides methods by which vibration from construction may be reduced, and **MM-NOI-2** requires that the Project Applicant notify surrounding neighbors, including the residences to the east, south and west of the Project site, listing the construction activity and construction hours, as well as providing contact information in the event of vibration complaints (see **MM-NOI-1** and **MM-NOI-2** below).

<sup>6</sup> Based upon Table 6-6 of the FTA's Transit Noise and Vibration Impact Assessment Manual (FTA 2018). Because construction activities would not occur during nighttime hours, the maximum vibration level corresponding to the category for "Residential Day" is used.

With regards to potential for structural damage, the vibration levels are presented in terms of inches per second peak particle velocity (PPV). Based on published vibration data, the anticipated construction equipment would generate vibration levels of approximately 0.089 inches per second PPV at a distance of 25 feet from the source (FTA 2018). At the distance from the nearest vibration-sensitive receivers (residences located to the west) to where construction activity would be occurring on the Project site (approximately 40 feet), and with the anticipated construction equipment, the peak particle velocity vibration level would be approximately 0.044 inches per second. This level would be less than the recommended threshold of 0.20 inches per second for potential of architectural damage to non-engineered timber and masonry buildings<sup>7</sup>. Construction vibration impacts with regard to potential for structural damage would be less than significant. No mitigation measures are required.

## 4.9.6 Cumulative Impacts Analysis

Related projects considered in the cumulative scenario consist of those listed in Table 3-2, Cumulative Projects, depicted on Figure 3-7, Cumulative Project Locations in Section 3.2, Environmental Setting of this Draft EIR, and described in the Future Project Accounted For In The Year 2024 cumulative analysis conducted in the Project's Transportation Impact Analysis (Appendix G). The nearest related projects, identified as M2 and M3 in Table 3-2 and Figure 3-7, Cumulative Projects in Chapter 3 of this Draft EIR, are located approximately 1,000 feet (0.19 miles) northeast of the proposed Project site. The next-nearest related Project identified as M4 in Table 3-2, is located approximately 5,000 feet (0.95 miles) to the east. The other related projects are located approximately 1.5 miles or more from the Project site.

### Noise in Excess of Standards

The proposed Project and related projects would all be subject to applicable noise standards (descriptions of the standards applicable within the City are described in Section 4.9.2). The proposed Project would incorporate mitigation measures MM-NOI-1 and MM-NOI-2, as described in Section 4.9.6 to ensure compliance with applicable noise standards. With the incorporation of the mitigation measures described in Section 4.9.6, the proposed Project would not contribute to cumulative exceedances of noise standards, and its incremental effect is not cumulatively considerable.

### Temporary/Periodic Increases in Ambient Noise Levels

The proposed Project would result in temporary noise increases during the approximately 27-month construction period, as discussed in Section 3.3.4 in Chapter 3, Project Description. The proposed Project's construction period would have the potential to overlap with the related projects' construction periods. The nearest related projects, involving the construction of an office/industrial use project at Ramona and Holt (project M2) and a warehouse at 4651 Brooks Street (project M3), are located approximately 0.19 miles northeast of the proposed Project site, with intervening numerous structures in between. The next nearest related project is located approximately 0.95 miles to the east, also with numerous structures in between. Due to the decrease in noise levels with distance and the presence of physical barriers, the related projects would not combine with the proposed Project to produce a cumulative noise effect during construction. Additionally, all projects would be required to comply with applicable local noise ordinances to limit noise hours during construction. The mitigation measures described in Section 4.9.6,

<sup>7</sup> Based upon Table 7-5 of the FTA's Transit Noise and Vibration Impact Assessment Manual (FTA 2018). Table 7-5 provides recommended vibration damage criteria for structure types ranging from quite robust ("Reinforced-concrete, steel or timber") to quite fragile ("Buildings extremely susceptible to vibration damage"). Non-engineered timber and masonry building criteria represents the category just above the most fragile category, and thus is considered conservative for the nearby residences and other structures.

MM-NOI-1 and MM-NOI-2, along with the requirement to comply with the applicable noise regulations, would reduce the proposed Project's incremental effect, ensuring that impacts are not cumulatively considerable.

### Vibration

Construction-related vibration from the proposed Project was addressed earlier in Section 4.9.5. Other foreseeable projects within the vicinity of the Project site would not be close enough to create a combined excessive generation of groundborne vibrations; the nearest such projects would be located approximately 0.19 miles northeast of the Project site. Therefore, cumulative impacts associated with excessive groundborne vibrations are not cumulatively considerable.

### Permanent Increase in Ambient Noise Levels

**Stationary Sources.** Noise generated from the proposed Project would include mechanical (HVAC) noise, as well as noise from employee parking areas and on-site truck loading dock areas, as analyzed earlier in Section 4.9.5. Compliance with the City's municipal code, as summarized in Section 4.9.2, would limit exposure to excessive nuisance noise. Similarly, the related projects would be required to comply with the noise standards applicable to the jurisdictions in which they would be located (the two nearest related projects would also be located within the City of Montclair). Compliance with the City's municipal code would reduce the proposed Project's operational noise so that its incremental effect is not cumulatively considerable.

### Off-Site Traffic Noise

The proposed Project and related projects would generate off-site traffic noise. When calculating future traffic impacts, the traffic data prepared by Dudek for the proposed Project included traffic from the related projects in the future year traffic volumes (Appendix G). Recent pending and approved projects in the Project area were included in the traffic model. Thus, the future traffic results with and without the proposed Project already account for the cumulative impacts from the list of related projects contributing to traffic increases. As shown in Table 4.9-10, future with Project traffic noise levels would increase by 2 dBA or less compared to future without Project noise levels. Based upon the FICON guidance, traffic noise would not be substantially increased in the Project vicinity. As such, the incremental effect of the proposed Project on off-site traffic noise is not cumulatively considerable.

## 4.9.7 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.9A:** **Would the Project result in generation of 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?**

The Project would result in less than significant impacts with regard to permanent increase in ambient noise levels in excess of standards from both on-site operation and off-site Project-related traffic. The Project would result in potentially significant impacts with regard to generation of a substantial temporary increase in ambient noise levels in the vicinity of the Project during construction. With incorporation of MM-NOI-1 and MM-NOI-2, impacts associated with construction noise would be less than significant with mitigation incorporated.

**MM-NOI-1** Prior to issuance of grading permits, the Project Applicant or their designee (such as the construction contractor) shall implement best management practices (BMPs) to reduce short-term construction noise. The BMPs shall be incorporated by the City of Montclair as conditions on City-issued permits. Noise reduction BMPs shall include, but may not be limited to, the following:

- Prior to Project construction, temporary sound barriers/shielding shall be installed at the western site boundary adjacent to the residential land uses. The construction noise barrier shall be a minimum of 8 feet in height. The barrier may be constructed of 3/4-inch Medium Density Overlay (MDO) plywood sheeting, or other material of equivalent utility having a surface weight of 2 pounds per square foot or greater. Prefabricated acoustic barriers are available from various vendors. When barrier units are joined together, the mating surfaces of the barrier sides should be flush or overlap with one another. Gaps between barrier units, and between the bottom edge of the barrier panels and the ground, should be closed with material that will completely fill the gaps, and be dense enough to attenuate noise.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with the manufacturers' specifications and standards.
- Construction noise reduction methods, such as shutting off idling equipment, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and using electric air compressors and similar power tools rather than diesel equipment, shall be used.
- During construction, stationary equipment should be placed as far away from the adjacent residential property boundary as feasible and positioned such that emitted noise is directed away from or shielded from sensitive receptors. Acoustically attenuating shields, shrouds, or enclosures may be placed over stationary equipment.
- During construction, stockpiling and vehicle staging areas shall be located far from noise-sensitive receptors.
- Strategies to reduce groundborne vibration levels will include, but not be limited to, halting/staggering concurrent activities, creating a larger set back distance, or utilizing lower-vibratory (typically smaller) equipment or techniques.
- The Project shall be in compliance with the City's Noise Ordinance (Montclair Municipal Code Chapter 6.12): Noise sources associated with construction, repair, remodeling, or grading of any real property are exempt, provided said activities do not take place between the hours of 8:00 p.m. and 7:00 a.m. on any given day and provided that the City Building Official determines that the public health and safety will not be impaired.

**MM-NOI-2**

At least 10 days prior to construction, the Project applicant shall notify nearby property owners within 300 feet of the Project site, including residences to the east, south and west, of the construction activities and construction hours proposed to occur on the Project site, as well as provide contact information in the event a property owner or residence has a noise or vibration complaint. Additionally, construction hours, allowable workdays, and the phone number of the job superintendent and City code enforcement shall be clearly posted at all construction entrances to allow surrounding property owners and residents to contact the job superintendent. Upon receipt of a complaint, the job superintendent shall respond to the complainant, investigate to ensure a good understanding of the specifics of the complaint, and coordinate with City staff to resolve the issue by ensuring that the measures listed above in MM-NOI-1 are being implemented.

**Threshold 4.9B: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?**

The Project would result in less than significant impacts with regard to permanent increase in groundborne vibration levels. The Project would result in potentially significant impacts with regard to generation of groundborne vibration levels in the vicinity of the Project during construction. With incorporation of MM-NOI-1 and MM-NOI-2 (as detailed above), impacts associated with construction vibration would be less than significant with mitigation incorporated.

## 4.9.8 References Cited

- Baltrėnas, P., D. Kazlauskas, and E. Petraitis. 2004. Testing on Noise Levels Prevailing at Motor Vehicle Parking Lots and Numerical Simulation of its Dispersion. *Journal of Environmental Engineering and Landscape Management* 12:2, 63-70.
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- FICON (Federal Interagency Committee on Noise). 1992. Federal Agency Review of Selected Airport Noise Analysis Issues. August 1992.
- FTA (U.S. Department of Transportation, Federal Transit Administration). 2018. Transit Noise and Vibration Impact Assessment Manual. September 2018.
- Gordon Bricken & Associates. 1996. Parking Lot Noise Estimates.
- OPR (Governor's Office of Planning and Research). 2017. State of California General Plan Guidelines 2017: Appendix D, Noise Element Guidelines: Guidelines for the Preparation and Content of the Noise Element of the General Plan.



SOURCE: Bing Maps 2020; Open Street Maps 2020

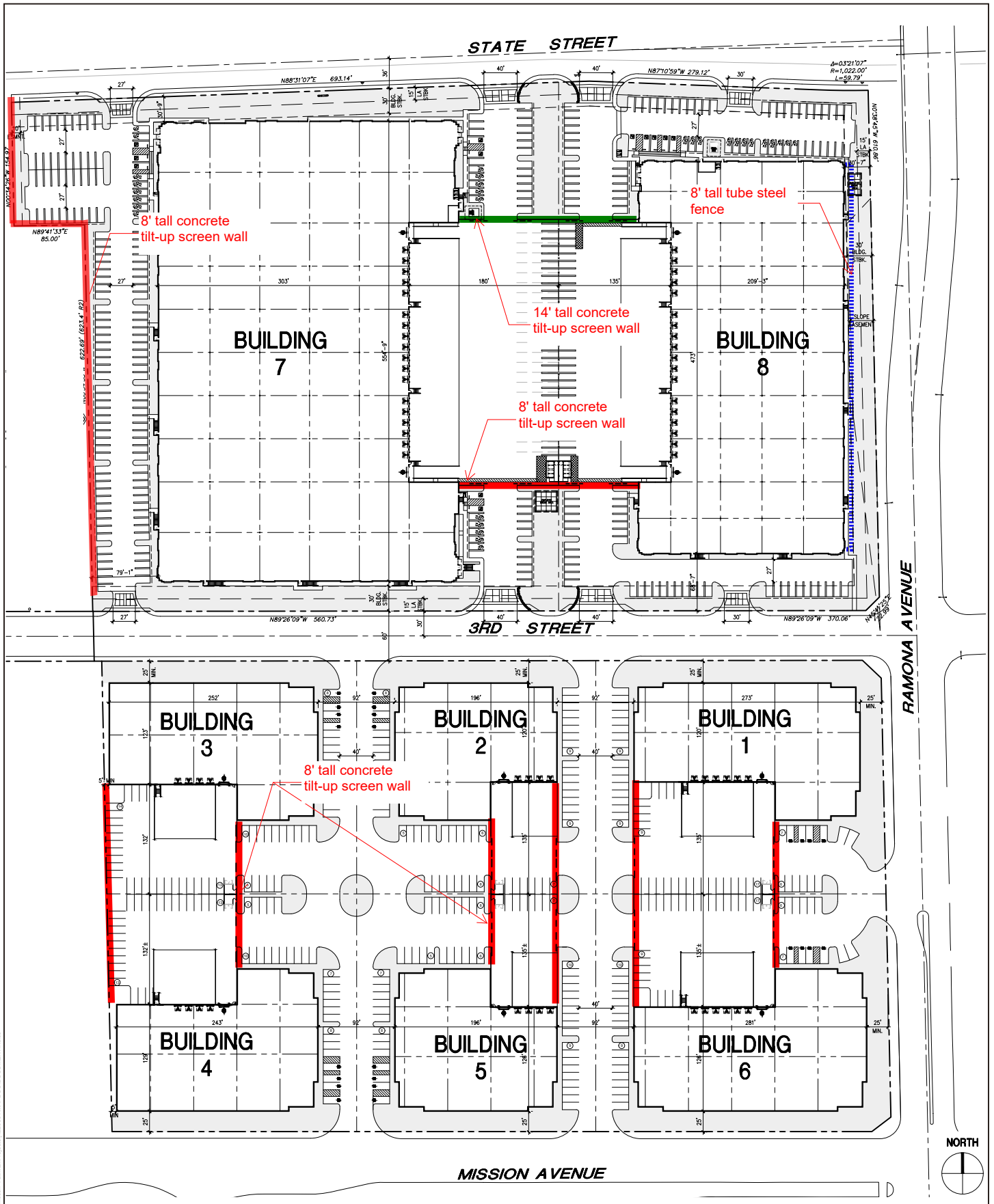
FIGURE 4.9-1

Noise Measurement and Modeling Locations

Mission Boulevard and Ramona Avenue Business Park Project

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SOURCE: GAA Architects 2020

FIGURE 4.9-2

Proposed Screen Walls

Mission Boulevard and Ramona Avenue Business Park Project

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## 4.10 Transportation

This section describes the existing transportation conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, identifies associated regulatory standards, evaluates potential impacts, and identifies mitigation measures, as necessary, related to implementation of the Project. Information sources used to prepare this section include information from the following appendix:

**Appendix G:** Traffic Impact Analysis (TIA) Mission Boulevard and Ramona Avenue Business Park Project prepared by Dudek in January 2022

Other sources consulted are listed in Section 4.10.7, References Cited.

### 4.10.1 Existing Conditions

This section provides a summary of key roadway segments, as well as transit, bicycle, and pedestrian facilities in the vicinity of the proposed Project.

#### Roadways

Regional access to the Project site is provided via Interstate (I-10) and its interchanges at Monte Vista Avenue, Central Avenue, and Indian Hill Boulevard to the north, as well as with State Road (SR-60) and its intersections with Ramona Avenue, Central Avenue, and Reservoir Street to the south. Local access to the Project is provided via Ramona Avenue, Mission Boulevard, Holt Boulevard, 3rd Street, and State Street (Figure 4.10-1, Project Site Location and Study Area). Roadway characteristics for the key roads in the Project vicinity are described below.

**Interstate 10 (I-10)** is an east-west divided interstate freeway, that is generally 8 to 10 lanes, and extends across the length of the United States from California to Florida. I-10 serves as a critical connection for many other regional roadways, freeways, and highways. The posted speed limit in the vicinity of the proposed Project site is 65 miles per hour (MPH), and primary interchanges within the vicinity of the Project site are located at Indian Hill Boulevard, Monte Vista Avenue, and Central Avenue.

**State Route 60 (SR-60)** is an east-west divided state highway that is generally 10 lanes and is located southward and parallel to I-10. SR-60 connects downtown Los Angeles and the communities in the eastern portion of Los Angeles County to communities in San Bernardino County and Riverside County. The posted speed limit is 65 MPH and primary interchanges within the vicinity of the Project site are located at Central Avenue and Ramona Street.

**Mission Boulevard** is an east-west, 4-lane, divided roadway in the study area with left-turn bays. Mission Boulevard is designated as a Divided Arterial Roadway by the City of Montclair General Plan Circulation Element. Additionally, Mission Boulevard is identified as a designated truck route per the City of Montclair Designated Streets Truck Routes (City of Montclair 1999). Parking is permitted along some portions of the roadway, and the posted speed limit ranges from 40 to 45 MPH within the study area.

**Ramona Avenue** is a north-south, 4-lane undivided and divided roadway, running adjacent to the eastern boundary of the Project site. Ramona Avenue is designated as a Major Roadway south of State Street, a Secondary Roadway between State Street and Holt Boulevard, and a Collector north of Holt Boulevard by the City of Montclair General Plan Circulation Element. Additionally, Ramona Avenue is identified as a designated truck route per the City of Montclair Designated

Streets Truck Routes between Mission Boulevard and Holt Boulevard (City of Montclair 1999). Parking is permitted along some portions of the roadway, and the posted speed limit is 40 MPH within the study area.

**Monte Vista Avenue** is a north-south, generally 4-lane, divided roadway in the study area, with a two-way left-turn lane along stretches of the roadway. Monte Vista Avenue is designated as a Secondary Roadway by the City of Montclair General Plan Circulation Element. Additionally, Monte Vista Avenue is identified as a designated truck route per the City of Montclair Designated Streets Truck Routes between Mission Boulevard and Holt Boulevard (City of Montclair 1999). Parking is generally not permitted along either side of the roadway, however there are portions where parking is permitted. The posted speed limit ranges from 35 to 45 MPH within the study area. Monte Vista Avenue is located approximately 0.5 miles east of the Project site and connects the Project site to major corridors such as I-10 and Holt Boulevard to the north.

**Central Avenue** is a north-south, generally 4-lane, divided roadway within the study area with left-turn bays. Central Avenue is designated as a Divided Arterial Roadway by the City of Montclair General Plan Circulation Element. Additionally, Central Avenue is identified as a designated truck route per the City of Montclair Designated Streets Truck Routes (City of Montclair 1999). Parking is generally not permitted along either side of the roadway, and the posted speed limit is 45 MPH within the study area. Central Avenue is located approximately 1-mile to the east of the Project site and connects the Project site northward to major corridors such as I-10 and southward to SR-60.

**Holt Boulevard** is an east-west, generally 4-lane divided roadway and is designated as a Divided Arterial Roadway by the City of Montclair General Plan Circulation Element. Additionally, Holt Boulevard is identified as a designated truck route per the City of Montclair Designated Streets Truck Routes west of Central Avenue (City of Montclair 1999). Parking is generally permitted along both sides of the roadway, except for some portions of the road adjacent to major intersections. The posted speed limit is generally 45 MPH within the study area.

**State Street** is an east-west, 2-lane, undivided roadway, running adjacent to the northern boundary of the Project site. State Street is designated as an Industrial Collector by the City of Montclair General Plan Circulation Element. Parking is not permitted along either side of the roadway, and the posted speed limit is generally 45 MPH within the study area.

**3rd Street** is an approximately 0.25-mile street that extends from Silicon Avenue to County Road (Co Rd) 20010 east of the Project site. 3rd Street is not classified in the City of Montclair General Plan Circulation Element, and is therefore assumed as a 2-lane, undivided, local/unclassified roadway. Parking is permitted along either side of the roadway where indicated, and the speed limit is assumed to be 25 MPH.

### Transit Service

The Project site is served by passenger rail and bus services, as shown in Figure 4.10-2, Existing Transit Routes. The Southern California Regional Rail Authority (SCRRA) Metrolink commuter rail system has a connection at Montclair Station located at 5091 Richton Street, approximately 3 miles north of the Project site, and at the Pomona Train Station located at 100 West Commercial Street, approximately 2.5 miles west of the Project site. Additionally, the National Railroad Passenger Corporation (Amtrak) operates two rail lines, running adjacent to the stretch of Metrolink's Riverside County Line within the study area. The study area is also served by the Omnitrans and Foothill Transit bus service, providing regional and local service throughout the San Bernardino region. The transit services in the area are described in further detail below.

### ***Metrolink***

Metrolink is a commuter rail system that offers services in six counties, including San Diego, Orange, Riverside, San Bernardino, Los Angeles, and Ventura. The Project would be served by two of Metrolink's seven routes, including the San Bernardino and Riverside County Lines. The San Bernardino Line runs west to east from the Los Angeles Union Station to the San Bernardino – Downtown Station. The Montclair Transcenter, located approximately 3 miles north of the Project site, serves as the nearest Metrolink station serving the San Bernardino Line, with weekday headways averaging 45 to 60 minutes.

The Riverside County Line runs generally west to east from Los Angeles Union Station to the Riverside – Downtown Station. The Pomona-Downtown Train Station, located approximately 2.5 miles to the west of the Project site, would serve as the nearest Metrolink station serving the Riverside County Line, with weekday headways averaging 45 to 60 minutes.

### ***Amtrak***

Amtrak is a passenger rail system that offers medium and long-distance service between cities within the contiguous United States and Canada. The Texas Eagle and Sunset Limited Amtrak lines run along the northern end of the Project site, north of State Street. The nearest stations are located at the Pomona and Ontario Amtrak Stations, located approximately 2.5 miles west and 3.5 miles east of the Project site, respectively.

### ***Omnitrans***

Omnitrans include transit routes serving the Cities of Chino Hills, Pomona, Chino, Ontario, Montclair, Upland, Rancho Cucamonga, Fontana, Rialto, San Bernardino, Colton, Grand Terrace, Loma Linda, Riverside, Highland, Redlands, and Yucaipa. Routes 61, 85, and 88 are the closest bus routes to the Project site.

Route 61 serves the Pomona Transit Center, Ontario Convention Center, Ontario International Airport, South Fontana Transfer Center, and the Fontana Metrolink Transit Center, primarily operating along Holt Boulevard. The Ramona Avenue and Holt Boulevard bus stop would serve as the nearest stop to the Project site, located approximately ¼-mile to the north of the Project site. Route 61 provides 20- to 30-minute weekday peak service headways.

Route 85 serves the Chino Transit Center, Montclair Transcenter, Chino Civic Center, and Chaffey College, primarily operating along Central Avenue, Monte Vista Avenue, Arrow Highway, and Milliken Avenue. The Central Avenue and Mission Boulevard bus stop would serve as the nearest stop to the Project site, located approximately one mile to the east of the Project site. Route 85 provides 30-minute weekday peak service headways.

Route 88 connects Chino Hills to Montclair via Central and Monte Vista Avenues, primarily serving the Chino Transit Center to the south and Montclair Transcenter to the north. The Ramona Avenue and Mission Boulevard bus stop would serve as the nearest stop to the Project site, located near the southeast corner of the Project site. Route 88 provides 60-minute weekday peak service headways.

### ***Foothill Transit***

Foothill Transit includes transit routes serving the Cities of Chino Hills, Pomona, Chino, Ontario, Montclair, Upland, Rancho Cucamonga, Fontana, Rialto, San Bernardino, Colton, Grand Terrace, Loma Linda, Riverside, Highland, Redlands, and Yucaipa. Route 480 is the closest bus route to the Project site and serves Montclair, Pomona, and West Covina via Mission Boulevard. The South East End Avenue and Mission Boulevard bus stop would serve as the

nearest stop to the Project site, located approximately 1 mile to the west of the Project site. Route 480 provides 20- to 30-minute weekday peak service headways (Foothill Transit 2021).

### **Bicycle Facilities**

Bicycle facilities are typically divided into several classifications that describe their efficacy. Class I (separated right-of-way) bicycle paths are completely separated from roadways and can be typically shared with pedestrians and other non-motorized users. Class II (painted) bicycle lanes are designed to be on-street and include a painted stripe to indicate the separation between bicyclists and motorists, and for the preferential or exclusive use of bicyclists. Class III (signed) bicycle routes are designated to be on-street; however, they are provided on slower roadways that facilitate safe equal sharing of the roadway between bicyclists and motorists. Class IV (protected) bikeways are separated from roadways and provide for the exclusive use for bicyclists. The separation could include grade separation, flexible posts, inflexible posts, inflexible barriers, or on-street parking.

The City currently has limited bicycle facilities. There are currently Class II bike lanes on Orchard Street between the western and eastern city limits and San Bernardino Street, between Mills Avenue and San Bernardino Court. There is also a Class II bicycle lane along both sides of Mills Avenue, north of Holt Boulevard, located approximately 1-mile northwest of the Project site.

The City of Montclair General Plan Circulation Element (City of Montclair 1999) and the San Bernardino County Transportation Authority Non-Motorized Transportation Plan (SBCTA NMTP) (San Bernardino County 2018) both propose a Class II bike lane on Mission Boulevard, adjacent to the southern frontage of the Project site. The City's Montclair Active Transportation Plan (ATP), dated November 2020 (City of Montclair 2020), includes recommendations for Mission Boulevard, along the Project frontage, to include a Class II buffered bike lane, with the option to transition it to a Class IV separated bike path in the long term. This is also recommended on Holt Boulevard, Ramona Avenue (south of Holt Boulevard), Monte Vista Avenue, and Central Avenue. A Class I bikeway (physically separated path) is also proposed along the San Antonio Creek Channel, approximately 0.75-mile to the west of the Project site. Figure 4.10-3, Existing and Proposed Bicycle Facilities, identifies the proposed bike facilities in the area.

### **Pedestrian Facilities**

Residential areas to the south and Holt Boulevard to the north both serve as areas with active transportation users. However, the Project site, along with land uses immediately west and east, primarily serve industrial and manufacturing uses, with limited pedestrian accessibility and infrastructure. Dale Street, Camulos Avenue, and State Street have all been constructed with curbs, gutters, and sidewalks along only one side of the street, and 3rd Street and Silicon Avenue are not constructed with consistent pedestrian facilities along either side of the respective streets. Mission Boulevard and Ramona Avenue both have been constructed with curbs, gutters, and sidewalks on both sides of the street.

### **Truck Routes**

The City has adopted a Truck Route Ordinance (City of Montclair 1999), designating certain streets for the use of delivery vehicles. The ordinance divides these routes into three classifications: unrestricted streets, intermediate truck routes, and restricted streets. Within the Project study area, the following streets are designated as unrestricted truck routes:

- Holt Boulevard from Mills Avenue to Benson Avenue
- Mission Boulevard from East End Avenue to Benson Avenue

- Mills Avenue from Holt Boulevard to the city limits north of Moreno
- Central Avenue from the north city limits to the southern city limits

## 4.10.2 Relevant Plans, Policies, and Ordinances

The following section describes regulations, plans, policies, and ordinances relevant to the study area. These include policies or regulations regarding minimum level of service (LOS) standards as well as the newly implemented Vehicle Miles Traveled (VMT) metric for determination of significant impacts. State, regional, and local regulations are described. There are no traffic-specific federal regulations applicable to the Project.

### **State**

#### ***Senate Bill 743***

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. The purpose of SB 743 is to streamline the review under the California Environmental Quality Act (CEQA) process for several categories of development projects including the development of infill projects in transit priority areas and to balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions. SB 743 adds Chapter 2.7: Modernization of Transportation Analysis for Transit Oriented Infill Projects to the CEQA Statute (Public Resources Code Section 21099). Section 21099(d)(1) provides that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. In addition, SB 743 mandates that alternative metric(s) for determining impacts relative to transportation shall be developed to replace the use of LOS in CEQA documents.

In the past, environmental review of transportation impacts focused on the delay that vehicles experience at intersections and on roadway segments, which is often measured using LOS. Mitigation for impacts on vehicular delay often involves increasing capacity such as widening a roadway or the size of an intersection, which in turn encourages more vehicular travel and greater pollutant emissions. Additionally, improvements to increase vehicular capacity can often discourage alternative forms of transportation such as biking and walking. SB 743 directed the Office of Planning and Research (OPR) to develop an alternative metric(s) for analyzing transportation impacts in CEQA documents. The alternative shall promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution by promoting the development of multimodal transportation system and providing clean, efficient access to destinations. Under SB 743, it was anticipated that the focus of transportation analysis will shift from vehicle delay to VMT within transit-priority areas (i.e., areas well served by transit).

Pursuant to SB 743, OPR released the draft revised CEQA Guidelines in November 2017, recommending the use of VMT for analyzing transportation impacts. Additionally, OPR released Updates to Technical Advisory on Evaluating Transportation Impacts in CEQA, to provide guidance on VMT analysis. In this Technical Advisory, OPR provides its recommendations to assist lead agencies in screening out projects from VMT analysis and selecting a significance threshold that may be appropriate for their jurisdictions (OPR 2018). While OPR's Technical Advisory is not binding on public agencies, CEQA allows lead agencies to "consider thresholds of significance ... recommended by other public agencies, provided the decision to adopt those thresholds is supported by substantial evidence" (State CEQA Guidelines Section 15064.7(c)).

In December 2018, the State CEQA Guidelines were updated to add Section 15064.3, Determining the Significance of Transportation Impacts, that describes specific considerations for evaluating a project’s transportation impacts using the VMT methodology. This new methodology is required to be used for projects beginning on July 1, 2020.

State CEQA Guidelines Section 15064.3(b) is divided into four subdivisions as follows:

- (1) **Land Use Projects.** Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.
- (2) **Transportation Projects.** Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.
- (3) **Qualitative Analysis.** If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project’s vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.
- (4) **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project’s vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project’s vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project.

Since the Project is a land use development, State CEQA Guidelines Section 15064.3(b)(1) applies to the Project. The City has adopted Resolution No. 20-3281 establishing their VMT Thresholds of Significance (August 2020) for assessing transportation impacts using the VMT metric under CEQA (City of Montclair 2020). The proposed Project’s VMT impact analysis has been prepared per City’s adopted thresholds and guidelines.

### **Regional**

#### ***Southern California Association of Governments***

The Southern California Association of Governments (SCAG) develops the Regional Transportation Plan (RTP), which presents the transportation vision for Los Angeles, Orange, San Bernardino, Imperial, Riverside, and Ventura Counties. SB 375 was enacted to reduce greenhouse gas emissions from automobiles and light trucks through integrated transportation, land use, housing, and environmental planning. Under the law, SCAG is tasked with developing a Sustainable Communities Strategy (SCS), an element of the RTP that provides a plan for meeting emissions reduction targets set forth by the California Air Resources Board.

The 2020–2045 RTP/SCS also known as Connect SoCal Plan 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. It charts a path toward a more mobile, sustainable, and prosperous region by making connections between transportation networks, between planning strategies and between the people whose collaboration can improve the quality of life for Southern Californians (SCAG 2020). The Connect SoCal Plan was adopted on September 3, 2020 by SCAG’s Regional Council. The goals applicable to the Project are summarized below.

- Goal 1:** Encourage regional economic prosperity and global competitiveness.
- Goal 2:** Improve mobility, accessibility, reliability, and travel safety for people and goods.
- Goal 3:** Enhance the preservation, security, and resilience of the regional transportation system.
- Goal 4:** Increase person and goods movement and travel choices within the transportation system.
- Goal 6:** Support healthy and equitable communities.
- Goal 7:** Adapt to a changing climate and support an integrated regional development pattern and transportation network.
- Goal 8:** Leverage new transportation technologies and data-driven solutions that result in more efficient travel.

### **San Bernardino County Congestion Management Program**

The passage of Proposition 111 in June 1990 established a process for each metropolitan county in California that has an urbanized area with a population over 50,000 (which would include the County of San Bernardino) to prepare a Congestion Management Program (CMP). In 1990 the San Bernardino Associated Governments (SANBAG) was designated the Congestion Management Agency (CMA) for San Bernardino County. In January 2017, SANBAG split into the San Bernardino County Transportation Authority (SBCTA) and San Bernardino Council of Governments (SBCOG).

Although implementation of the CMP was made voluntary by the passage of Assembly Bill 2419, the CMP requirement has been retained in all five urbanized counties within the SCAG region. In addition to their value as a transportation management tool, CMPs have been retained in these counties because of the federal Congestion Management System requirement that applies to all large, urban areas that are not in attainment of federal air quality standards. These counties recognize that the CMP provides a mechanism through which locally implemented programs can fulfill most aspects of a regional requirement that would otherwise have to be addressed by the regional agency (for the County of San Bernardino, SCAG). The most recent CMP was prepared by the San Bernardino Associated Governments in June 2016.

The LOS at each CMP location is monitored by local jurisdictions in order to implement the statutory requirements of the CMP. If LOS standards deteriorate, then local jurisdictions must prepare a deficiency plan to meet conformance standards outlined by the countywide plan. The local CMP requires that a TIA report be prepared when a project’s trip generation exceeds 250 two-way peak hour trips. For the CMP roadway system, the LOS standard shall be E for all segments and intersections except those designated LOS F, as listed in Table 2-1 of the CMP (SANBAG 2016). However, per SB 743, LOS is no longer considered an environmental impact under CEQA. Therefore, the County of San Bernardino TIS guidelines (July 9, 2019) have been used for SB 743 compliance as required by CEQA.

### **Regional Funding Mechanisms – Measure “I” Funds**

In 2004, the voters of San Bernardino County approved the 30-year extension of Measure “I,” a one-half of one percent sales tax on retail transactions, through the year 2040, for transportation projects including, but not limited

to, infrastructure improvements, commuter rail, public transit, and other identified improvements. The Measure “I” extension requires that a regional traffic impact fee be created to ensure development is paying its fair share. A regional Nexus study was prepared by SBCTA and concluded that each jurisdiction should include a regional fee component in their local programs to meet the Measure “I” requirement. The regional component assigns specific facilities and cost sharing formulas to each jurisdiction and was most recently updated in September 2017. Revenues collected through these programs are used in tandem with Measure “I” funds to deliver projects identified in the Nexus Study.

While Measure “I” is a self-executing sales tax administered by SBCTA, as the funds raised through Measure “I” have funded in the past, and will continue to fund, new transportation facilities in San Bernardino County, including within the City of Montclair.

### Local

#### *City of Montclair General Plan Circulation Element*

The City’s General Plan Circulation Element identifies the general location and extent of existing and proposed major roads, highways, railroad and transit routes, terminals, and other local public utilities and public facilities. It also outlines the City’s goals, objectives, and implementation policies to guide transportation decisions in the future (City of Montclair 1999). The goals, policies, and development standards applicable to the Project are summarized below.

- Goal CE-1.0.0** To provide residents and visitors of the City of Montclair a circulation network which provides for safe and efficient travel within and through the community
  - Policy CE-1.1.2** Protect street traffic capacities by controlling access points from adjoining land and by restricting on-street parking when and where necessary.
  - Policy CE-1.1.3.** Discourage commercial, industrial, and through traffic from traveling on local residential streets.
  - Policy CE-1.1.4** Discourage the parking of commercial/industrial vehicles and recreational vehicles on residential streets.
  - Policy CE-1.1.6** Keep traffic on all streets in balance with the capacity of the circulation system by regulating the intensity and density of land use in conformity with Level of Service "D" or better performance during typical weekday peak hours.
  - Policy CE-1.1.11** Establish and review improvement priorities for dealing with problem intersections and traffic-impacted circulation.
  - Policy CE-1.1.13** Examine existing truck routings and establish alternate routes for truck travel as a result of problem vehicular conflict.

As noted above, the City is currently updating its General Plan including the Circulation Element. Until the General Plan is adopted, the current 1999 General Plan will be referenced.

#### **Montclair Active Transportation Plan**

The Montclair Active Transportation Plan (ATP) (City of Montclair 2020) provides detailed recommendations about specific bicycle facilities along corridors throughout the City and presents the implementation strategy for the

recommendations proposed. As previously noted, Figure 4.10-3, Existing and Proposed Bicycle Facilities presents the existing and proposed bicycle facilities recommended in the ATP.

### San Bernardino County Non-Motorized Transportation Plan (NMTP)

The San Bernardino County NMTP was prepared in 2011 and updated in 2018. The goal of the plan is to develop a cohesive, integrated plan and to identify sources of funds to implement the plan. The NMTP identifies a comprehensive network, with a focus on the bicycle system. It is also a response, in part, to the initiatives to reduce vehicle travel and greenhouse gas emissions embedded in SB 375. The Plan satisfies the State of California requirements of a Bicycle Transportation Plan (BTP) for purposes of Caltrans Bicycle Transportation Account (BTA) funding. As previously noted, Figure 4.10-3, Existing and Proposed Bicycle Facilities presents the existing and proposed bicycle facilities recommended in the San Bernardino County NMTP.

### 4.10.3 Thresholds of Significance

The significance criteria used to evaluate the Project impacts to transportation are based on Appendix G of the State CEQA Guidelines. According to Appendix G of the State CEQA Guidelines, a significant impact related to transportation would occur if the Project would:

- A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- B. Conflict or be inconsistent with State CEQA Guidelines section 15064.3, subdivision (b).
- C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- D. Result in inadequate emergency access.

The section below describes the methodology used to analyze the potential impacts of the Project.

#### Project Trip Generation

Trip generation represents the amount of traffic that is attracted and produced by a development and is based upon the specific land uses planned for a given project. To develop the traffic characteristics of a proposed project, the trip generation rates used for this analysis are based on information collected by the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10<sup>th</sup> Edition* (ITE 2017). As previously mentioned, a previous version of the draft Project design included a Project with 514,269 square feet of development (an increase of 974 square feet over the currently proposed Project of 513,295 square feet). Because the analysis provided in the TIA analyzed a total of 514,269 square feet, this section uses the trip generation estimates from the TIA as a conservative analysis. For the purposes of this analysis, the following land use assumptions were made for each building:

- Buildings 1-6 (217,469 square feet) – Industrial Park (ITE 130)
- Building 7-8 (296,800 square feet) – Warehousing (ITE 150)

Additionally, passenger car equivalent (PCE) factors were applied to the trip generation estimates to account for truck traffic. The San Bernardino County CMP indicates that projects with high truck percentages should convert project trips to PCE. A 1.5 PCE factor was applied to 2-axle trucks, 2.0 PCE for 3-axle trucks, and a 3.0 PCE factor was applied to 4-axle (and larger) trucks per the San Bernardino County CMP. Trip generation rates, vehicle splits, and the resulting trip generation estimates for the Project are summarized in Table 4.10-1, Project Trip Generation Summary.

Table 4.10-1. Project Trip Generation Summary

Land Use	ITE Code	Size/Units	Daily	AM Peak Hour			PM Peak Hour			
				In	Out	Total	In	Out	Total	
<b>Trip Rates<sup>1</sup></b>										
Warehousing	150	TSF	1.74	0.13	0.04	0.17	0.05	0.14	0.19	
Industrial Park	130	TSF	3.37	0.32	0.08	0.40	0.08	0.32	0.40	
<b>Trip Generation</b>										
Buildings 7-8	150	296.800	TSF	516	39	12	51	15	41	56
Buildings 1-6	130	217.469	TSF	733	70	17	87	19	68	87
<b>Mission Boulevard and Ramona Avenue Business Park Project Total</b>		<b>514.269</b>	<b>TSF</b>	<b>1,249</b>	<b>109</b>	<b>29</b>	<b>138</b>	<b>34</b>	<b>109</b>	<b>143</b>
<b>Trip Generation (By Vehicle Classification)</b>										
<b>Vehicle Mix – Warehousing (Buildings 7-8)<sup>2</sup></b>		<b>Percent<sup>2</sup></b>								
Passenger Vehicles		72.5%		374	28	8	36	11	30	41
2-Axle Trucks		4.6%		24	2	1	3	0	2	2
3-Axle Trucks		5.7%		29	2	1	3	1	2	3
4+-Axle Trucks		17.2%		89	7	2	9	3	7	10
<i>Warehousing Subtotal (Non-PCE)</i>				516	39	12	51	15	41	56
<b>Vehicle Mix – Industrial Park (Buildings 1-6)<sup>3</sup></b>		<b>Percent<sup>3</sup></b>								
Passenger Vehicles		52.9%		388	37	9	46	10	36	46
2-Axle Trucks		4.0%		29	3	1	4	1	3	4
3-Axle Trucks		3.3%		24	2	1	3	0	2	2
4+-Axle Trucks		39.8%		292	28	6	34	8	27	35
<i>Industrial Park Subtotal (Non-PCE)</i>				733	70	17	87	19	68	87
<b>Total Trip Generation (By Vehicle Classification)</b>										
Passenger Vehicles				762	65	17	82	21	66	87
2-Axle Trucks				53	5	2	7	1	5	6
3-Axle Trucks				53	4	2	6	1	4	5
4+-Axle Trucks				381	35	8	43	11	34	45
<b>Total Trip Generation (Non-PCE)</b>				<b>1,249</b>	<b>109</b>	<b>29</b>	<b>138</b>	<b>34</b>	<b>109</b>	<b>143</b>
		<b>PCE Factor<sup>4</sup></b>								
Passenger Vehicles		1.0		762	65	17	82	21	66	87
2-Axle Trucks		2.0		106	10	4	14	2	10	12
3-Axle Trucks		2.5		133	10	4	14	3	10	13
4+-Axle Trucks		3.0		1,142	104	24	128	32	103	135
<b>Total Trip Generation (w/PCE)</b>				<b>2,142</b>	<b>189</b>	<b>49</b>	<b>238</b>	<b>58</b>	<b>189</b>	<b>247</b>

Notes: PCE = Passenger Car Equivalent; TSF = Thousand Square Feet

<sup>1</sup> Trip rates from Trip Generation, 10th Edition, Institute of Transportation Engineers, 2017 (ITE 2017).

<sup>2</sup> Vehicle Mix and Percent from SCAQMD, Warehouse Truck Trip Study Data Results and Usage, July 2014 (SCAQMD 2014).

<sup>3</sup> Vehicle Mix and Percent from Fontana Truck Trip Generation Study, August 2004

<sup>4</sup> Passenger Car Equivalent (PCE) factors from the City of Montclair Traffic Impact Analysis Guidelines, August 2018 (City of Montclair 2018)

As shown in Table 4.10-1, the proposed Project would generate 1,249 daily trips, 138 AM peak hour trips (109 inbound and 29 outbound), and 143 PM peak hour trips (34 inbound and 109 outbound). Accounting for truck traffic from

warehousing and industrial land uses, the proposed Project would generate 2,142 daily PCE trips, 238 AM peak hour PCE trips (189 inbound and 49 outbound), and 247 PM peak hour PCE trips (58 inbound and 189 outbound).

It should be noted that the existing uses on site, primarily a drive-in theater and swap meet, and a (fleet-service) tire shop, either generate very low vehicle trips during the weekday AM and PM peak hours, or do not operate every day of the week. For those reasons, trip credits were not assumed for the closure of those uses, and therefore represents a conservative traffic analysis.

### **Project Trip Distribution and Assignment**

Trip distribution is the process of identifying the probable destinations, directions, or traffic routes that will be used by Project traffic. The Project trip distribution was developed based on logical travel paths to and from the Project site, as well as consideration of City truck routes. The Project passenger car trip distribution pattern is illustrated in Figure 4.10-4, Project Passenger Vehicle Trip Distribution and the Project truck trip distribution pattern is illustrated in Figure 4.10-5, Project Truck Trip Distribution. Based on the Project trip distribution patterns, the Project trips were assigned to the circulation network and study intersections. The total Project peak hour intersection turning movement volumes are shown in Figure 4.10-6, Total Project Trip Assignments.

### **Vehicle Miles Traveled Analysis Methodology**

As described in Section 4.10.2, Relevant Plans, Policies, and Ordinances, OPR has approved the addition of new Section 15064.3, “Determining the Significance of Transportation Impacts” to the State’s CEQA Guidelines, compliance with which is required beginning July 1, 2020. The Updated CEQA Guidelines state that “generally, vehicle miles traveled (VMT) is the most appropriate measure of transportation impacts” and define VMT as “the amount and distance of automobile travel attributable to a project.” It should be noted that “automobile” refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT could be included for modeling convenience and ease of calculation (for example, where models or data provide combined auto and heavy truck VMT). Other relevant considerations may include the effects of a project on transit and non-motorized traveled.

As previously noted, the City of Montclair has not yet adopted VMT specific guidelines; therefore, this analysis follows the County’s TIS guidelines for SB 743 compliance. Per the County’s guidelines, “...a VMT analysis should be conducted for land use projects as deemed necessary by the Traffic Division and would apply to projects that have the potential to increase the average VMT per person or employee” allowing the project to be compared “to the remainder of the unincorporated area for purposes of identifying transportation impacts.”

The following steps have been used in the Project’s VMT assessment, consistent with the City’s adopted Resolution No. 20-3281 establishing their VMT Thresholds of Significance:

1. Screen proposed projects for exemption from VMT analysis pursuant to the following classifications/criteria thresholds:
  - Projects that generate less than 110 daily trips (or 836 VMT)
  - Local serving retail less than 50,000 square feet (SF)
  - Local Serving Project (e.g., schools, day care, public institutions)
  - Affordable Housing (100 percent of units)
  - Development in a Transit Priority Area (TPA) and consistent with the Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS). This presumption would not apply if the project:
    - i. Has a Floor Area Ratio (FAR) of less than 0.75;

- ii. Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
  - iii. Is inconsistent with applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization); or
  - iv. Replaces affordable residential units with a small number of moderate- or high-income residential units.
  - Development in a low VMT generating area consistent with a RTP/SCS and consistent with existing land use that is generation low VMT/SP. This will include both a land use (type, density, demographics, etc.) comparison.
2. For projects that do not meet any of the screening criteria above, a traffic impact study completing a full VMT assessment will be required. To complete this assessment, the applicant will be required to evaluate the Project-generated VMT and the Project Effect on VMT.
    - a. If the following condition is satisfied in the cumulative conditions, then the Project-generated VMT has a significant impact under CEQA; the Project generated VMT per service population exceeds 15% below what the County of San Bernardino average VMT per service population.
    - b. If the following condition is satisfied in the cumulative conditions then the Project Effect on VMT has significant impact under CEQA: the link-level boundary VMT per service population increases Citywide under the plus Project conditions compared to the no Project condition.
  3. A project is determined to have a significant impact would need to be mitigated to be at or below the threshold standard. Mitigation would consist of one or both the following alternatives:
    - a. Preparation and Implement of a Transportation Demand Management Plan (TDM) for the project to reduce impacts, consistent with Chapter 7 of the California Air Pollution Control Officers Association (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures* (August 2010), approved by the City; or
    - b. Modify the project to reduce VMT impacts to be at or below established thresholds.

As shown in Threshold 4.10B, the proposed Project would not screen out of conducting a detailed VMT analysis. Therefore, a detailed analysis of Project’s transportation impact using the VMT metric is included in this section.

#### 4.10.4 Impacts Analysis

**Threshold 4.10A:** **Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**

**Less than Significant Impact.** The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, as discussed below.

#### RTP/SCS

The RTP/SCS establishes goals for the region and identifies transportation investments that address the region’s growing population, as well as strategies to reduce traffic congestion and greenhouse gas (GHG) emissions. The RTP/SCS goals are provided in detail in Section 4.10.2, Relevant Plans, Policies, and Policies.

The Project would involve the construction of an eight-building warehouse/industrial park. Thus, the Project would generate jobs and tax revenue for the City and its residents. Once operational, the Project would add to the City’s business tax base and would employ approximately 244 workers, helping the City better meet its jobs/housing balance, while also providing commercial/industrial business park use that will help the City offer a more balanced array of land uses throughout the broader Project area. This may also result in potentially shorter commute distances

of City residents who choose to work on the Project site. The Project would be readily accessible to I-10 and SR-60, which would also help to facilitate regional goods movement throughout Southern California, thus helping meet the RTP/SCS goal of improving mobility, accessibility, and reliability of the transportation of goods. RTP/SCS Goal 1 is to encourage regional economic prosperity and global competitiveness. According to the Southern California Association of Governments Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region will run out of suitably zoned vacant land designated for warehouse facilities in or around 2028. Thus, the Project would meet the growing demand for warehousing space, thereby promoting regional economic prosperity, and would do so in an area that is proximate to regional highways (I-10 and SR-60). For these reasons, the Project would be consistent with the applicable goals and policies set forth by in the RTP/SCS.

### **City of Montclair General Plan Circulation Element**

The General Plan Circulation Element outlines the City's goals and implementation policies to provide a safe and efficient transportation system strategy. These goals and implementation policies are provided in detail in Section 4.10.2, Relevant Plans, Policies, and Policies.

The Project would protect street traffic capacities by controlling access points at the Project driveways and parking would be provided entirely on site. Project generated traffic would travel along arterials and major roadways to access the site, including Monte Vista Avenue, Central Avenue, Indian Hill Boulevard, Ramona Avenue, Reservoir Street, Mission Boulevard, Holt Boulevard, 3rd Street, and State Street. Most of these roadways are also City-designated truck routes. Travel on residential streets is not anticipated. The Project would also include improvements along State Street, Ramona Avenue, and Mission Boulevard, including frontage landscape and pedestrian improvements. Therefore, the Project would not conflict with relevant policies in the City's Circulation Element.

As discussed previously, a TIA was prepared to evaluate the Project's effects on the LOS on transportation facilities in the Project area, including eight intersections and one roadway segment. LOS has been addressed herein for informational purposes only and can no longer be used to determine significant transportation impacts under CEQA as directed by SB 743. The detailed results of the LOS Analysis are provided in Appendix G.

### **Transit, Bicycle, and Pedestrian Facilities**

The Project site is served by passenger rail and bus services, as shown in Figure 4.10-2, Existing Transit Routes. The Montclair Transcenter, located approximately 3 miles north of the Project site, would serve as the nearest Metrolink station serving the San Bernardino Line. The Pomona-Downtown Train Station, located approximately 2.5 miles to the west of the Project site, would serve as the nearest Metrolink station serving the Riverside County Line. This station also services the Texas Eagle and Sunset Limited Amtrak lines. Omnitrans Routes 61, 85, and 88 are the closest bus routes to the Project site, with stops along Holt Avenue, Central Avenue, and Ramona Avenue, respectively. The Ramona Avenue and Holt Boulevard bus stop serves Route 61 and is located approximately ¼-mile to the north of the Project site. The Central Avenue and Mission Boulevard bus stop serves Route 85 and is located approximately 1 mile to the east of the Project site. The Ramona Avenue and Mission Boulevard bus stop serves Route 88 and is the nearest stop to the Project site, located near the southeast corner of the Project site. Project construction would require the temporary relocation of this stop. Prior to construction, the Project Applicant would coordinate with Omnitrans regarding construction and relocation of this facility to ensure continual operation during Project construction. The Project would not permanently relocate any existing bus stops and would not require any changes to existing or future routes. The Project would not require an increase in service frequency or additional routes to serve the Project area. Therefore, development of the Project would not conflict with the existing bus routes or bus stops. Impacts to transit would be less-than-significant.

As discussed in Section 4.10.1 and shown in Figure 4.10-3, Existing and Proposed Bicycle Facilities, the nearest proposed facilities include a planned Class II bicycle lane with the potential for a future Class IV bike path, along Mission Boulevard, adjacent to the southern frontage of the Project site, and a planned Class I bikeway along the San Antonio Creek Channel, approximately ¾-mile to the west of the Project site. While the Project does not involve any plans to construct these planned and contemplated facilities, the Project’s design would ensure that these facilities can be readily developed when the City commences implementation of those projects. Moreover, the Project would provide street and frontage improvements and access to the site would be facilitated for both pedestrian and bicycle users in the overall area. The frontage improvements associated with Project development would not conflict with planned bicycle facilities along Mission Boulevard; therefore, the Project would not conflict with any plans or policies regarding existing or proposed bicycle and pedestrian facilities in the study area and would be consistent with the City of Montclair ATP and San Bernardino County NMTP.

Based on analysis provided above, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and its impact to transportation plans and programs would be less than significant.

**Threshold 4.10B: Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

**Less Than Significant Impact.** As shown in the analysis below, based on City’s criteria, the Project generated VMT and the Project’s effect on VMT would result in a less than significant impact.

### VMT Screening

The following screening criteria were analyzed per City Resolution No. 20-3281, *Vehicle Miles Traveled Thresholds of Significance for the Purpose of Analyzing Transportation Impacts under the California Environmental Quality Act* (August 2020). Any one of the following criteria would need to be satisfied in order to screen-out of significant VMT impacts:

- **Projects generating less than 110 daily trips (or 836 VMT):** The proposed Project involves the construction and operation of 296,800 square feet of warehousing buildings, as well as 217,469 SF of industrial park buildings, estimated to generate 1,249 ADT as shown in Table 4.10-1. Therefore, the Project would not fall under the threshold for projects generating less than 110 ADT.
- **Local serving retail less than 50,000 SF:** The proposed Project does not include retail components. Therefore, the Project is not considered a local serving retail project and cannot be screened out from further VMT analysis using this criterion.
- **Local Serving Projects:** The proposed Project would not be categorized as a local serving land use. Therefore, the Project cannot be screened out from further VMT analysis using this criterion.
- **Affordable Housing (100 percent of units):** The proposed Project does not include affordable housing units. Therefore, the Project cannot be screened out from further VMT analysis using this criterion.



- **Transit Priority Area (TPA) Screening:** Projects located within a TPA<sup>1</sup> as determined by the most recent RTP/SCS. As shown in Appendix G, the proposed Project is located within a TPA. However, the proposed Project’s FAR is 0.45 per Table 3-4 Proposed Building Floor Area and Summary (in Section 3 Project Description) and this screening criterion is inapplicable to projects with a FAR of less than 0.75. Therefore, it cannot be screened out using this criterion.
- **Low VMT Area Screening:** Development in a low VMT generating area consistent with a RTP/SCS and consistent with existing land use that is generation low VMT/SP. This will include both a land use (type, density, demographics, etc.) comparison.

The SBCTA screening tool was used to determine whether the proposed Project would be in a low VMT-generating area. The City’s TIA guidelines define a project VMT impact if “the Project generated VMT per service population exceeds 15% below what the County of San Bernardino average VMT per service population” As such, for the purposes of this analysis, if the proposed Project is located within a Traffic Analysis Zone (TAZ) in which the VMT per service population is greater than 15% below the existing baseline, the Project would be located in a low VMT generating area. TAZs are geographic polygons similar to Census block groups used to represent areas of homogenous travel behavior.

It should be noted that the City’s guidelines do not specify the use of Production-Attraction (PA) VMT per service population (SP), or Origin-Destination (OD) VMT per SP. However, the SBCTA VMT Screening Tool User’s Guide (2020) indicates that the PA VMT per SP metric should be used for mixed-use (residential and commercial) projects. As the Project is not a mixed-use (residential and commercial) project, the OD VMT per SP was used as it provides the most representative and conservative analysis for the proposed Project. Table 4.10-2 presents the Project’s TAZ summary of OD VMT per SP.

**Table 4.10-2. Summary of Project TAZ VMT**

Base Year (2021)	VMT
<b>OD VMT Per Service Population</b>	
Project TAZ	40.9
County	33.2
<b>% Difference (Project TAZ – County)</b>	<b>+23.11%</b>
Threshold	28.2

**Source:** SBCTA VMT Screening Tool (Appendix G)

**Note:** TAZ = Traffic Analysis Zone; VMT = vehicle miles traveled; OD = origin-destination

As shown in the table, the OD VMT per SP for the Project TAZ is 40.9, and the County’s OD VMT per SP is 33.2. Therefore, the TAZ would be 23.11% above the City’s threshold, and would not meet the 15% below baseline screening criteria. Additionally, the Project is not consistent with the land uses in the TAZ and therefore, the Project cannot be screened out using the low VMT area screening criterion.

As the proposed Project would not meet the screening criteria established in the City’s TIA guidelines, a Project level detailed VMT analysis is required.

<sup>1</sup> Per Public Resources Code section 21099(a)(7) a “Transit priority area” means an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations. For purposes of SB 743, a transit priority area also includes major transit stops that are scheduled to be completed within the planning horizon of the RTP/SCS.

### VMT Analysis

The City requires the evaluation of project generated VMT as well as project's effect on VMT to be analyzed in detail for projects that do not meet any of their screening criteria. To conduct a detailed VMT analysis, the City requires the use of the San Bernardino Transportation Analysis Model (SBTAM). The technical memorandum describing the SBTAM model run for VMT by sub-consultant Translutions, Inc is included in Appendix G.

### Project VMT

The SBTAM is trip-based regional travel demand model that considers interaction between different land uses based on socio-economic data such as population, households, and employment. Project VMT has been calculated using the most current version of SBTAM. The Office of Planning and Research (OPR) *Technical Advisory on Evaluating Transportation Impacts in CEQA* (December 2018) provides technical assistance and recommendations for the analysis of VMT. The methodology recommendations for the VMT analysis include a discussion on vehicle types. An excerpt from the OPR Technical Advisory regarding vehicle types is below:

**“Vehicle Types.** Proposed Section 15064.3, subdivision (a), states, “For the purposes of this section, ‘vehicle miles traveled’ refers to the amount and distance of automobile travel attributable to a project.” Here, the term “automobile” refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT could be included for modeling convenience and ease of calculation (for example, where models or data provide combined auto and heavy truck VMT). For an apples-to-apples comparison, vehicle types considered should be consistent across project assessment, significance thresholds, and mitigation.”

Per Section 21099 of the Public Resource Code, the selection of the VMT criteria for determining the significance of transportation impacts was intended to promote reductions of greenhouse gas emissions; to develop multimodal transportation networks; and to diversify land uses. As mentioned in the OPR's Technical Advisory, there are various legislative mandates and state policies that establish quantitative GHG emission reduction targets. Pursuant to Senate Bill 375, the California Air Resources Board GHG emissions reduction targets for metropolitan planning organizations (MPOs) call for reductions in GHG emissions only from cars and light trucks. Therefore, a custom model run using the SBTAM was conducted to estimate VMT from automobiles (i.e. cars and light trucks) only, and the Project's VMT and the threshold VMT were extracted only for automobile VMT. This allows for an apples-to-apples comparisons of VMT generated by vehicle types across project assessment, significance thresholds, and mitigation (if any). While the abovementioned OPR Technical Advisory allows for heavy duty truck VMT to be included in modeling, it is important to note that this allowance was provided for modeling convenience and ease of calculation; however, in keeping with the intent of Section 21099 of the Public Resource Code and Section 15064.3, subdivision (a) of the CEQA Guidelines (which specify that automobile VMT is the primary metric that should be evaluated), the extra step of removing heavy truck VMT from SBTAM was undertaken provide for a project level analysis that most appropriately meets the intent of SB 743. Additionally, as noted during an informational question and answer session conducted by OPR to provide information and guidance on conducting project-level VMT analysis (OPR 2020), it is automobile VMT (i.e. cars and light duty trucks) that needs to be quantified for all land uses, including warehouses.

Therefore, a custom model run using the SBTAM was conducted to estimate VMT from automobiles (i.e. cars and light trucks) only, and the Project's VMT and the threshold VMT were extracted only for automobile VMT. This allows for an apples-to apples comparisons of VMT generated by vehicle types across project assessment, significance thresholds, and mitigation (if any).

The Project is located in TAZ# 53608201 of the SBTAM travel demand model. The Project socio-economic data was based on the median factors for San Bernardino County from the SCAG Employment Density Survey (October 31, 2001). Income groups and other parameters were kept consistent with the factors included in SBTAM for the City of Montclair. Based on number of employees estimated using the SCAG study, the Project was coded with 282 employees<sup>2</sup>. In addition, 30 employees that are attributed to the current uses were removed from the adjacent zone. No network edits were made for the Project.

Per standard travel demand modeling procedure, two model runs were conducted to estimate Project’s VMT. The first model run included the existing land uses for the area with no changes. While the base year VMT is available from the SBCTA Screening Tool (i.e. 33.2 VMT/SP as shown in Table 4.10-2), the first model run was conducted to set the thresholds and to present an apples-to-apples comparison of only automobile VMT. The VMT threshold for automobile VMT was estimated to be 30.04 VMT/SP, as shown in Table 4.10-3. The second model run was conducted with socio-economic data from the proposed Project and provided the Project generated VMT per SP estimate of 20.18 VMT/SP, as shown in Table 4.10-3. Roadway (or link-level boundary) VMT was also calculated for all vehicles to estimate Project’s effect on VMT as shown in Table 4.10-4. Detailed calculations and model outputs are included in Appendix G.

The Project generated VMT is defined as the VMT attributed to automobile trips to and from the Project. Based on the City thresholds, if a project generated VMT per service population exceeds 15% below what the County of San Bernardino average VMT per service population, the project has a significant impact under CEQA. Table 4.10-3 summarizes the findings of this evaluation.

**Table 4.10-3. Summary of Project VMT (Automobile only)**

Cumulative Conditions (Year 2040)	Project	San Bernardino County
<i>OD VMT Per Service Population</i>		
Population	–	2,714,707
Employment	282	1,035,331
Service Population (SP)	282	3,750,038
VMT	5,691	112,666,032
VMT per SP	20.18	30.04
<i>15% below OD VMT per SP</i>		25.54
<i>Is Project OD VMT per SP below 25.54</i>		Yes
<b>Significant Impact</b>		<b>No</b>

**Note:** VMT = vehicle miles traveled; OD = origin-destination

**Source:** SBTAM Model Results; (Appendix G)

<sup>2</sup> The SCAG Employment Density Survey (SCAG 2001) reports that in San Bernardino County, for every 1,538 square feet of light manufacturing use, the median number of jobs supported is one employee and for every 2,111 square feet of industrial warehouse space, the median number of jobs supported is one employee. The Project would include approximately 296,800 square feet of Warehousing Use and 217,469 square feet of Industrial Park use (comparable to Light Manufacturing use) and as shown in Table 4.10.1. Therefore, the estimated number of employees for the industrial park portion of the Project would be approximately 142 persons and the estimated number of employees for the warehouse portion of the Project would be 141 persons, for a total of 282 employees. Note that a previous version of the draft project design included a Project with 514,269 square feet of development (an increase of 974 square feet over the proposed Project). Because the analysis in this TIA had commenced, and because the size of the project buildings would provide a conservative analysis, a 514,269 square foot project is used throughout the technical analysis.

As shown in the table, the County average automobile VMT is 30.04 VMT/SP under cumulative (Year 2040) conditions, which translates to a threshold of 25.54 VMT/SP (15% less than average VMT/SP). Table 4.10-3 also shows that the Project generated VMT is 20.18 VMT/SP under cumulative (Year 2040) conditions, which is below the 25.54 VMT/SP threshold. Because the Project generated VMT per SP does not exceed 15% below County average VMT per SP in the cumulative conditions, the Project generated VMT impact would be less than significant.

**Project-Effect on VMT**

The Project effect on VMT evaluates the change in roadway (or link-level boundary) VMT within the City streets due to the proposed Project. Based on the City thresholds, if the link-level boundary VMT per SP increases Citywide under the plus Project condition compared to the no Project condition, the Project would have a significant impact per Project effect on VMT criteria. Table 4.10-4 shows the roadway (or link level) VMT/SP for the City of Montclair without and with Project conditions.

**Table 4.10-4. Roadway (or Link-Level Boundary) VMT (City of Montclair)**

Cumulative Conditions (Year 2040)	Without Project	With Project
Roadway (or link level) VMT	942,656	943,106
Service Population (SP)	65,677	65,929
VMT per SP	14.4	14.3
<i>Would the Project increase VMT per SP?</i>		No
<b>Significant Impact</b>		<b>No</b>

Source: SBTAM Model Results; Appendix G.

As shown in Table 4.10-4, with the proposed Project, the VMT/SP within the City will decrease from 14.4 VMT/SP to 14.3 VMT/SP. Because the Project would not increase the roadway (or link-level boundary) VMT per SP in the cumulative conditions, the Project’s effect on VMT would be less than significant.

**VMT Impact Determination**

As determined from the VMT analysis summarized above, the Project generated OD VMT for automobiles is 20.18 VMT/SP, which is less than the threshold of 25.54 VMT/SP (established for automobiles only VMT from the Project specific model run). The roadway (or link level boundary) VMT within the City of Montclair is 14.4 VMT/SP under without Project conditions which decreases to 14.3 VMT/SP under with Project conditions. Therefore, based on City’s thresholds, the Project generated VMT and the Project’s effect on VMT would have a less than significant impact. The Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).

**Threshold 4.10C:** Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Less than Significant Impact.** The Project does not propose changes to the City’s circulation system which would result in sharp curves or dangerous intersections and would not introduce incompatible uses to the area roadways (e.g., farm equipment). 3rd Street currently ends at the Project site’s western boundary. As shown in Figure 3-8, Conceptual Site Plan, found in Chapter 3 of this Draft EIR, access to the Project site would be provided by 13 driveways: four driveways at the northern boundary off State Street, one driveway at the eastern boundary off Ramona Avenue, two driveways on the southern boundary off Mission Boulevard, and six driveways on 3rd Street (which will be extended to Ramona Avenue).

The on- and off-site roadway improvements, consisting of new and improved Project driveways, and the extension of 3rd Street to Ramona Avenue, proposed as part of the Project would be designed and constructed in accordance with all applicable City of Montclair roadway design standards and would be reviewed and approved by the City's Public Works Department. The Project driveways would be improved and designed per local standards to accommodate Project traffic, including trucks. As such, no hazardous design features would be part of the Project's roadway improvements.

Project traffic would be distributed throughout the site. Truck traffic would be primarily distributed to and from the access driveways along State Street and the main access driveway at Ramona Avenue/Dale Street, with a small percentage of truck traffic assigned to the remaining driveways based on the layout of the proposed Project land uses. Passenger vehicle traffic would be primarily distributed to and from the main access driveway, with a small percentage distributed to the remaining driveways. Based on the findings in the TIA (Appendix G), all main driveways are anticipated to operate within the City's acceptable LOS standards which indicates that the driveways have the capacity to accommodate Project vehicles. On-site circulation would be facilitated at Project driveways and would not be expected to cause excessive delays and congestion for vehicles entering or exiting the Project site. Sufficient throat distance is available along the drive aisle at this driveway to accommodate approximately 550 feet of queuing between Mission Boulevard and the proposed 3rd Street extension. As one vehicle is routed out of the Project site at this driveway during the morning peak hour, queuing would be negligible, and limited to one vehicle length. Therefore, impacts associated with hazardous design features in conjunction with the implementation of improvements would be less than significant.

Project generated traffic would travel along arterials and major roadways to access the site, including Monte Vista Avenue, Central Avenue, Indian Hill Boulevard, Ramona Avenue, Reservoir Street, Mission Boulevard, Holt Boulevard, 3rd Street, and State Street. Most of these roadways are also City-designated truck routes. The introduction of Project-related truck trips would not be considered an incompatible use in the study area. Therefore, based on the above analysis, impacts related to hazardous conditions would be less than significant.

**Threshold 4.10D:        Would the Project result in inadequate emergency access?**

**Less than Significant Impact.** As noted above, the Project has 13 access driveways and in the event of an emergency all the driveways would enable vehicles to enter/exit the Project site. All streets improvements will be designed with adequate width, turning radius, and grade to facilitate access by City's firefighting apparatus, and to provide alternative emergency ingress and egress. The site plan would be subject to plan review by the City's Fire Department to ensure proper access for fire and emergency response is provided and required fire suppression features are included. Therefore, the Project's impact due to inadequate emergency access would be less than significant.

### 4.10.5        Cumulative Impacts Analysis

As discussed in Section 4.10.4, the proposed Project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; nor would the Project result in hazardous conditions or inadequate emergency access. The Project's VMT impacts were analyzed under cumulative conditions (Year 2040), and impacts to VMT would be less than significant. Under cumulative conditions, no additional impacts are anticipated.

## 4.10.6 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.10A:** Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

The Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, and its impact to transportation plans and programs would be less than significant. No mitigation is required.

**Threshold 4.10B:** Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

As shown in the detailed VMT analysis, the proposed Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b). No mitigation is required. No mitigation is required.

**Threshold 4.10C:** Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The Project does not propose changes to the City's circulation system, such as sharp curves or dangerous intersections, and would not introduce incompatible uses to the area roadways. Impacts would be less than significant. No mitigation is required.

**Threshold 4.10D:** Would the Project result in inadequate emergency access?

The Project would not result in inadequate emergency access and impacts would be less than significant. No mitigation is required.

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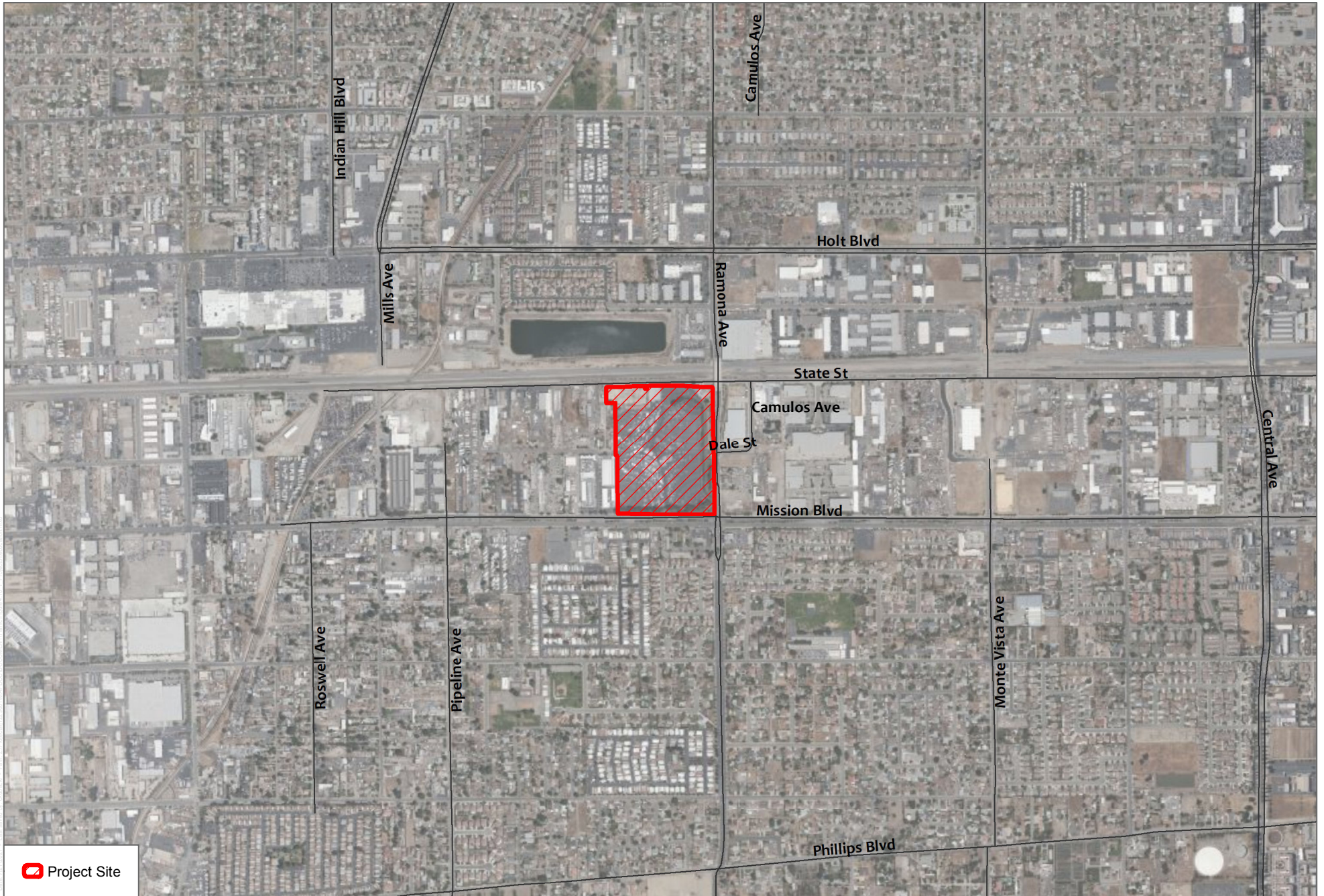
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SOURCE: Bing Maps 2020; Open Street Maps 2019

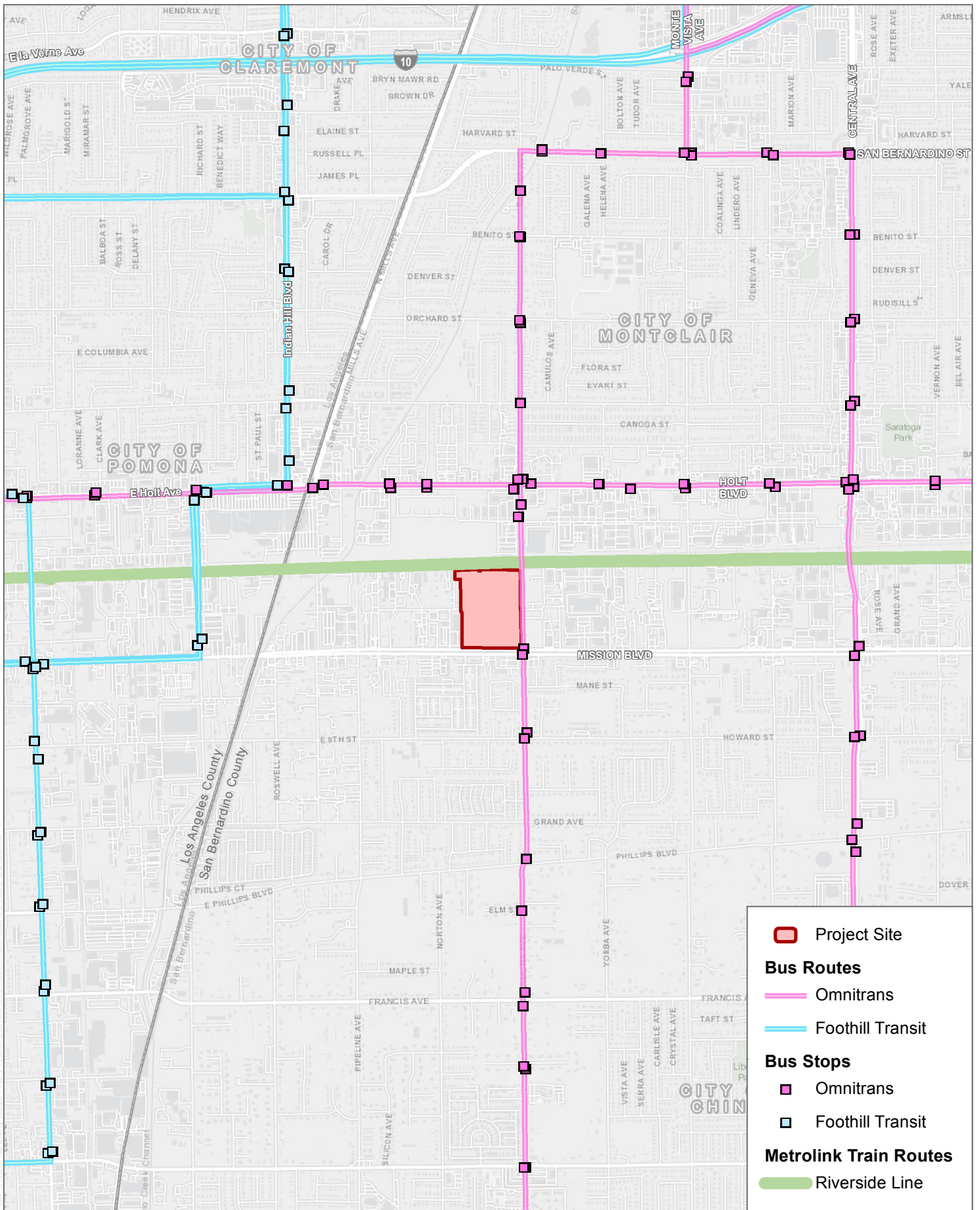


**FIGURE 4.10-1**

**Project Site Location and Study Area**

Mission Boulevard and Ramona Avenue Business Park Project

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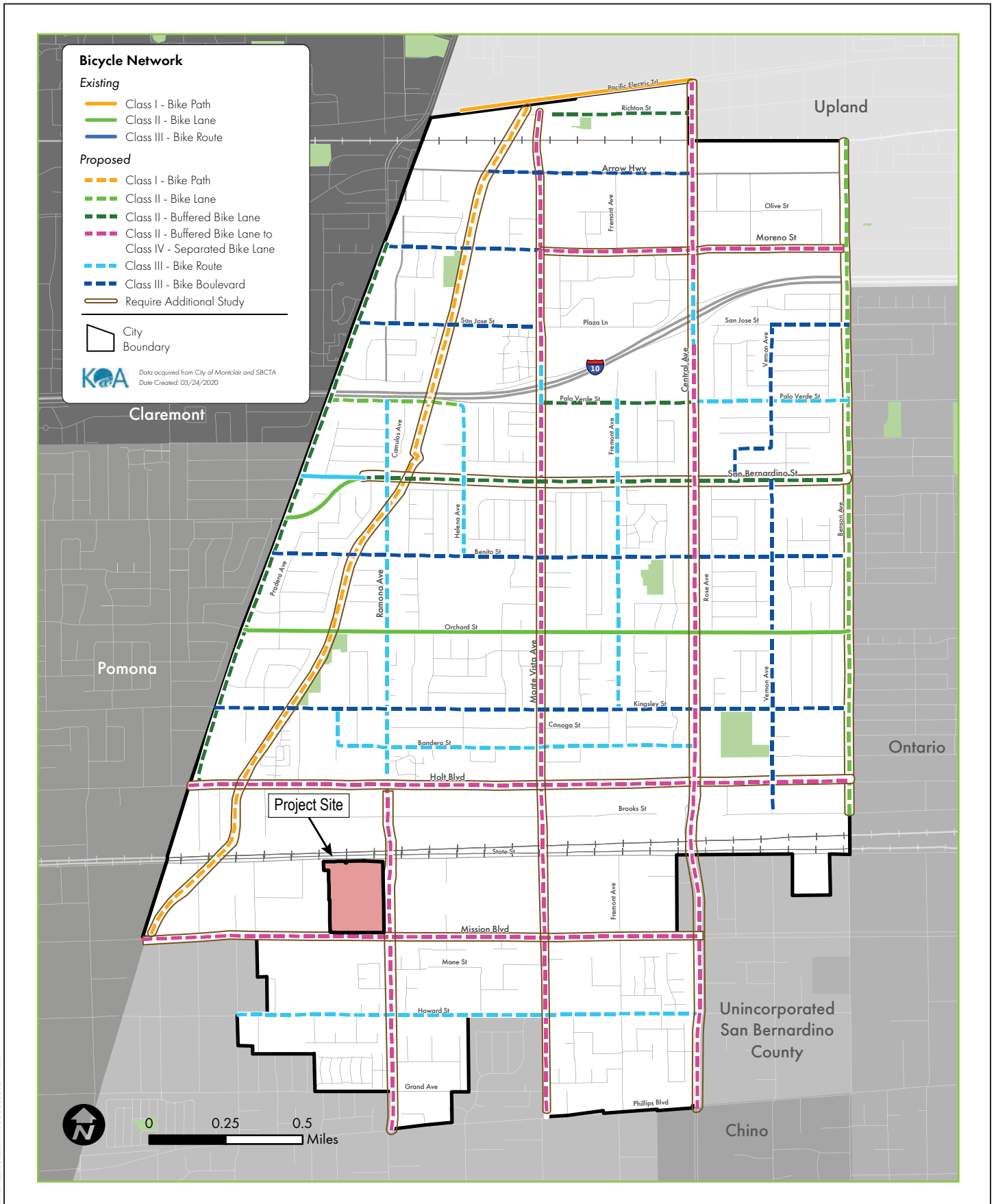


SOURCE: County of San Bernardino, SCAG

FIGURE 4.10-2

Existing Transit Routes

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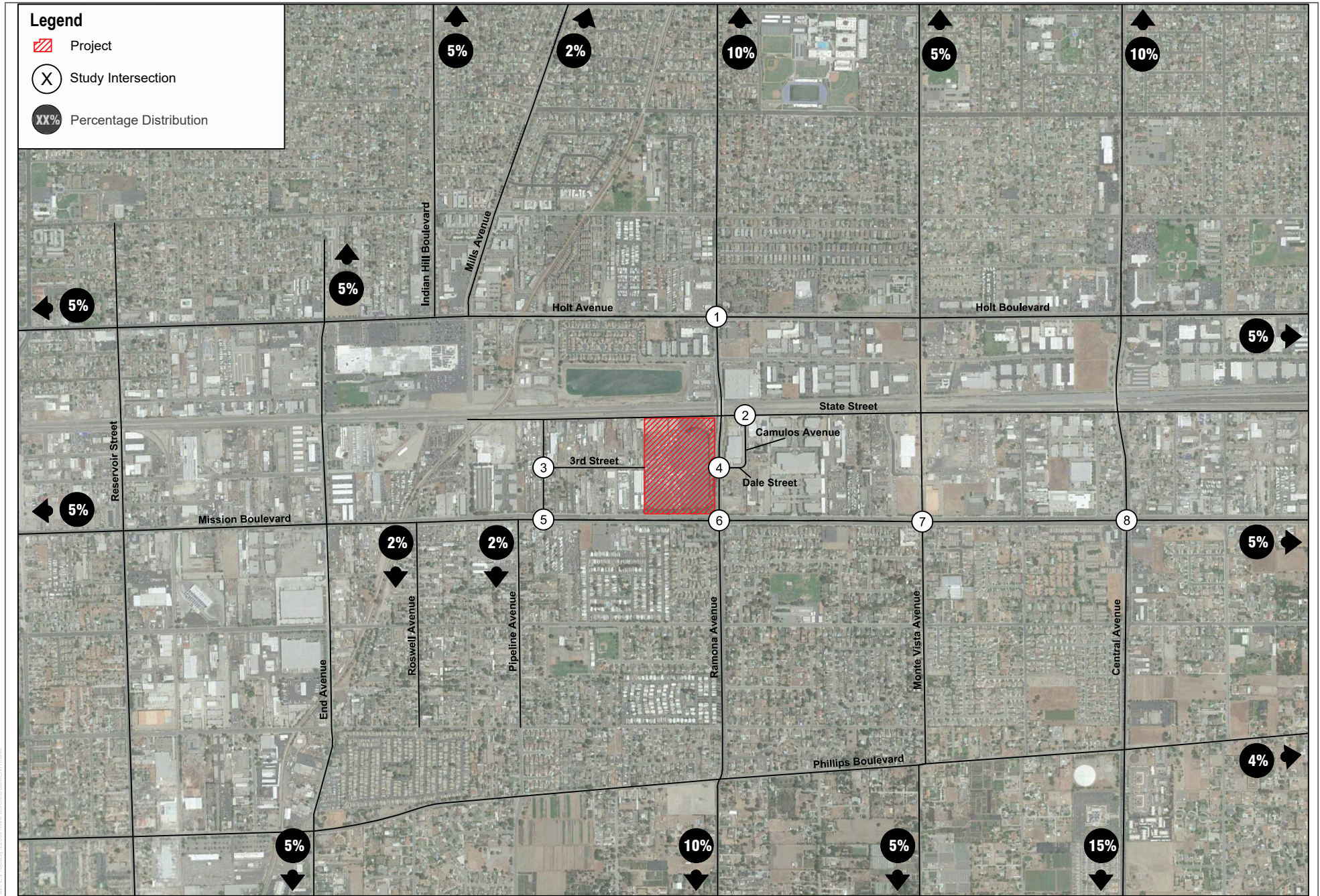
SOURCE: KOA 2020

FIGURE 4.10-3

Existing and Proposed Bicycle Facilities

Mission Boulevard and Ramona Avenue Business Park Project

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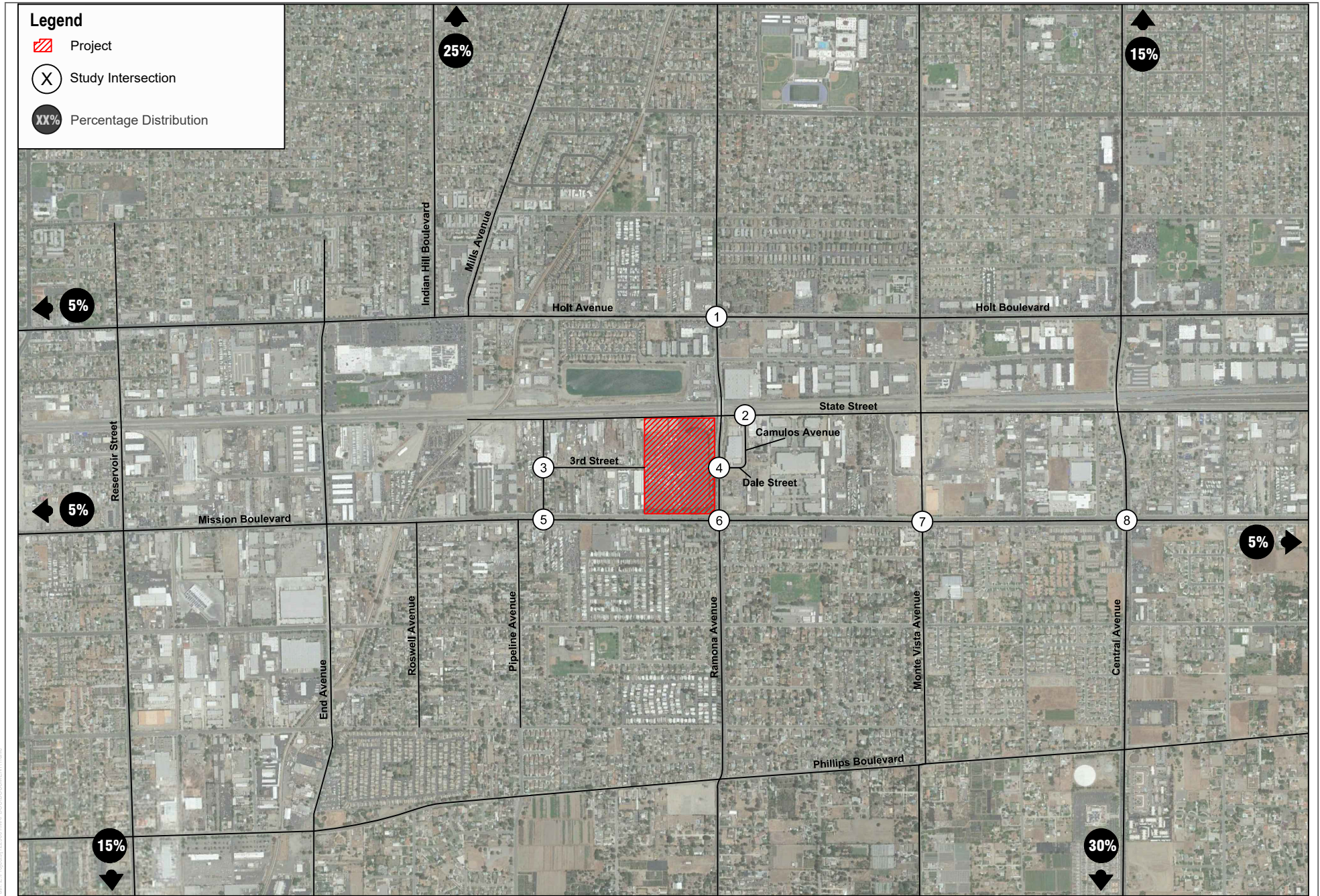


SOURCE: Google Maps 2018

**FIGURE 4.10-4**  
 Project Passenger Vehicle Trip Distribution  
 Mission Boulevard and Ramona Avenue Business Park Project

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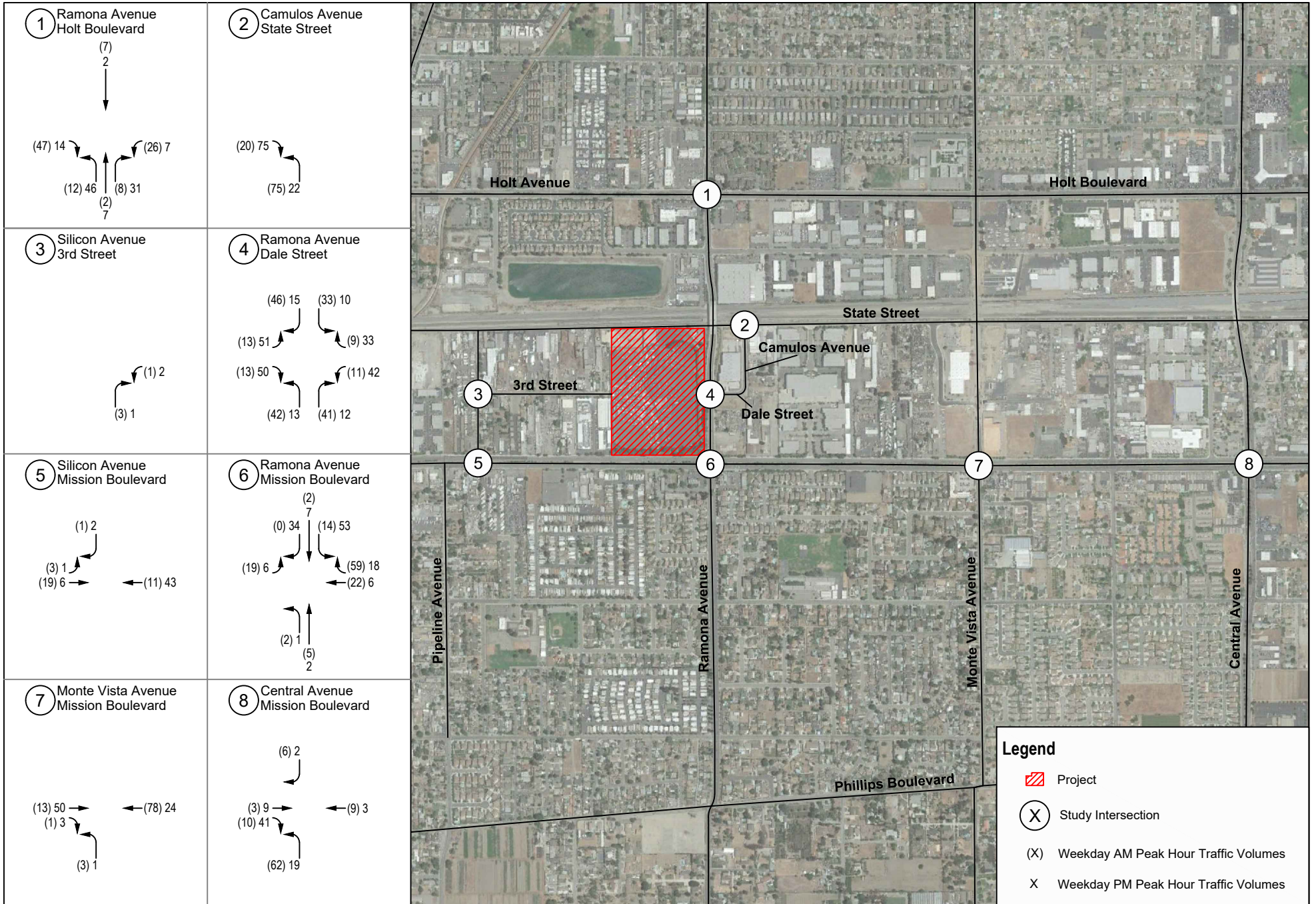




SOURCE: Google Maps 2018

**FIGURE 4.10-5**  
**Project Truck Trip Distribution**  
 Mission Boulevard and Ramona Avenue Business Park Project

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SOURCE: Google Maps 2018

**FIGURE 4.10-6**  
**Total Project Trip Assignments**  
 Mission Boulevard and Ramona Avenue Business Park Project

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## 4.11 Tribal Cultural Resources

This section describes the existing tribal cultural resources (TRCs) conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, and identifies associated regulatory requirements, thresholds of significance, impact analysis, cumulative impacts, mitigation measures, level of significance after mitigation, and references. Information contained in this section is based on survey and evaluation of cultural resources within the Project site and surrounding area, as well as the following:

**Appendix D:** Historical Resources Technical Report for the Mission Boulevard and Ramona Avenue Business Park Project, Montclair, California, prepared by Dudek, dated March 2021.

Other sources consulted are listed in Section 4.11.8, References Cited.

### 4.11.1 Existing Conditions

A summary of the existing conditions of the Project site relating to tribal cultural resources, including a discussion of the Project site's ethnographic and historical setting, can be found in Appendix D of this Draft EIR.

#### **Ethnohistoric Overview**

The history of the Native American communities prior to the mid-1700s has largely been reconstructed through later mission-period and early ethnographic accounts. The first records of the Native American inhabitants of the region come predominantly from European merchants, missionaries, military personnel, and explorers. These brief and generally peripheral accounts were prepared with the intent of furthering respective colonial and economic aims and were combined with observations of the landscape. They were not intended to be unbiased accounts regarding the cultural structures and community practices of the newly encountered cultural groups. The establishment of the missions in the region brought more extensive documentation of Native American communities, though these groups did not become the focus of formal and in-depth ethnographic study until the early twentieth century (Appendix D). The principal intent of these researchers was to record the precontact, culturally specific practices, ideologies, and languages that had survived the destabilizing effects of missionization and colonialism. This research, often understood as “salvage ethnography,” was driven by the understanding that traditional knowledge was being lost due to the impacts of modernization and cultural assimilation. Alfred Kroeber applied his “memory culture” approach (Appendix D) by recording languages and oral histories within the region. Ethnographic research by Dubois, Kroeber, Harrington, Spier, and others during the early twentieth century seemed to indicate that traditional cultural practices and beliefs survived among local Native American communities.

It is important to note that even though there were many informants for these early ethnographies who were able to provide information from personal experiences about native life before the Europeans, a significantly large proportion of these informants were born after 1850 (Heizer and Nissen 1973); therefore, the documentation of pre-contact, aboriginal culture was being increasingly supplied by individuals born in California after considerable contact with Europeans. As Robert F. Heizer stated, this is an important issue to note when examining these ethnographies, since considerable culture change had undoubtedly occurred by 1850 among the Native American communities (Appendix D).

Golla interpreted the amount of internal diversity within the Gabrieliño and Serrano language-speaking communities to reflect an evolutionary time depth of approximately 2,000 years. Other researchers contend that Takic may have

diverged from Uto–Aztecan ca. 2600 BC–AD 1, which was later followed by language diversification within Takic-speaking tribes occurring approximately 1500 BC–AD 1000 (Appendix D).

Native groups of this area traditionally spoke Takic languages of the Uto–Aztecan family (Golla 2007: 74). Since the proposed Project area is located in the San Bernardino region near the traditional boundary between the Gabrieliño groups, inhabitants likely spoke the Gabrieliño and Serrano varieties of Takic.

Victor Golla has contended that one can interpret the amount of variability within specific language groups as being associated with the relative “time depth” of the speaking populations (Appendix D). A large amount of variation within the language of a group represents a greater time depth than a group’s language with less internal diversity. One method that he has employed is by drawing comparisons with historically documented changes in Germanic and Romantic language groups. Golla has observed that the “absolute chronology of the internal diversification within a language family” can be correlated with archaeological dates (Appendix D). This type of interpretation is modeled on concepts of genetic drift and gene flows that are associated with migration and population isolation in the biological sciences.

The tribes of this area have traditionally spoken Takic languages that may be assigned to the larger Uto–Aztecan family (Appendix D). These groups include the Gabrielino (alternately Gabrieleño), Cahuilla, and Serrano. Golla has interpreted the amount of internal diversity within these language-speaking communities to reflect a time depth of approximately 2,000 years. Other researchers have contended that Takic may have diverged from Uto–Aztecan ca. 2600 BC–AD 1, which was later followed by the diversification within the Takic speaking tribes, occurring approximately 1500 BC–AD 1000 (Appendix D).

### **Gabrielino (Gabrieleño)/Tongva**

The archaeological record indicates that Project site and vicinity was occupied by the Gabrieleño, who arrived in the Los Angeles Basin around 500 B.C. Surrounding cultural groups included the Chumash and Tataviam to the northwest, the Serrano and Cahuilla to the northeast, and the Juaneño and Luiseño to the southeast.

The name “Gabrieliño” or “Gabrieleño” denotes those people who were administered by the Spanish from the San Gabriel Mission, which included people from the Gabrieleño area proper as well as other social groups (Appendix D). Therefore, in the post-Contact period, the name does not necessarily identify a specific ethnic or tribal group. The names by which Native Americans in southern California identified themselves have, in some cases, been lost. Many modern Gabrieleño identify themselves as the Tongva (Appendix D), within which there are a number of regional bands. Though the names “Tongva” or “Gabrieleño” are the most common names used by modern Native American groups, and are recognized by the Native American Heritage Commission, there are groups within the region that self-identify differently, such as the Gabrielino Band of Mission Indians - Kizh Nation. In order to be inclusive of the majority of tribal entities within the region, the name “Tongva” or “Gabrieleño” are used within this report.

Tongva lands encompassed the greater Los Angeles Basin and three Channel Islands, San Clemente, San Nicolas, and Santa Catalina. The Tongva established large, permanent villages in the fertile lowlands along rivers and streams, and in sheltered areas along the coast, stretching from the foothills of the San Gabriel Mountains to the Pacific Ocean. A total tribal population has been estimated of at least 5,000 (Appendix D), but recent ethnohistoric work suggests a number approaching 10,000 (Appendix D). Houses constructed by the Tongva were large, circular, domed structures made of willow poles thatched with tule that could hold up to 50 people (Appendix D). Other structures served as sweathouses, menstrual huts, ceremonial enclosures, and probably communal granaries. Cleared fields for races and games, such as lacrosse and pole throwing, were created adjacent to Tongva villages (McCawley 1996). Archaeological sites composed of villages with various sized

structures have been identified. The Gabrieliño/Tongva shared boundaries with the Chumash to the west, the Tataviam to the north, Serrano to the northeast, the Cahuilla to the east, and the Luiseño and Juaneño to the southwest (Appendix D).

The largest, and best documented, ethnographic Tongva village in the vicinity was that of *Yanga* (also known as *Yaangna*, *Janga*, and *Yabit*), which was in the vicinity of the downtown Los Angeles (Appendix D). This village was reportedly first encountered by the Portola expedition in 1769. In 1771, Mission San Gabriel was established. *Yanga* provided a large number of the recruitments to this mission; however, following the founding of the Pueblo of Los Angeles in 1781, opportunities for local paid work became increasingly common, which had the result of reducing the number of Native American neophytes from the immediately surrounding area (NEA and King 2004). Mission records indicate that 179 Gabrieliño inhabitants of *Yanga* were recruited to San Gabriel Mission (Appendix D). Based on this information, *Yanga* may have been the most populated village in the Western Gabrieliño territory.

Father Juan Crespi passed through the area near *Yanga* on August 2-3, 1769. The pertinent sections from his translated diary are provided here:

Sage for refreshment is very plentiful at all three rivers and very good here at the Porciúncula [the Los Angeles River]. At once on our reaching here, eight heathens came over from a good sized village encamped at this pleasing spot among some trees. They came bringing two or three large bowls or baskets half-full of very good sage with other sorts of grass seeds that they consume; all brought their bows and arrows but with the strings removed from the bows. In his hands the chief bore strings of shell beads of the sort that they use, and on reaching the camp they threw the handfuls of these beads at each of us. Some of the heathens came up smoking on pipes made of baked clay, and they blew three mouthfuls of smoke into the air toward each one of us. The Captain and myself gave them tobacco, and he gave them our own kind of beads, and accepted the sage from them and gave us a share of it for refreshment; and very delicious sage it is for that purpose.

We set out at a half past six in the morning from this pleasing, lush river and valley of Our Lady of Angeles of La Porciúncula. We crossed the river here where it is carrying a good deal of water almost at ground level, and on crossing it, came into a great vineyard of grapevines and countless rose bushes having a great many open blossoms, all of it very dark friable soil. Keeping upon a westerly course over very grass-grown, entirely level soils with grand grasses, on going about half a league we came upon the village belonging to this place, where they came out to meet and see us, and men, women, and children in good numbers, on approaching they commenced howling at us though they had been wolves, just as before back at the spot called San Francisco Solano. We greeted them and they wished to give us seeds. As we had nothing at hand to carry them in, we refused [Appendix D].

The environment surrounding the Tongva included mountains, foothills, valleys, deserts, riparian, estuarine, and open and rocky coastal eco-niches. Like most native Californians, acorns (the processing of which was established by the early Intermediate Period) were the staple food source. Acorns were supplemented by the roots, leaves, seeds, and fruits of a wide variety of flora (e.g., islay, cactus, yucca, sages, and agave). Fresh water and saltwater fish, shellfish, birds, reptiles, and insects, as well as large and small mammals, were also consumed (Appendix D).

Tools and implements used by the Tongva to gather and collect food resources included the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks. Trade between the mainland and the Channel Islands Groups was conducted using plank canoes as well as tule balsa canoes. These canoes were also used for general fishing and travel (Appendix D). The collected food resources were processed food with hammerstones and

anvils, mortars and pestles, manos and metates, strainers, leaching baskets and bowls, knives, bone saws, and wooden drying racks. Catalina Island steatite was used to make ollas and cooking vessels (Appendix D).

The Chinigchinich cult, centered on the last of a series of heroic mythological figures, was the basis of religious life at the time of Spanish contact. The Chinigchinich cult not only provided laws and institutions, but it also taught people how to dance, which was the primary religious act for this society. The Chinigchinich religion seems to have been relatively new when the Spanish arrived. It was spreading south into the Southern Tatic groups even as Christian missions were being built. This cult may be the result of a mixture of native and Christian belief systems and practices (Appendix D).

Inhumation of deceased Tongva was the more common method of burial on the Channel Islands while neighboring mainland coast people performed cremation (Appendix D). Cremation ashes have been found buried within stone bowls and in shell dishes (Ashby and Winterbourne 1966), as well as scattered among broken ground stone implements (Appendix D). Supporting this finding in the archaeological record, ethnographic descriptions have provided an elaborate mourning ceremony. Offerings varied with the sex and status of the deceased (Appendix D). At the behest of the Spanish missionaries, cremation essentially ceased during the post-Contact period (Appendix D).

### **Serrano**

Serrano territory lies within the San Bernardino Mountains extending east of Cajon Pass to Twentynine Palms, south to Yucaipa Valley, and north of Victorville (Appendix D). Serrano living along the Mojave River and in the Mojave Desert were known as the “desert Serrano.” The desert Serrano were related to and had close ties with the “mountain Serrano” who inhabited the San Bernardino Mountains and surrounding areas, including the EHNCP area (Appendix D). According to the archaeological record, the Serrano were not the first inhabitants of the San Bernardino Valley basin, but displaced indigenous Hokan speakers around 500 BC.

The Serrano were primarily hunters and gatherers. Villages divided into smaller, mobile gathering groups during certain seasons to gather seasonally available foods. The division of labor was split between women gathering and men hunting and fishing (Appendix D). Serrano food staples included acorns, piñon nuts, deer, mountain sheep, antelope, and small mammals including rabbits and rodents (Appendix D). Their food processing relied on mortars, metates, flint knives, stone or bone scarpers, ceramics, and basket ware (Appendix D).

Trade and exchange played an important role in the Serrano economy. The foothill villages would trade goods, such as acorns and piñon nuts, with the lower-elevation, desert floor villages for cacti fruits. This trade network would not only distribute the resources that were available within the different ecozones but would also integrate the economy (Appendix D).

Mission records, ethnographic and oral histories affiliate the Serrano with Rancho Cucamonga, where they lived alongside the Tongva. The Serrano village of Cucamobit was proximal to the Tongva village at Kuukamonga and represented the wildcat moiety (Appendix D).



## 4.11.2 Relevant Plans, Policies, and Ordinances

### State

#### ***California Register of Historic Resources (Public Resources Code Section 5020 et seq.)***

In California, the term “historical resource” includes but is not limited to “any object, building, structure, 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” (PRC Section 5020.1[j]). In 1992, the California legislature established the California Register of Historical Resources (CRHR) “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” (PRC Section 5024.1[a]). The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the NRHP, enumerated below. According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- Is associated with the lives of persons important in our past.
- 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.
- Has yielded, or may be likely to yield, information important in prehistory or history.

To understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

#### ***California Environmental Quality Act***

As described further below, the following CEQA Statute and Guidelines are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) define “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of an historical resource.
- PRC Section 21074(a) defines “tribal cultural resources.”

- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b)-(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures; preservation in place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological sites.

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC Section 21084.1; 14 CCR 15064.5[b]). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historic resources or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1[q]), it is a historical resource and is presumed to be historically or culturally significant for purposes of CEQA (PRC Section 21084.1; 14 CCR 15064.5[a]). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (PRC Section 21084.1; 14 CCR 15064.5[a]).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (14 CCR 15064.5[b][1]; PRC Section 5020.1[q]). In turn, the significance of an historical resource is materially impaired when a project (14 CCR 15064.5[b][2]):

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any historical resources, then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource’s historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Section 21083.2[a]-[c]).

PRC Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

Impacts to non-unique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2[a]; 14 CCR 15064.5[c][4]). However, if a non-unique archaeological resource qualifies as a TCR (PRC Sections 21074[c] and 21083.2[h]), further consideration of significant impacts is required.

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed in PRC Section 5097.98.

### ***California Health and Safety Code***

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (Section 7050.5b). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

### ***California State Assembly Bill 52***

Assembly Bill (AB) 52 of 2014 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that TCRs must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. Section 21074 describes a TCR as a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American Tribe and that is either:

- On or determined to be eligible for the California Register of Historical Resources or a local historic register; or
- 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 Section 5024.1.

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the Project site, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

Section 1 (a)(9) of AB 52 establishes that “a substantial adverse change to a tribal cultural resource has a significant effect on the environment.” Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds

Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures “capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.” Further, if a California Native American tribe requests consultation regarding Project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

### **Senate Bill 18**

The Local and Tribal Intergovernmental Consultation process, commonly known as Senate Bill (SB) 18 was signed into law September of 2004 and took effect March 1, 2005. SB 18 refers to PRC Section 5097.9 and 5097.995, which defines cultural places as:

- Native American sanctified cemetery place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9).
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (PRC Section 5097.993).

SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with California Native American tribes that have been identified by the NAHC and if that tribe requests consultation after local government outreach as stipulated in Government Code Section 65352.3. The purpose of this consultation process is to protect the identity of the cultural place and to develop appropriate and dignified treatment of the cultural place in any subsequent project. The consultation is required whenever a general plan, specific plan, or open space designation is proposed for adoption or to be amended. Once local governments have sent notification, tribes are responsible for requesting consultation. Pursuant to Government Code Section 65352.3(a)(2), each tribe has 90 days from the date on which they receive notification to respond and request consultation.

In addition to the requirements stipulated previously, SB 18 amended Government Code Section 65560 to “allow the protection of cultural places in open space element of the general plan” and amended Civil Code Section 815.3 to add “California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.”

### 4.11.3 Thresholds of Significance

The significance criteria used to evaluate Project impacts to tribal cultural resources are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to tribal cultural resources would occur if the Project would:

- a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 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:
  - i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).

- ii. 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

### 4.11.4 Background Research and Native American Coordination

#### **Background Research**

As part of the Historical Resources Technical Report (Appendix D), Dudek completed a CHRIS records search of the Project site and a 0.5-mile search radius at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. This search included mapped prehistoric, historical, and built-environment resources; Department of Parks and Recreation (DPR) site records; technical reports; archival resources; and ethnographic references. The confidential records search results are also provided within Appendix B of the Historical Resources Technical Report. Confidential Appendix B will be maintained by City under separate cover and will not be made available to the general public because it contains sensitive information regarding the location of cultural resources and tribal cultural resources (see State CEQA Guidelines, §15120(d)).

The CHRIS records search indicates that nine cultural resources have been previously recorded within 0.5-mile of the Project site, none of which overlap or are adjacent to the Project site. All of the previously recorded cultural resources within the records search area consist of built environment resources. No prehistoric or historic period archaeological resources have been identified within the Project site or the 0.5-mile records search radius based on records held at the SCCIC. Refer to Appendix D for further details.

#### **NAHC Sacred Lands File Search**

Dudek contacted the California Native American Heritage Commission (NAHC) on December 31, 2019, and requested a review of the Sacred Lands File (SLF). The NAHC replied via email on January 13, 2020 stating that the results of the SLF search were negative. The NAHC also suggested contacting 11 Native American individuals and/or tribal organizations who may have direct knowledge of cultural resources in or near the Project site. No informal tribal consultation was initiated by Dudek for the proposed Project. This coordination was conducted for informational purposes only and does not constitute formal government-to-government consultation as specified by AB 52. The AB 52 consultation efforts conducted by the City are discussed in the following paragraph. Please refer to Confidential Appendix D for further details.

#### **Assembly Bill 52 Consultation**

The Project is subject to compliance with AB 52 (PRC 21074), which requires consideration of impacts to Tribal Cultural Resources (TCRs) as part of the CEQA process, and that the lead agency notify California Native American Tribal representatives (that have requested notification) who are traditionally or culturally affiliated with the geographic area of the proposed Project. All NAHC-listed California Native American Tribal representatives that have requested notification pursuant to AB 52 were sent letters by the City on February 24, 2021. The letters contained a project description, outline of AB 52 timing and specific language pertaining to the allotted 30-day response time, an invitation to provide information and or engage in formal consultation upon written request, and contact information for the appropriate lead agency representative. AB 52 allows tribes 30 days after receiving notification to request consultation. If a response is not received within the allotted 30 days, it is assumed that consultation is declined. To date, government-to-government consultation initiated by the City has not resulted in the identification

of a TCR within or near the Proposed Project site. To date, two responses have been received as a result of the City’s Assembly Bill (AB 52) consultation notification:

- Gabrieleño Band of Mission Indians-Kizh Nation** – A response to the Project’s Notice of Preparation was received on January 21, 201 via a letter from Brandy Salas, Admin Specialist, requesting consulting party status. A consultation meeting between the City and the Tribe occurred on March 25, 2021; the Tribe provided documentation regarding their ancestral territories and suggested mitigation measures. On April 5, 2021 the City provided mitigation measures to Mr. Salas for review and consideration for the Proposed Project. The mitigation measures were previously authorized by the Tribe for use on another City project. On April 6, the Tribe responded confirming that they agree with the mitigation measures and consider the consultation process complete.
- San Manuel Band of Mission Indians (SMBMI)** – On March 3, 2020, Ryan Nordness, Cultural Resources Analyst for the SMBMI, emailed the City stating that the Band appreciates the opportunity to review the Proposed Project, but since the Proposed Project is located outside of Serrano ancestral territory, the SMBMI does not desire consulting party status with the City regarding the Proposed Project.

Table 4.11-1 summarizes the results of the AB 52 process for the Proposed Project. The confidential AB 52 consultation results are on file with the City.

**Table 4.11-1. Assembly Bill 52 Native American Tribal Outreach Results**

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date
Lee Clauss, Director of Cultural Resources San Manuel Band of Mission Indians	Certified mail; February 24, 2021	On March 3, 2020, Ryan Nordness, Cultural Resources Analyst for the SMBMI, emailed the City stating that the Band appreciates the opportunity to review the Proposed Project, but since the Proposed Project is located outside of Serrano ancestral territory, the SMBMI does not desire consulting party status with the City regarding the Proposed Project.	Consultation declined on March 3, 2020.
Joseph Ontiveros, Cultural Resources Director Soboba Band of Luiseno Indians	Certified mail; February 24, 2021	No Response	As no response was received, consultation was concluded.
Andrew Salas, Chairperson Gabrieleno Band of Mission Indians – Kizh Nation	Certified mail; February 24, 2021	Response received January 21, 2021 via letter from Brandy Salas, Admin Specialist, requesting consulting party status. A consultation meeting between the City and the	Consultation concluded on April 6, 2021.

Table 4.11-1. Assembly Bill 52 Native American Tribal Outreach Results

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date
		Tribe occurred on March 25, 2021; the Tribe provided documentation regarding their ancestral territories and suggested mitigation measures. On April 5, 2021, the City provided mitigation measures to the Tribe for review and concurrence. The City received concurrence on the mitigation measures from the Tribe, along with agreement that consultation was concluded on April 6, 2021.	

**Senate Bill 18**

The City sent notification of the Proposed Project to all California Native American tribal representatives that have requested notifications pursuant to SB 18 on February 24, 2021. Tribes had 90 days from receipt of the letter to request consultation. The City must also send a notice to all contacts 45 days prior to adopting the amended General Plan, as well as a third notice 10 days prior to any public hearing regarding the General Plan amendment. These notification letters included a proposed Project map and description inquiring if the tribe would like to consult on the proposed Project. To date, government-to-government consultation initiated by the City has not resulted in the identification of a TCR within or near the Proposed Project site and two responses have been received as a result of the City’s SB 18 consultation notification:

- Gabrieleño Band of Mission Indians-Kizh Nation** - A response to the Project’s Notice of Preparation was received on January 21, 201 via a letter from Brandy Salas, Admin Specialist, requesting consulting party status. A consultation meeting between the City and the Tribe occurred on March 25, 2021; the Tribe provided documentation regarding their ancestral territories and suggested mitigation measures. On April 5, 2021 the City provided mitigation measures to Mr. Salas for review and consideration for the Proposed Project. The mitigation measures were previously authorized by the Tribe for use on another City project. On April 6, the Tribe responded confirming that they agree with the mitigation measures and consider the consultation process complete.
- San Manuel Band of Mission Indians** – On March 3, 2020, Ryan Nordness, Cultural Resources Analyst for the San Manuel Band of Mission Indians (SMBMI), emailed the City stating that the Band appreciates the opportunity to review the Proposed Project, but since the Proposed Project is located outside of Serrano ancestral territory, the SMBMI does not desire consulting party status with the City regarding the Proposed Project.

Table 4.11-2 summarizes the results of the SB 18 process for the Proposed Project. The confidential SB 18 consultation results are on file with the City.

Table 4.11-2. Senate Bill 18 Native American Tribal Outreach Results

Native American Tribal Representatives	Method and Date of Notification	Response to City Notification Letters	Consultation Date
Lee Clauss, Director of Cultural Resources San Manuel Band of Mission Indians	Certified mail; February 24, 2021	On March 3, 2020, Ryan Nordness, Cultural Resources Analyst for the SMBMI, emailed the City stating that the Band appreciates the opportunity to review the Proposed Project, but since the Proposed Project is located outside of Serrano ancestral territory, the SMBMI does not desire consulting party status with the City regarding the Proposed Project.	Consultation declined on March 3, 2020.
Joseph Ontiveros, Cultural Resources Director Soboba Band of Luiseno Indians	Certified mail; February 24, 2021	No Response	As no response was received, consultation was concluded.
Andrew Salas, Chairperson Gabrieleno Band of Mission Indians – Kizh Nation	Certified mail; February 24, 2021	Response received January 21, 2021 via letter from Brandy Salas, Admin Specialist, requesting consulting party status. A consultation meeting between the City and the Tribe occurred on March 25, 2021; the Tribe provided documentation regarding their ancestral territories and suggested mitigation measures. On April 5, 2021, the City provided mitigation measures to the Tribe for review and concurrence. The City received concurrence on the mitigation measures from the Tribe, along with agreement that consultation was concluded on April 6, 2021.	Consultation concluded on April 6, 2021.



## 4.11.5 Impacts Analysis

**Threshold 4.11A:** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

**Less than Significant Impact.** As part of the Historical Resources Technical Report (Appendix D), records of California Historical Resources Information System (CHRIS) and Sacred Lands File (SLF) were reviewed in January 2020. The CHRIS search included a review mapped prehistoric, historical, and built-environment resources; Department of Parks and Recreation site records; technical reports; archival resources; and ethnographic references. Additional consulted sources include historical maps of the Project site, the NRHP, the CRHR, the California Historic Property Data File, the lists of California State Historical Landmarks, California Points of Historical Interest, and the Archaeological Determinations of Eligibility. No previously recorded TCRs listed in the CRHR, SLF, or a local register were identified within the Project site. Further, no TCRs have been identified by California Native American tribes as part of the City's AB 52 and SB 18 notification and consultation process. Impacts are considered less than significant. No mitigation is required.

- ii. 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Less than Significant Impact with Mitigation Incorporated.** There are no resources on the Project site that have been determined by the City to be significant pursuant to the criteria set forth in PRC Section 5024.1. Further, no TCRs were identified in the Project site by California Native American tribes as part of the City's AB 52 and SB 18 notification and consultation process.

One response to the AB 52 and SB 18 outreach letters to tribal contacts was received by the City requesting consulting party status. This response was from Chairman Andrew Salas of the Gabrieleno Band of Mission Indians – Kizh Nation. In the response letter, Chairman Salas requested consulting party status. During the consultation process, Chairman Salas provided a map of tribal territories and county boundaries, including mitigation measures for tribal cultural resources within the Kizh Nation Tribal Territory, though no TCRs or other known cultural resources that could be directly impacted by the Project were identified.

Despite the fact that no information regarding TCRs has been received by the City and the fact that the archaeological sensitivity of the Project site is considered to be low, the City is committed to preserving the integrity of cultural resources and TCRs. Thus, in response to the requests for construction monitoring, MM-TCR-1 and MM-TCR-2 are required to ensure that a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation is able to observe subsurface construction activities and to ensure that if any potential TCRs are encountered, a representative from the Gabrieleno Band of Mission Indians-Kizh Nation as well as a qualified archaeologist shall be able to evaluate the find. If significant TCRs are discovered, MM-TCR-2 prescribes measures for the appropriate treatment to preserve the integrity and significance of those resources. Additionally, MM-CUL-1 and MM-CUL-2 (see Section 4.3, Cultural Resources) would further mitigate impacts. MM-CUL-1, requires that all

Project construction personnel take the Workers Environmental Awareness Program (WEAP) training for the proper identification and treatment of inadvertent discoveries, further reducing the possibility that resources, if present within the subsurface of the site, are identified and appropriately treated. MM-CUL-2 requires the retention of an on-call qualified archaeologist, who meets the Secretary of Interior's Professional Qualification Standards for Archaeology, to address inadvertent discoveries. Altogether, implementation of MM-TRC-1 and MM-TRC-2, as well as MM-CUL-1 and MM-CUL-2, would reduce the significance of impacts associated with any potential buried, currently unrecorded/unknown tribal cultural resources to a level of less than significant.

#### 4.11.6 Cumulative Impacts Analysis

As discussed above in this section, there are no known tribal cultural resources on the Project site and the area is considered to be of low potential to contain unanticipated cultural or tribal cultural resources. No archaeological resources have been documented by the SCCIC within the Project site.

Other individual projects occurring in the vicinity of the Project site would also be subject to the same requirements of CEQA as the proposed Project and any impacts to tribal cultural resources would be mitigated, as applicable. These determinations would be made on a case-by-case basis, and the effects of cumulative development on tribal cultural resources would be mitigated to the extent feasible in accordance with CEQA and other applicable legal requirements. Therefore, impacts to tribal cultural resources would not be cumulatively considerable after the incorporation of MM-TCR-1 and MM-TCR-2, as well as MM-CUL-1 and MM-CUL-2 (see Section 4.3, Cultural Resources).

#### 4.11.7 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.11A:** **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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:**

- i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?*

The Project would not cause a substantial adverse change of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). Impacts would be less than significant.

- ii. 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

While no information regarding TCRs has been received by the City, the Project could in potentially result in significant impacts to a tribal cultural resource that is significant to a California Native American tribe. With the incorporation of MM-TRC-1 and MM-TRC-2, as well as MM-CUL-1 and MM-CUL-2 (see Section 4.3, Cultural Resources), impacts associated with tribal cultural resources would be less than significant with mitigation incorporated.

**MM-TRC-1** Prior to the issuance of any grading permit for the Project, the City of Montclair (City) shall ensure that the Project Applicant retains the services of a tribal monitor(s) approved by the Gabrieleño

Band of Mission Indians Kizh Nation to provide Native American monitoring during ground-disturbing activities. This provision shall be included on the Project contractor's plans and specifications. Ground-disturbing activities are defined by the Gabrieleño Band of Mission Indians Kizh Nation as activities that may include but are not limited to pavement removal, pot-holing or auguring, grubbing, tree removals, borings, grading, excavation, drilling, and/or trenching within the Project area. The Project site shall be made accessible to the monitor(s), provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance.

If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find to recover and/or determine the appropriate plan of recovery for the resource in consultation with a qualified archaeologist. The recovery process shall not unreasonably delay the construction process and must be carried out consistent with CEQA and local regulations.

Construction activity shall not be contingent on the presence or availability of a monitor, and construction may proceed regardless of whether or not a monitor is present on site. The monitor shall complete daily monitoring logs that will provide descriptions of the day's activities and general observations and whether the Native American monitor believes they observed a TCR and what action they took. The on-site monitoring shall end when the Project site grading and excavation activities are completed or prior to the completion if the monitor has indicated that the site has a low potential for tribal cultural resources

### **MM-TCR-2**

Upon discovery of any tribal cultural resources, a Native American monitor has the ability to halt construction activities in the immediate vicinity (within 50 feet) of the find until the find can be assessed. All tribal cultural resources unearthed during the Project construction activities shall be evaluated by the Native American monitor approved by the Gabrieleño Band of Mission Indians Kizh Nation and a qualified archaeologist. Construction work shall be permitted to continue on other parts of the Project site while evaluation and, if necessary, additional investigations and/or preservation measures take place (CEQA Guidelines Section 15064.5(f)). If the resources are Native American in origin, the Gabrieleño Band of Mission Indians Kizh Nation tribe shall coordinate with the landowner regarding treatment and curation of these resources. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures shall be made available through coordination between the Gabrieleño Band of Mission Indians Kizh Nation and the Project applicant. The treatment plan established for the resources shall be in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15064.5(f) for historical resources and Public Resources Code (PRC) Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis.

#### 4.11.8 References Cited

- Ashby, G. E., and J. W. Winterbourne. 1966. A Study of Primitive Man in Orange County and Some of its Coastal Areas. *Pacific Coast Archaeological Society Quarterly* 2(1):3-52.
- Golla, V. 2007. "Linguistic Prehistory." In *California Prehistory: Colonization, Culture, and Complexity*, edited by T.L. Jones and K.A. Klar, 71–82. New York, New York: Altamira Press.
- Heizer, R. and K.M. Nissen. 1973. *The Human Sources of California Ethnography*. Berkeley, California: University of California Archaeological Research Facility, Berkeley.
- McCawley, W. 1996. *The First Angelinos, the Gabrielino Indians of Los Angeles*. Malki Museum Press, Banning
- NEA (Northwest Economic Associates) and C. King. 2004. *Ethnographic Overview of the Angeles National Forest: Tataviam and San Gabriel Mountain Serrano Ethnohistory*. Prepared for the U.S. Department of Agriculture.

## 4.12 Utilities and Service Systems

This section describes the existing utilities conditions of the Mission Boulevard and Ramona Avenue Business Park Project (Project) site and vicinity, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of the proposed Project. Information sources used to prepare this section includes information from the following appendix:

**Appendix H-1:** Preliminary Water Quality Management Plan prepared by Huitt-Zollars, Inc. in February 2021

**Appendix H-2:** Preliminary Hydrology Report prepared by prepared by Huitt-Zollars, Inc. in February 2021

Other sources consulted are listed in Section 4.12.7, References Cited.

### 4.12.1 Existing Conditions

#### **Water**

##### ***Water Service and Supply***

Domestic water service is provided to the Project area by the Monte Vista Water District (MVWD). MVWD's service area is approximately 30 square miles and serves a population of over 141,000, including the communities of Montclair, Chino Hills, portions of Chino, and the nearby unincorporated area of San Bernardino County (MVWD 2021). MVWD has four sources of water supply: local groundwater, imported water, entitlement water deliveries, and recycled water.

Pursuant to the Urban Water Management Planning Act, MVWD prepares an Urban Water Management Plan (UWMP) on a five-year basis to evaluate current and projected water supplies and demands amongst other water planning issues. MVWD's UWMP includes plans for the provision of water (including drought scenarios) for its service area. The plan uses regional population, land use plans, and projections of future growth as the basis of planning for future water supply and demonstrating compliance with state water conservation goals and policies. MVWD comprehensively updates its UWMP on a 5-year basis to refine population projections and include all new land use patterns and development. At the time of the publication of the Notice of Preparation (i.e., January 2021) which is used as the baseline for this environmental analysis, MVWD's 2015 UWMP was the most recent certified UWMP. In June 2021, MVWD certified its 2020 UWMP which covers the 2020-2045 planning period. As such, in the interest of full disclosure, water supply and demand projections are provided below for both UWMPs.

Both the 2015 and 2020 UWMP determine that MVWD has sufficient water supply to meet current and projected water demands through the applicable planning horizon (i.e., through 2040 according to the 2015 UWMP and through 2045 according to the 2020 UWMP) during normal-, historic single-dry-, and historic multiple-dry-year periods, as shown in Table 4.12-1 and Table 4.12-2. These tables present the supplies and demands for the various "drought scenarios for the projected planning periods in five-year increments. Demands for dry years are shown with the effects of assumed urban demand reduction (conservation) measures that would be implemented during drought conditions.

Table 4.12-1. Supply and Demand Comparison (Acre-Feet per Year) (2015 UWMP)

Supply and Demand		2020	2025	2030	2035	2040
<b>Average Year</b>						
Supply totals		51,790	51,749	51,778	51,828	51,828
Demand totals		35,200	35,396	35,730	36,081	36,364
<b>Difference</b>		<b>+16,590</b>	<b>+16,353</b>	<b>+16,048</b>	<b>+15,748</b>	<b>+15,464</b>
<b>Single-Dry Year</b>						
Supply totals		51,646	51,605	51,634	51,684	51,684
Demand totals		35,200	35,396	35,730	36,081	36,364
<b>Difference</b>		<b>+16,446</b>	<b>+16,209</b>	<b>+15,904</b>	<b>+15,604</b>	<b>+15,320</b>
<b>Multiple Dry Years Supply and Demand Comparison</b>						
First Year	Supply totals	51,646	51,605	51,634	51,684	51,684
	Demand totals	35,200	35,396	35,730	36,081	36,364
	<b>Difference</b>	<b>+16,446</b>	<b>+16,209</b>	<b>+15,904</b>	<b>+15,604</b>	<b>+15,320</b>
Second Year	Supply totals	51,547	51,507	51,536	51,586	51,586
	Demand totals	35,200	35,396	35,730	36,081	36,364
	<b>Difference</b>	<b>+16,347</b>	<b>+16,111</b>	<b>+15,806</b>	<b>+15,505</b>	<b>+15,221</b>
Third Year	Supply totals	51,547	51,507	51,536	51,586	51,586
	Demand totals	35,200	35,396	35,730	36,081	36,364
	<b>Difference</b>	<b>+16,347</b>	<b>+16,111</b>	<b>+15,806</b>	<b>+15,505</b>	<b>+15,221</b>

Source: Monte Vista Water District 2016.

Table 4.12-2. Supply and Demand Comparison (Acre-Feet per Year) (2020 UWMP)

Supply and Demand		2025	2030	2035	2040	2045
<b>Average Year</b>						
Supply totals		23,232	23,232	23,232	23,232	23,232
Demand totals		23,232	23,232	23,232	23,232	23,232
<b>Difference</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Single-Dry Year</b>						
Supply totals		24,428	24,825	25,560	25,874	26,194
Demand totals		24,428	24,825	25,560	25,874	26,194
<b>Difference</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Multiple Dry Years Supply and Demand Comparison</b>						
First Year	Supply totals	19,516	19,803	20,335	20,563	20,795
	Demand totals	19,516	19,803	20,335	20,563	20,795
	<b>Difference</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Second Year	Supply totals	22,235	22,564	23,174	23,435	23,701
	Demand totals	22,235	22,564	23,174	23,435	23,701
	<b>Difference</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Table 4.12-2. Supply and Demand Comparison (Acre-Feet per Year) (2020 UWMP)

Supply and Demand		2025	2030	2035	2040	2045
Third Year	Supply totals	24,483	24,824	25,454	25,723	25,998
	Demand totals	24,483	24,824	25,454	25,723	25,998
	<b>Difference</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Fourth Year	Supply totals	18,114	18,415	18,972	19,210	19,454
	Demand totals	18,114	18,415	18,972	19,210	19,454
	<b>Difference</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Fifth Year	Supply totals	17,687	17,946	18,427	18,632	18,841
	Demand totals	17,687	17,946	18,427	18,632	18,841
	<b>Difference</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Source:** Monte Vista Water District 2021b.

**Note:** Supply and demand comparison numbers consist of both retail and wholesale quantities, consistent with the 2015 UWMP.

### Water Infrastructure

MVWD’s existing water distribution system includes approximately 205 miles of underground water mains. The distribution system includes groundwater wells, reservoirs, transmission and distribution pipelines, pump stations, pressure reducing stations, and a hydrogenation station (MVWD 2021b).

MVWD monitors the conditions of its water infrastructure and plans for replacements, upgrades and new infrastructure in its Water Master Plan. MVWD’s most recent master plan was prepared in 2008 and contains plans for a 30-year planning horizon. The 2008 Water Master Plan includes plans for significant pipeline replacements throughout its service area in the next 30 years, as a large portion of its pipelines were constructed around the 1950s and are approaching the end of their service life. The Water Master Plan also calls for the construction or rehabilitation of additional storage facilities to provide capacity for anticipated growth.

Within the immediate vicinity of the Project site, there are several MVWD water distribution pipelines, including:

- A 12-inch water main within State Street
- A 4-inch, 30-inch, and 42-inch water main within Ramona Avenue
- An 8-inch water main within Mission Boulevard
- An 8-inch water main within 3rd Street

Under the existing conditions, lateral connections from these pipelines provide water service to the existing uses on the Project site.

### Wastewater Service

The Inland Empire Utilities Agency (IEUA) contracts with the City of Montclair for wastewater services. The IEUA manages the Regional Sewage Service System within its 242 square-mile service area to collect, treat, and dispose of wastewater delivered by the City. IEUA’s facilities serve seven contracting agencies, including the cities of Chino, Chino Hills, Fontana, Montclair, Ontario, and Upland. A system of trunklines and interceptor sewers convey sewage to regional wastewater treatment plants, which are all owned and operated by the IEUA. However, the mainline sewer facilities within the City of Montclair are owned and maintained by the City (MVWD 2021b; IEUA 2020).

According to the City of Montclair General Plan, IEUA's Westside Interceptor collects all of the reclaimable wastewater generated within the City (City of Montclair 1999). Sewage from Montclair is treated at two locations—the Carbon Canyon Wastewater Reclamation Facility (CCWRF) and Regional Plant No. 1 (RP-1). The CCWRF has a design flow capacity of 11.4 million gallons per day (mgd) and treats approximately 7.0 mgd, and the RP-1 has a design flow capacity of 44.0 mgd and treats on average 28.0 mgd (IEUA 2020).

Within the immediate vicinity of the Project site, there are several sewer lines, including:

- A 24-inch sewer line within State Street
- An 8-inch sewer line within Ramona Avenue
- An 8-inch sewer line within Mission Boulevard

Under the existing conditions, lateral connections to these sewer lines provide sanitary sewer service for the existing uses on the Project site.

### **Stormwater Conveyance Facilities**

The City receives stormwater in two main forms: in concentrated flows emerging from the San Gabriel Mountains, and in generalized flows resulting from direct rainfall to the area. The southwesterly-flowing San Antonio Wash, which originates in the San Gabriel Mountains to the north, is located approximately 2,500 feet west of the Project, at the closest point. The San Antonio Wash is a formerly natural channel that is now a concrete-lined drainage that empties into the Santa Ana River and eventually into the Pacific Ocean (City of Montclair 1999).

Stormwater planning and management within the City and its sphere of influence are under the jurisdiction of the San Bernardino County Flood Control District (SBCFCD). As the regional flood control agency, SBCFCD is responsible for the protection of life and property from uncontrolled storm waters and also captures and recharges some stormwater runoff (City of Montclair 1999).

The Project site and surrounding area are characterized as an urban, developed commercial and industrial area, with limited pervious surfaces. Vegetation within the Project site is limited to ornamental landscaping associated with the existing development. The predominance of impervious surfaces prevents water from percolating into the ground, increasing the amount of runoff reaching the storm drain infrastructure.

According to the Preliminary Hydrology Report (Appendix H-2), under the existing conditions, stormwater runoff on the Project site occurs primarily as sheetflow across the site's paved surfaces, generally flowing from the north to the south at a grade ranging from 1.0 to 1.7%. Runoff generally occurs within three tributary areas. Existing runoff from the northeast of the Project site exits onto Ramona Avenue, flowing via a gutter along Ramona Boulevard before being collected by a curb inlet catch basin at the northwest corner of Mission Boulevard and Ramona Avenue. This catch basin leads to a 60-inch storm drain within Mission Boulevard, which transitions to a 66-inch storm drain approximately 750 feet west of the Mission Boulevard and Ramona Avenue intersection. Existing runoff from the central, southeast, and west tributary areas discharge to outlet points along the center south and southeast boundary of the site along Mission Boulevard. These flows are routed west by a gutter along Mission Boulevard towards a curb inlet catch basin in Mission Boulevard near the southeast corner of the Project site. This catch basin conveys flows to the 66-inch Mission Boulevard storm drain, which discharges into San Antonio Creek and ultimately the Pacific Ocean.



### Electricity

Electrical power for the City is provided by Southern California Edison (SCE). SCE, a subsidiary of Edison International, serves approximately 180 cities in 11 counties across central and Southern California. According to the California Public Utilities Commission (CPUC), approximately 81 billion kilowatt-hours of electricity were used in SCE's service area in 2019. Demand forecasts anticipate that approximately 110 billion kilowatt-hours of electricity will be used in SCE's service area in 2022 (CPUC 2018). SCE receives electric power from a variety of sources. According to CPUC's 2018 California Renewables Portfolio Standard Annual Report, 32% of SCE's power came from eligible renewables, such as biomass/waste, geothermal, small hydroelectric, solar, and wind sources (CPUC 2018).

California's electricity industry is an organization of traditional utilities, private generating companies, and state agencies, each with a variety of roles and responsibilities to ensure that electrical power is provided to consumers. In order to ensure to ensure projected supply meets demand, SCE tracks planned development and coordinates with the California Independent System Operator. The California Independent Service Operator (ISO) is a nonprofit public benefit corporation and is the impartial operator of the state's wholesale power grid and is charged with maintaining grid reliability and directing uninterrupted electrical energy supplies to California's homes and communities. While utilities (such as SCE) still own transmission assets, the ISO routes electrical power along these assets, maximizing the use of the transmission system and its power generation resources. The ISO matches buyers and sellers of electricity to ensure that enough power is available to meet demand. To these ends, every five minutes the ISO forecasts electrical demands, accounts for operating reserves, and assigns the lowest cost power plant unit to meet demands while ensuring adequate system transmission capacities and capabilities.

Part of the ISO's charge is to plan and coordinate grid enhancements to ensure that electrical power is provided to California consumers. To this end, transmission owners (investor-owned utilities such as SCE) file annual transmission expansion/modification plans to accommodate the state's growing electrical needs. The ISO reviews and either approves or denies the proposed additions. In addition, and perhaps most importantly, the ISO works with other areas in the western United States electrical grid to ensure that adequate power supplies are available to the state. In this manner, continuing reliable and affordable electrical power is assured to existing and new consumers throughout the state.

The Project site is currently served by 12-kV overhead electrical lines along State Street and 12-kV underground electrical lines within Ramona Avenue. These electrical lines emanate from the Francis Substation, located southwest of the Project site near the intersection of Francis Avenue and East End Avenue (SCE 2021). The Francis Substation is part of the Chino 220-kV/66-kV distribution system and transforms an incoming 220-kilovolt (kV) electrical current into a 12-kV current, which is distributed to the substation's end users (including the Project site) via a network of underground and aboveground electrical lines. The Francis Substation has a total generation capacity of 32.52 megawatts (MW), and currently generates 11.91 MW. According to SCE's Integration Capacity Analysis Portal, the circuits surrounding the Project site have a moderate integration capacity, meaning that some level of development can be accommodated prior distribution upgrades being required (SCE 2021).

### Natural Gas

Natural gas service for the City is provided by the Southern California Gas Company (SoCalGas). The territory serviced by SoCalGas encompasses approximately 20,000 square miles and more than 500 communities. Within SoCalGas' service area, approximately 7,498 million therms<sup>1</sup> (749.8 billion kBtu) were used in 2019 (CEC 2020b).

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<sup>1</sup> One Therm is equal to 100,000 Btu or 100 kBtu.

In the California Energy Demand mid-energy demand scenario, natural gas demand is projected to have an annual growth rate of 0.03% in SoCalGas' service territory. Over the course of a year, SoCalGas has an available capacity 14.5 billion therms per year, which is well above the existing and future anticipated natural gas demand in SoCalGas' service area.

Within the vicinity of the Project site, SoCalGas maintains a 6-inch gas line within Ramona Avenue, a 2-inch gas line within State Street, 3-inch gas line within Mission Boulevard, a 2-inch gas line within Silicon Avenue and Third Street. Lateral connections to these gas lines provide service for the existing uses on the Project site.

### **Telecommunications**

Copper and fiber telephone facilities owned and operated by Frontier Communication (formerly Verizon) and cable television facilities owned and operated by Spectrum (formerly Time Warner Cable) are located adjacent to the Project site within State Street, Ramona Avenue, and Mission Boulevard. These facilities currently serve the existing uses on the Project site.

### **Solid Waste Collection and Disposal**

Solid waste from the Project site is expected to be disposed at the Mid-Valley Sanitary Landfill and/or the San Timoteo Sanitary Landfill. The Mid-Valley Landfill, located in Rialto, is permitted to receive 7,500 tons of solid waste per day, has a remaining disposal capacity of 61,219,377 cubic yards, and has an approximate cease operation date of April 2045 (CalRecycle 2021). In 2020, the Mid-Valley Landfill received an average of 3,617 tons per day. The San Timoteo Landfill, located in Redlands, is permitted to receive 2,000 tons per day, has a remaining disposal capacity of 12,360,396 cubic yards, and has an approximate cease operation date of December 2039 (CalRecycle 2021). This facility is allowed a maximum tonnage of 3,000 TPD for up to 15 days per calendar year to accommodate for waste redirected from Mid-Valley on high wind days. In 2020, San Timoteo Landfill received an average of 934 tons per day, and the maximum daily tonnage received throughout the year was 2,733 tons during a high wind day when Mid-Valley was closed.

Construction waste is typically disposed of at inert landfills, which are facilities that accept materials such as soil, concrete, asphalt, and other construction and demolition debris. The San Timoteo Landfill is the only landfill in San Bernardino County that accepts inert waste.

## 4.12.2 Relevant Plans, Policies, and Ordinances

### **Federal**

#### ***Clean Water Act***

The Clean Water Act (CWA) includes the National Pollution Discharge Elimination System (NPDES) permit program which regulates municipal and industrial discharges to surface waters of the United States. Discharge from any point source is unlawful unless the discharge is in compliance with an NPDES permit. 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.

The City is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB) Region 9, which administers the *NPDES Permit and Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region* (Municipal Separate Storm Sewer System [MS4] Permit). The MS4 Permit covers 17 cities and most of the unincorporated areas of San Bernardino County within the jurisdiction of the Santa Ana RWQCB. Under the MS4 Permit, the San Bernardino County Flood Control District is designated as the Principal Permittee. The Co-Permittees are the 17 San Bernardino County cities, including the City of Montclair, and San Bernardino County. The MS4 Permit requires Co-Permittees, including the City of Montclair, to implement a development planning program to address stormwater pollution. These programs require project applicants for certain types of projects to implement a Water Quality Management Plan (WQMP) throughout the operational life of each projects. The purpose of a WQMP is to reduce the discharge of pollutants in stormwater and to eliminate increases in pre-existing runoff rates and volumes by outlining BMPs, which must be incorporated into the design plans of new development and redevelopment (SARWQCB 2010). As a Co-Permittee subject to the MS4 permit, the City is responsible for ensuring that all new development and redevelopment projects comply with the MS4 Permit.

### ***Resource Conservation and Recovery Act***

The Resource Conservation and Recovery Act (Code of Federal Regulations, Title 40, Section 268, Subpart D), contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs that include federal landfill criteria. The federal regulations address the location, operation, design, and closure of landfills, as well as groundwater monitoring requirements.

### **State**

#### ***California Code of Regulations, Titles 14 and 27***

Title 14 (Natural Resources, Division 7) and Title 27 (Environmental Protection, Division 2 [Solid Waste]) of the California Code of Regulations govern the handling and disposal of solid waste and operation of landfills, transfer stations, and recycling facilities.

#### ***Assembly Bills 939 and 341: Solid Waste Reduction***

The California Integrated Waste Management (CIWM) Act of 1989 (AB 939) (Public Resources Code Sections 41000-41460) was enacted as a result of a national crisis in landfill capacity, as well as a broad acceptance of a desired approach to solid waste management of reducing, reusing, and recycling. AB 939 mandated local jurisdictions to meet waste diversion goals of 25% by 1995 and 50% by 2020 and established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance. AB 939 requires cities and counties to prepare, adopt, and submit to the California Department of Resources Recycling and Recovery (CalRecycle) a source reduction and recycling element to demonstrate how the jurisdiction will meet the diversion goals. Other elements included encouraging resource conservation and considering the effects of waste management operations. The diversion goals and program requirements are implemented through a disposal-based reporting system by local jurisdictions under CIWM board (CIWMB) regulatory oversight. Since the adoption of AB 939, landfill capacity is no longer considered a statewide crisis. AB 939 has achieved substantial progress in waste diversion, program implementation, solid waste planning, and protection of public health, safety, and the environment from landfills operations and solid waste facilities.

In 2011, AB 341 was passed, making a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020. AB 341 requires that local agencies adopt strategies that will enable 75% diversion of all solid waste by 2020. This bill requires all commercial businesses and public entities that generate 4 cubic yards or more of waste per week to have a recycling program in place.

### ***Senate Bill 1374: Construction and Demolition Waste Reduction***

Senate Bill (SB) 1374 requires that annual reports submitted by local jurisdictions to CIWMB include a summary of the progress made in the diversion of construction and demolition waste materials. In addition, SB 1374 requires the CIWMB to adopt a model ordinance suitable for adoption by any local agency that required 50% to 75% diversion of construction and demolition waste materials from landfills. Local jurisdictions are not required to adopt their own construction and demolition ordinances, nor are they required to adopt CIWMB's model by default. The City does not have a construction and demolition waste reduction ordinance; however, per mandatory CALGREEN standards (see below), projects are required to divert 65% of their construction and demolition waste from landfills.

### ***Assembly Bill 1826: Mandatory Commercial Organics Recycling***

In October 2014, Governor Brown signed AB 1826 Chesbro (Chapter 727, Statutes of 2014) requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste generated per week. (Organic waste is defined as food waste, green waste, landscape, and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.) This law also requires local jurisdictions across the state to implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. This law phases in the mandatory recycling of commercial organics over time. In particular, the minimum threshold of organic waste generation by businesses decreases over time, which means an increasingly greater proportion of the commercial sector will be required to recycle organic waste.

### ***Urban Water Management Plans***

Pursuant to the California Urban Water Management Act (California Water Code Sections 10610-10656), urban water purveyors are required to prepare and update a UWMP every 5 years. UWMPs are prepared by California's urban water suppliers to support long-term resource planning and ensure adequate water supplies. Every urban water supplier that either delivers more than 3,000 AFY of water annually or serves more than 3,000 connections are required to assess the reliability of its water sources over a 20-year period under normal-year, dry-year, and multiple-dry-year scenarios in a UWMP. UWMPs must be updated and submitted to the CDWR every five years for review and approval. The Project site is within the area addressed by the IEUA UWMP and the MVWD UWMP, which tiers from the IEUA UWMP.

### ***Senate Bill 610 and Senate Bill 221: Water Supply Assessments***

Senate Bills (SB) 610 and 221, amended into state law effective January 1, 2002, require the linkage between certain land use decisions made by cities and counties and water supply availability. The statutes require detailed information regarding water availability and reliability with respect to certain developments to be included in the administrative record to serve as evidentiary basis for an approval action by the city or county on such projects. Under SB 610, a water supply assessment (WSA) must be furnished to the local government for inclusion in any environmental documentation for certain types of projects, as defined in Water Code Section 10912 [a] and as

subject to CEQA. A fundamental source document for compliance with SB 610 is the UWMP. The UWMP can be used by the water supplier to meet the standard for SB 610. SB 221 applies to the Subdivision Map Act, requiring applicants, per a tentative map, to verify that the public water supplier has sufficient water available to serve the proposed development. Because the Project would be less than 650,000 square feet, a WSA was not required.

### ***Sanitary Sewer General Waste Discharge Requirements***

On May 2, 2006, the State Water Resources Control Board (SWRCB) adopted a General Waste Discharge Requirement (Order No. 2006-0003) for all publicly owned sanitary sewer collection systems in California with more than 1.0 mile of sewer pipe. The order provides a consistent statewide approach to reducing sanitary sewer overflows by requiring public sewer system operators to take all feasible steps to control the volume of waste discharges into the system in order to prevent sanitary sewer waste from entering the storm sewer system, and to develop a Sewer System Management Plan. The General Waste Discharge Requirement also requires that storm sewer overflows be reported to the SWRCB using an online reporting system.

### ***California Green Building Standards***

In 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations, is commonly referred to as CALGreen and establishes minimum mandatory standards as well as voluntary standards pertaining to the planning and design of sustainable site development, energy efficiency, water conservation, material conservation, and interior air quality. The CALGreen standards took effect in January 2011 and instituted mandatory minimum environmental performance standards for all new construction of residential and non-residential buildings. CALGreen standards are updated periodically. The latest version (CALGreen 2019) became effective on January 1, 2020.

Mandatory CALGreen standards pertaining to water, wastewater, and solid waste include the following (24 CCR Part 11):

- Mandatory reduction in indoor water use through compliance with specified flow rates for plumbing fixtures and fittings.
- Mandatory reduction in outdoor water use through compliance with a local water-efficient landscaping ordinance or the California Department of Water Resources' Model Water Efficient Landscape Ordinance.
- Diversion of 65% of construction and demolition waste from landfills.

### ***Stormwater Pollution Prevention Plans***

The SWRCB administers the NPDES permit program regulating stormwater from construction activities for projects with a disturbed area of 1 acre or more. The SWRCB has issued a statewide general NPDES permit for stormwater discharges from construction sites (Order No. 2009-0009-DWQ, as amended; NPDES No. CAS000002). Under this Statewide General Construction Activity permit, discharges of stormwater from construction sites with a disturbed area of 1 acre or more are required to either obtain individual NPDES permits for stormwater discharges or be covered by the Statewide General Construction Activity permit. In order to obtain coverage under the Statewide General Construction Activity permit, a Notice of Intent must be filed with the SWRCB, and a stormwater pollution prevention plan must be developed and implemented. The stormwater pollution prevention plan must be prepared prior to ground disturbance and must be implemented during construction. The stormwater pollution prevention plan must also list BMPs to be implemented on the construction site to protect stormwater runoff and must contain a visual monitoring program, a chemical monitoring program, and a monitoring plan if the site discharges directly to a water body listed on the state's list of impaired waters.

### **California Health and Safety Code Section 115700**

Under California Health and Safety Code Section 115700, a well is considered 'abandoned' or permanently inactive if it has not been used for one year, unless the owner demonstrates intention to use the well again. Section 115700 details procedures for the destruction or proper abandonment for permanently inactive wells.

### **Regional/Municipal Separate Storm Sewer System Permit**

Stormwater quality within the Santa Ana Region (of which the Project site is a part) is managed by the Santa Ana Regional Water Quality Control Board, which administers the *NPDES Permit and Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region* (Municipal Separate Storm Sewer System [MS4] Permit). The MS4 Permit covers 17 cities and most of the unincorporated areas of San Bernardino County within the jurisdiction of the Santa Ana RWQCB. Under the MS4 Permit, the San Bernardino County Flood Control District is designated as the Principal Permittee. The Co-Permittees are the 17 San Bernardino County cities, including the City of Montclair, and San Bernardino County. The MS4 Permit requires Co-Permittees, including the City of Montclair, to implement a development planning program to address stormwater pollution. These programs require project applicants for certain types of projects to implement a Water Quality Management Plan (WQMP) throughout the operational life of each projects. The purpose of a WQMP is to reduce the discharge of pollutants in stormwater and to eliminate increases in pre-existing runoff rates and volumes by outlining BMPs, which must be incorporated into the design plans of new development and redevelopment (SARWQCB 2010).

Per the MS4 Permit, and as described in the Water Quality Management Plan for the Santa Ana Region of San Bernardino County, a project-specific WQMP is required to manage the discharge of stormwater pollutants from development projects to the “maximum extent practicable” (County of San Bernardino 2013). The maximum extent practicable is the standard for control of stormwater pollutants, as set forth by Section 402(p)(3)(iii) of the Clean Water Act (CWA). However, the CWA does not quantitatively define the term maximum extent practicable. As implemented, maximum extent practicable varies with conditions. In general, to achieve the maximum extent practicable standard, co-permittees must require deployment of whatever BMPs are technically feasible (that is, are likely to be effective) and are not cost prohibitive. To achieve fair and effective implementation, criteria and guidance for those controls must be detailed and specific, while also offering the right amount of flexibility or exceptions for special cases. A project-specific WQMP's compliance with the requirement to achieve the maximum extent practicable standard is documented within the project-specific WQMP through the completion of worksheets that document the feasibility or infeasibility of the deployment of BMPs.

As a Co-Permittee subject to the MS4 permit, the City is responsible for ensuring that all new development and redevelopment projects comply with the MS4 Permit, as required by Section 9.24, Storm Drain System Regulations, of the City's Municipal code (City of Montclair 2020a).

### **Industrial General Permit**

Industrial facilities such as manufacturers, landfills, mining, steam-generating electricity, hazardous waste facilities, transportation with vehicle maintenance, larger sewage and wastewater plants, recycling facilities, and oil and gas facilities are required to obtain coverage under the Statewide General Permit for Storm Water Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit), which implements the federally required stormwater regulations in the state for stormwater associated with industrial activities. Permittees are required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program unless an exemption is granted.

### Local

#### **Montclair Municipal Code**

The Uniform Building Code (UBC)/Uniform Plumbing Code (UPC) establishes requirements for sanitary sewage facilities in structures, including pipe size. The City of Montclair has adopted these codes in its Unified Development Code. In order to obtain final occupancy approval, a project must be deemed compliant with the UBC by City building inspectors. In addition to the UBC and UPC, the City utilizes the California Plumbing Code.

Section 9.20, Sewer System, of the Montclair Municipal Code applies to the design, construction, alteration, use, and maintenance of the City sewer system, including but not limited to, mainline sewers, building sewers, building laterals, wastewater pretreatment systems, regional wastewater treatment plants, gravity separation interceptors, and other appurtenances. The purpose of this ordinance is to provide for the maximum beneficial use of the City sewer system, groundwater resources, and effluent-receiving waterways, through regulation of wastewater discharges, by establishing terms, limits, and conditions of discharge.

Section 9.24.080, Installation of Drainage Facility, of the Montclair Municipal Code requires the owner of the land to install drainage facilities for the removal of surface and storm waters, in lieu of construction of these facilities.

Chapter 11.60, Water Efficient Landscaping and Conservation, of the Montclair Municipal Code contains the City's water efficient landscaping ordinance. The Water-Efficient Landscape and Conservation Ordinance contains regulations relating to landscaping, placing an emphasis on using water saving plant materials suitable to the local climate and that provide a high degree of visual interest during all seasons. All ordinance requires that the landscaping plans for all projects be reviewed by Community Development Department pursuant to its general development review process to ensure compliance with the regulations of the ordinance.

### 4.12.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to utilities and service systems are based on Appendix G of the CEQA Guidelines. According to Appendix G of the CEQA Guidelines, a significant impact related to utilities and service systems would occur if the project would:

- A. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years.
- C. 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.
- D. 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.
- E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

## 4.12.4 Impacts Analysis

**Threshold 4.12A:** Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

### Construction of New Utility Lines

**Less-than-Significant Impact with Mitigation Incorporated.** As discussed above in Section 4.12.1, Existing Conditions, existing utility service lines are located within the vicinity of the Project site. As part of the Project, utility service lines, including those for water, wastewater, stormwater drainage, electric power, natural gas, and telecommunications services would be reconfigured from their current locations on and nearby the Project site to the proposed buildings. The following discussion provides a summary of Project utility work.

- **Water.** As discussed in Section 4.12.1, Existing Conditions, there are existing water lines within the streets immediately surrounding the Project site, including a 12-inch line within State Street, an 8-inch line within Mission Boulevard, 4-inch, 30-inch, and 42-inch lines within Ramona Avenue, and an 8-inch line within 3rd Street. As part of the Project, the 8-inch line within 3rd Street would be extended across the Project site to Ramona Avenue as a 12-inch line. Buildings 7 and 8 would connect to the water line within either State Street or Third Street, or to both water lines, depending on the locations of the offices within each building. Buildings 1, 2, and 3 would connect to the new 12-inch water line in Third Street. Buildings 4, 5, and 6 would connect to an existing 8-inch water line within Mission Boulevard.

Additionally, an approximately 440-square-foot parcel containing an inactive subterranean water well that was formerly used for agricultural uses (APN 101-216-101) is located within the northwestern portion of the Project site in the concrete-paved area of the former (now demolished) industrial buildings. While this parcel is not a part of the Project site, construction and operational activities would occur on the parcel, which would ultimately be surrounded by landscaping associated with the frontage of the Project site facing State Street, near Building 7. The well is considered to be a “permanently inactive well” in accordance with the definition set forth in the California Health and Safety Code Section 115700. Therefore, prior to the proposed Project’s construction, the Project Applicant will coordinate with San Bernardino County to conduct the permanent abandonment of the well in accordance with all applicable regulations.

- **Wastewater.** The Project would be served by an existing 15-inch sewer line is located beneath State Street, an existing 18-inch sewer line is located beneath Ramona Avenue, and an existing 8-inch sewer line is located beneath Mission Boulevard. A new 8-inch line would connect to the 8-inch line within Mission Boulevard, which would be extended north between Buildings 2 and 3 and between Buildings 4 and 5 until it meets Third Street. Upon meeting Third Street, this new line would extend east and west to connect to a new 6-inch sewer laterals for Buildings 7 and 8. Building 1 would connect directly to the new sewer line in Third Street. Buildings 2 through 5 would connect to the new 8-inch sewer within a new public utility easement from Third Street to Mission Boulevard. Additionally, a segment of the existing 8-inch sewer line in Mission Boulevard would be replaced because the segment has reached the end of its service life.
- **Stormwater.** As discussed in Section 4.12.1, Existing Conditions, stormwater sheet flows across the Project site to outlet points along Ramona Avenue and Mission Boulevard where flows are routed via curb and gutter to a catch basin within Mission Boulevard. This catch basin is connected to a 66-inch public storm drain within Mission Boulevard, which discharges into San Antonio Creek and ultimately the Pacific Ocean. As part of the Project, stormwater flows would be captured on-site and treated within a series of



underground infiltration facilities. Buildings 7 and 8 would each have their own infiltration facilities, which would discharge to a new public storm drain line within 3rd Street. The new storm drain would continue south from 3rd Street between Buildings 2 and 3 and between Buildings 4 and 6 in a new public utility easement where it would connect to the existing 66-inch storm drain within Mission Boulevard. Two catch basins would be located at the west end of 3rd Street to collect stormwater flows along 3rd Street. Buildings 1 through 6 would drain to one or more on-site underground infiltration facilities before also discharging to the new storm drain. The storm drain system is depicted on Figure 3-12, Storm Drainage Plan, found in Chapter 3, Project Description, of this Draft EIR.

- **Electric Power.** The Project site is currently served by 12-kV overhead electrical lines along State Street and 12-kV underground electrical lines within Ramona Avenue. The Project would connect to these existing lines and would also involve the undergrounding of existing overhead electrical lines located on the Project site.
- **Natural Gas.** The Project site is currently served by a 6-inch gas line within Ramona Avenue, a 2-inch gas line within State Street, 3-inch gas line within Mission Boulevard, a 2-inch gas line within Silicon Avenue and Third Street. The Project would connect to these existing gas lines via lateral connections.
- **Telecommunications.** Copper and fiber telephone facilities as well as cable television facilities are located adjacent to the Project site within State Street, Ramona Avenue, and Mission Boulevard. These facilities would be extended onto the Project site via lateral connections.

Given that the activity of reconfiguring the existing utility lines would involve ground disturbance and the use of heavy machinery associated with trenching, the installation of these utility service lines could potentially result in environmental effects. For example, construction equipment would emit air quality pollutants and greenhouse gas emissions, trenching and excavation could potentially destroy cultural and tribal cultural resources if located within the subsurface, and the disturbance of soils could potentially result in an increased potential for erosion or for disturbed soils to enter into downstream waters. However, the extension of these utility service lines, including their disturbance footprints and construction techniques, as well as their associated impacts, is part of the Project analyzed herein. As such, any potential environmental impacts related to these components, such as those described above, are already accounted for in this Draft EIR as part of the impact assessment conducted for the entirety of the Project. Additionally, the Project would be required to comply with all regulatory requirements and mitigation measures outlined within this Draft EIR for the purposes of lessening or mitigating impacts associated with trenching activities and the use of heavy machinery. For example, as described in Section 5, Effects Found Not To Be Significant, of this Draft EIR, Project construction would occur in accordance with the requirements of the NPDES General Construction Permit and the Montclair Municipal Code, which require the implementation of BMPs and pollutant control measures to minimize pollutants and reduce runoff to levels that comply with applicable water quality standards. Mitigation measures that would reduce construction impacts include MM-AQ-2, MM-BIO-1, MM-CUL-1, MM-CUL-2, MM-GEO-1, MM-HAZ-1, MM-HAZ-2, MM-HAZ-3, MM-NOI-1, and MM-NOI-2, MM-TCR-1, and MM-TCR-2 (refer to Sections 4.1, Air Quality; 4.2, Biological Resources; 4.3, Cultural Resources; 4.5, Geology and Soils; 4.7, Hazards and Hazardous Materials; 4.9, Noise and Vibration; and 4.11, Tribal Cultural Resources). The Project would not require the construction, expansion, or relocation of water, wastewater, stormwater drainage facilities, electric power, natural gas, and telecommunications facilities beyond those facilities identified above, as existing facilities are in-place and adequately sized to accommodate the Project. Therefore, no adverse physical effects beyond those already disclosed in this Draft EIR would occur as a result of implementation of the Project's proposed utility system connections. Impacts would be less than significant with mitigation incorporated.

### **Capacity of Water, Wastewater Treatment, Storm Water Drainage, Electric Power, Natural Gas, and Telecommunications Facilities**

#### ***Water Conveyance and Treatment Facilities***

The water conveyance facilities in the Project area are adequately sized to accommodate the Project and would not require the installation or expansion of off-site facilities beyond those described above. With regard to water treatment facilities, as discussed under Threshold 4.12B, the Project's water demand would not result in or require new or expanded water supplies beyond those that are anticipated within the Monte Vista Water District 2015 and 2020 UWMPs. As such, implementation of the Project would not result in the need to expand water treatment facilities. Therefore, impacts associated with water treatment facilities would be less than significant.

#### ***Wastewater Conveyance and Treatment Facilities***

The wastewater conveyance facilities in the Project area are adequately sized to accommodate the Project and would not require the installation or expansion of off-site facilities beyond those described above. With regard to wastewater treatment facilities, as discussed in Threshold 4.12C, the Project would generate a nominal amount of wastewater in the context of the available capacity of IEUA wastewater treatment facilities. Based on the remaining treatment capacity, impacts associated with wastewater conveyance and treatment facilities would be less than significant.

#### ***Stormwater Drainage Facilities***

As discussed in Section 5, Effects Found Not to Be Significant, the Project's stormwater system would contribute a similar amount of stormwater to the storm drain in Mission Boulevard (and subsequently San Antonio Creek) when compared to the existing conditions, as determined in the Preliminary Hydrology Report (Appendix H-2). According to the Preliminary Hydrology Report, the existing public storm drain system is adequately sized to accommodate stormwater flows from the Project. Therefore, impacts associated with stormwater drainage facilities would be less than significant.

#### ***Electric Power***

Electrical power service would be provided to the Project site via the existing 12 kV electrical lines surrounding the Project site. These electrical lines are part of the Kadota circuit, which emanate from the Francis Substation, located southwest of the Project site near the intersection of Francis Avenue and East End Avenue (SCE 2021). The Francis Substation is part of the Chino 220-kV/66-kV distribution system and transforms an incoming 220-kilovolt (kV) electrical current into a 12-kV current, which is distributed to the substation's end users (including the Project site) via a network of underground and aboveground electrical lines. The Francis Substation has a total generation capacity of 32.52 megawatts (MW), and currently generates 11.91 MW. According to SCE's Integration Capacity Analysis Portal, the Kadota circuit has a moderate integration capacity, meaning that some level of development can be accommodated prior to distribution upgrades being required (SCE 2021). Given the available capacity at the Francis Substation and within the Kadota circuit, these existing facilities can adequately serve the Project site without the need for additional off-site improvements. Impacts would be less than significant.

#### ***Natural Gas***

The Project would involve lateral connections to the existing gas lines within Ramona Avenue, State Street, Mission Boulevard, and Third Street. These facilities are adequately sized and would not require the installation or expansion of off-site facilities beyond those described above. Impacts would be less than significant.

**Telecommunications**

The Project would involve lateral connections to the existing telecommunication facilities within State Street, Ramona Avenue, and Mission Boulevard. These facilities are adequately sized and would not require the installation or expansion of off-site facilities beyond those described above. Impacts would be less than significant.

**Threshold 4.12B:** Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

**Less-Than-Significant Impact.** Implementation of the Project would result in the construction of an eight-building business park with associated office spaces, surface parking, and loading areas. According to water demand rates for industrial uses<sup>2</sup> within Monte Vista Water District, industrial land uses have an average water demand of 0.65 acre-feet of water per year (AFY) per acre (MVWD 2016<sup>3</sup>). Given that the Project would be developed on an approximately 26.2-acre (net) site, the Project’s estimated water demand is approximately 17.03 AFY, as shown in Table 4.12-3 below.

The 2015 and 2020 Monte Vista Water District UWMPs have planned for growth within its service area through their planning horizons (i.e., 20 years). As an urban water supplier, MVWD is required to assess the reliability of its water supply service under a multiple-dry-year scenario. Based on historical extraction and estimated population growth rates, the projected water supply and demand for the single- and multiple-dry-year scenarios were calculated for the 2015 and 2020 UWMPs. As provided above in Table 4.12-1 and Table 4.12-2, Monte Vista Water District anticipates that has sufficient water supply to meet current and projected water demands through 2045 during normal-, historic single-dry-, and historic multiple-dry-year periods. These projections are based on a land use-based demand model that accounts for a variety of factors, including the land use plans of jurisdictions within MVWD’s service area. While the Project would involve a General Plan Land Use change from General Commercial to Limited Manufacturing and Industrial Park, this change would actually result in a reduction in the water use assumed for the Project site in MVWD’s long-term water planning efforts. This is because according to MVWD’s Land Use Based Demand Model, commercial land uses require more three times more water than industrial uses, as demonstrated in Table 4.12-3, Land Use Unit Demands in MVWD Service Area, below.

**Table 4.12-3. Land Use Unit Demands in MVWD Service Area**

Land Use	Average Water Demands Per Acre (AFY)	Anticipated Water Use of Project (Per Land Use) (AFY)
Commercial	2.13	55.81
Industrial	0.65	17.03

**Source:** MVWD 2016

**Note:** MVWD = Monte Vista Water District, AFY = Acre Feet per Year

<sup>1</sup> Assumed in MVWD Urban Water Management Plan

<sup>2</sup> Monte Vista Water District does not have specific water demand rates for warehousing and distribution uses and considers these uses as part of the “industrial” category. Generally, warehousing and distribution uses typically result in less water demand than other industrial uses, such as manufacturing, considering that warehousing and distribution uses do not typically have processes that require significant amounts of water use. As such, the application of the industrial rate to the Project may result in a conservative overestimation of the Project’s water use.

<sup>3</sup> Water demand rates are provided in the 2015 UWMP and are based on the IEUA Land Use Based Demand Model. The 2020 UWMP relied on these same water demand rates (MVWD 2021b).

Given that MVWD has adequate existing supplies to serve the Project under normal-, historic single-dry-, and historic multiple-dry-year periods, the Project's impact to water supply would be less than significant.

**Threshold 4.12C:**        **Would the Project 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?**

**Less-Than-Significant Impact.** Wastewater generated by the Project would be treated by the IEUA's CCWRF or RP-1, which collectively have the capacity to treat 55.4 mgd of wastewater and treats, on average, 27.4 mgd of wastewater. Project operations are conservatively estimated to generate approximately 9,882 gallons per day, or 0.0098 mgd. (The Project's wastewater demand mirrors the water demand for Project operations and is conservative because Project operations include water use for landscape irrigation, which does not flow into the sewer system or require wastewater treatment). Projected wastewater from the Project would represent approximately 0.04% of the remaining capacity of the IEUA treatment facilities. Given the remaining capacity of IEUA treatment facilities, the IEUA would be able to accommodate the Project's contribution of 0.0098 mgd of wastewater. Therefore, impacts associated with wastewater treatment capacity would be less than significant.

**Threshold 4.12D:**        **Would the Project 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?**

### Construction

**Less-Than-Significant Impact.** Based on a review of the current structures located on the site, demolition activities are anticipated to generate approximately 22,806 tons of demolition materials (See Section 4.1, Air Quality). Waste also would be generated by the construction process, primarily consisting of discarded materials and packaging. Based on a proposed building area of 513,295 square feet and a construction waste generation factor of 4.34 pounds per square foot (EPA 2009), approximately 559.5 tons of waste would be generated over the course of the Project's construction phase ( $[513,295 \text{ sq. ft.} \times 4.34 \text{ pounds/square foot}] \div 2,000 \text{ pounds/ton} = 1,114 \text{ tons}$ ). In total, the Project would generate 23,920 tons of waste during construction (22,806 tons of demolition debris + 1,114 tons of construction waste = 23,920 tons).

As mentioned above, CALGreen requires that a minimum of 65% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies) consistent with the State's solid waste reduction goals; therefore, approximately 15,548 tons of construction waste would be diverted ( $23,920 \text{ tons} \times 65\% = 15,548 \text{ tons}$ ). The remaining 8,372 tons of construction and demolition materials ( $23,920 \text{ tons} \times 35\% = 8,372 \text{ tons}$ ) that is currently not required to be recycled, would either be disposed of or voluntarily recycled at a solid waste facility with available capacity.

Table 4.12-4, Construction Waste Summary, summarizes the amount of waste that would be generated, diverted, and landfilled during Project construction.

**Table 4.12-4. Construction Waste Summary**

	Size	Generation Rate (Tons/SF)	Waste Generated (Tons)	Waste Diverted (Tons)	Waste Landfilled (Tons)
Demolition	—	—	22,806	14,824	7,982
Construction	513,295 SF	4.34	1,114	724	390
<b>Total</b>			<b>23,920</b>	<b>15,548</b>	<b>8,372</b>

**Source:** Appendix B and EPA 2009.

**Note:** SF = Square Feet

The Project's demolition debris would be hauled from the site over the course of the Project's demolition and site preparation phases, which would last approximately 2.5 months (50 working days). This would correspond to approximately 159.642 tons of demolition waste per day of construction activity. The Project's building construction would occur over a period of approximately 20 months (400 working days), which corresponds to approximately 0.97 tons of construction waste being generated per day of construction activity. As previously described, the San Timoteo Landfill is the only landfill in San Bernardino County to accept inert solid waste, has a daily maximum permitted throughput of 2,000 tons/day, has a remaining capacity of 12,360,396 cubic yards, and is expected to remain open for another 18 years (CalRecycle 2021). In 2020, San Timoteo Landfill received an average of 934 tons per day, and the maximum daily tonnage received throughout the year was 2,733 tons during a high wind day when Mid-Valley was closed. Given that San Timoteo Landfill has an average excess capacity of 1,066 tons per day (and at no point in 2020 had a capacity below 277 tons per day), the Project's daily peak demolition and construction waste delivery of 159.64 tons could be received by San Timoteo Landfill. Therefore, Project demolition and construction 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. Impacts during construction would be less than significant. No mitigation is required.

### Operation

**Less-Than-Significant Impact.** Once operational, the Project would produce solid waste on a regular basis associated with operation and maintenance activities. Using CalEEMod waste generation factors for the Industrial Park and Warehouse uses, the Project would generate approximately 549 tons of solid waste per year, or 1.5 tons per day (Appendix B). A minimum of 50% of all solid waste would be required to be recycled pursuant to AB 939, consistent with the State's solid waste reduction goals; therefore, the Project would generate approximately 0.75 tons per day of solid waste requiring disposal at a landfill.

As previously described in Section 4.12.1, the Burrtec Waste Industries provides solid waste collection and disposal within the City. Waste would likely be hauled to the nearest landfills, which includes the Mid-Valley and San Timoteo Sanitary Landfills. The Mid-Valley Landfill has a permitted throughput of 7,500 tons/day and is expected to remain open for another 24 years. The increase of waste generated by the Project during operations would represent approximately 0.01% of the total daily capacity of permitted at the landfill. In addition, the San Timoteo Sanitary Landfill, which has a maximum permitted throughput of 2,000 tons/day, is expected to remain open for another 18 years. The net increase in waste generated by the Project during operations would represent approximately 0.03% of the available daily capacity at the landfill.

Once the Mid-Valley and San Timoteo Sanitary Landfills reach capacity, additional landfills and strategies would be identified, so that disposal needs continue to be met. Further, there are landfills within the County with up to 51

years of remaining life. For example, the Barstow Sanitary Landfill is expected to remain open for another 50 years, and the Landers Sanitary Landfill is expected to remain open another 51 years (CalRecycle 2021). As such, in the event of the closure of the Mid-Valley and San Timoteo Sanitary Landfills, other landfills in the region would be able to accommodate solid waste from the Project, and regional planning efforts would ensure continued landfill capacity in the foreseeable future. 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. Impacts during operation would be less than significant. No mitigation is required.

Nevertheless, mitigation measure **MM-GHG-2**, as set forth in Section 4.5, Greenhouse Gas Emissions of this Draft EIR, would further reduce impacts related to solid waste. As required in **MM-GHG-2**, the proposed Project would be required to provide storage areas for recyclables and green waste in new construction, and food waste storage, if a pick-up service is available, as well as evaluate the potential for on-site composting.

**Threshold 4.12E: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

**Less-Than-Significant Impact.** As described above, solid waste from the Project would be transported to either the Mid-Valley Sanitary Landfill or the San Timoteo Sanitary Landfill. These facilities are regulated under federal, state, and local laws. Additionally, the City of Montclair is required to comply with the solid waste reduction and diversion requirements set forth in AB 939, AB 341, AB 1327, and AB 1826. Per AB 341, businesses that generate 4 cubic yards or more of organic waste per week are required to arrange for organic waste recycling services. In addition, as previously described, waste diversion and reduction during Project construction and operations would be completed in accordance with CALGreen standards and City diversion standards. As a result, the Project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste and impacts would be considered less than significant. No mitigation is required.

### 4.12.5 Cumulative Impacts Analysis

The Project would require water, wastewater, and stormwater drainage services and infrastructure, electric power, natural gas, and telecommunication infrastructure, as well as solid waste disposal for building operation. Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority, including the UWMP planning process. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to development projects without interrupting or degrading services to existing customers.

The Project and other development projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because the comprehensive utility and service planning and coordination activities described above would ensure that new development projects do not disrupt or degrade the provision of utility services, cumulatively considerable impacts to utilities and service systems would not occur.

## 4.12.6 Mitigation Measures and Level of Significance After Mitigation

**Threshold 4.12A:** **Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

With adherence to applicable regulations and with incorporation of MM-AQ-2, MM-BIO-1, MM-CUL-1, MM-CUL-2, MM-GEO-1, MM-HAZ-1, MM-HAZ-2, MM-HAZ-3, MM-NOI-1, and MM-NOI-2, MM-TCR-1, and MM-TCR-2, the Project would result in less-than-significant impacts with regard to 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 effect. Impacts would be less than significant with mitigation incorporated.

**Threshold 4.12B:** **Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?**

The Project would result in less-than-significant impacts with regard to the availability of sufficient water supplies to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. No mitigation is required.

**Threshold 4.12C:** **Would the Project 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?**

The Project would result in less-than-significant impacts with regard to the capacity of the Project's future wastewater treatment provider to serve the Project, in addition to the provider's existing commitments. No mitigation is required.

**Threshold 4.12D:** **Would the Project 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?**

The Project would result in less-than-significant impacts with regard to the generation of 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. No mitigation is required.

**Threshold 4.12E:** **Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

The Project would result in less-than-significant impacts to compliance with federal, state, and local management and reduction statutes and regulations related to solid waste. No mitigation is required.

## 4.12.7 References Cited

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# 5 Effects Found Not To Be Significant

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Section 15128 of the California Environmental Quality Act (CEQA) Guidelines requires that an Environmental Impact Report (EIR) briefly describe potential environmental effects that were determined not to be significant and, therefore, were not discussed in detail in the EIR. The environmental issues discussed in the following sections are not considered significant for the Mission Boulevard and Ramona Avenue Business Park (Project). The reasons for these less-than-significant impacts or no impact determinations are discussed herein.

## 5.1 Aesthetics

### Scenic Vistas

Scenic vistas and other important visual resources are typically associated with natural landforms such as mountains, foothills, ridgelines, coastlines, and open space areas. The City's General Plan Open Space Element identifies parks and recreational areas, flood control, and agricultural areas as three major sources of open space lands in the City. Open Space Objective OS-1.2.0 recognizes that open space provides visual relief from highly urbanized areas (City of Montclair 1999). However, the City's General Plan does not designate any specific vistas within the City as "scenic vistas" and notes that there are no scenic corridors within the City (City of Montclair 1999).

The nearest park to the Project site is Essex Park, located approximately 1,500 feet south of the Project site, and no natural drainages (only channelized flood control facilities), agricultural areas, or other natural landforms exist in the vicinity of the Project site. The Project site is located well outside the viewshed of any scenic vistas or other important visual resources. Therefore, no impacts associated with scenic vistas would occur.

### Scenic Resources

There are no state scenic highways that occur within the vicinity of the Project site. The nearest Officially Designated State Highway is the portion of State Route 2 along the San Gabriel Mountains, located over 20 miles northwest of the Project site in Los Angeles County (County of Los Angeles 2014). Based on this distance and intervening natural topography and manmade development, the Project site is not located within the viewshed of this officially designated state scenic highway. Therefore, no impacts associated with state scenic highways would occur.

### Visual Character

Section 20171 of the California Public Resources Code defines an "urbanized area" as "(a) an incorporated city that meets either of the following criteria: (1) Has a population of at least 100,000 persons, or (2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons." As of January 1, 2020, the California Department of Finance estimated the population of Montclair to be 39,490 persons (DOF 2020). Additionally, the City of Montclair is located adjacent to the City of Ontario, which the California Department of Finance estimates to have a population of 182,871 as of January 1, 2020 (DOF 2020). Therefore, because the City of Montclair shares a border with the City of Ontario, and because the two cities' combined population exceeds 100,000 persons, the City of Montclair is considered an urbanized area per CEQA and the first question of this threshold does not apply to the Project, as it is directed at non-urbanized areas. Section 21071 of the California Public Resources Code also defines an urbanized area for unincorporated areas; however, the City of Montclair is an incorporated city, so this definition was not considered for this analysis.

The City's Municipal Code includes design standards related to building height, setbacks, landscaping requirements, and other development considerations that are relevant to scenic quality. Specifically, Title 11, Zoning and Development, of the City's Municipal Code includes design standards for each zoning district, including the M1 Limited Manufacturing Zone and MIP Manufacturing Industrial Zone, which are the proposed zoning designations for the Project site. The M1 Limited Manufacturing Zone and MIP Manufacturing Industrial Zone and have specified regulations that are outlined in Section 11.30 and 11.32 of the City's Municipal Code (City of Montclair 2020a). The design standards exist, in part, to regulate the uses of buildings and structures, and to encourage the most appropriate use of land. As a part of the City's development and design review process, project plans are reviewed by City staff, as well as the City's Design Review Committee, to ensure compliance with applicable provisions of the City's Municipal Code, including those provisions relating to scenic quality. Because the Project would undergo review by City Staff and the City's Development Review Committee and no Project components that are inconsistent with provisions of the Municipal Code that relate to scenic quality are being requested, the Project would not conflict with applicable zoning and other regulations governing scenic quality. Therefore, impacts associated with scenic quality would be less than significant.

### **Substantial Light or Glare**

Under existing conditions, the Project site contains sources of artificial nighttime light that are typical of drive-in movie theatre and swap meet uses. In addition, streetlights are present along Mission Boulevard and Ramona Avenue to the south and east, all of which are sources of nighttime light as well. Other exterior artificial light sources in the immediate vicinity of the Project site include nearby residential dwelling units and the building bordering the site to the west.

Lighting is of most concern when it may potentially spill over or trespass onto off-site properties, particularly residential buildings and the public right-of-way. However, consistent with Section 11.66.030 of the City's Municipal Code, lighting used in the parking areas must be arranged so that the light is directed onto the parking areas and away from adjacent properties. The Building Security Requirements also state that exterior lighting must not shine away from the subject property (City of Montclair 2020b). Where light spillage on adjacent properties is a concern (i.e., residences to the west), the Project would be required to include light controlling devices, such as light guards. The light-controlling devices would reduce light spillage on adjacent sensitive receptors. Additionally, per the requirements of Section 11.80 of the City's Municipal Code, the Project's Precise Plan of Design must specify the location and design of all lighting within the proposed development area except that which is within any building. City staff will review the Project's Precise Plan of Design during the plan check process to ensure that lighting be arranged so it is directed away from adjacent properties.

With respect to glare potentially generated by the Project, the majority of the exterior building surfaces would consist of painted concrete (i.e., tilt-up concrete walls) and does not include any physical properties that would produce substantial amounts of glare. To provide architectural interest and break up the overall massing of Project buildings, the Project would feature the use of large glass windows throughout Project buildings' facades; however, the Project would use glass that is clear or tinted with medium to high performance anti-glare glazing and would not use glass with mirrored finishes. As such, the Project as a whole would not result in a substantial amount of glare in the Project area. Therefore, impacts associated with light and glare would be less than significant.

### **Cumulative Impacts**

As discussed above, the Project would not impact scenic vistas, State Scenic Highway, and the existing Project site contains sources of artificial nighttime light. Additionally, the proposed Project is consistent with applicable

regulations, plans, and policies regarding scenic quality. All future development within the City would be required to conform to the regulations set forth by the City. The Project would not combine with other projects to result in significant cumulative impacts associated with aesthetics. Conformance to these regulations would ensure that scenic quality is appropriately protected and preserved, and therefore, implementation of the proposed Project would result in no cumulative impact on aesthetics.

## 5.2 Agricultural and Forestry Resources

### **Conversion of Farmland**

The Project site is located in a developed portion of the City. According to the California Department of Conservation’s California Important Farmland Finder, the Project site and surrounding area are identified as Urban and Built-Up Land (DOC 2016a). The Project site is not located on or adjacent to any parcels identified as Prime Farmland, Unique Farmland, or Farmland of State Importance (collectively called Important Farmland). Because no Important Farmland is located on the Project site and the surrounding area, development of the Project would not convert or otherwise impact any Important Farmland. Therefore, no impacts associated with conversion of Important Farmland would occur.

### **Agricultural Zoning and Williamson Act Contracts**

According to the California Department of Conservation’s Williamson Act Parcels Map for San Bernardino County (DOC 2016b), there are no Williamson Act contracts on the Project site or within the Project site’s vicinity. In addition, the City’s Zoning Map identifies the Project site as MIP, C3, and M1 (City of Montclair 2013). Neither the Project site nor any surrounding parcels are zoned for an agricultural use. Therefore, no impacts associated with Williamson Act contract lands or agricultural zoning would occur.

### **Conversion of Forest Lands**

The Project site is located within a developed portion of the City. The Project site is not located on or adjacent to forest land, timberland, or timberland zoned Timberland Production (City of Montclair 2013). Therefore, no impacts associated with forest land or timberland zoning would occur.

### **Loss of Forest Lands**

The Project site is located within an urbanized area and not located on or adjacent to forest land. Therefore, no impacts associated with the loss or conversion of forest land would occur, and this issue will not be evaluated further in the Draft EIR.

### **Other Changes in the Existing Environment Resulting in Conversion of Farmland or Forest Land**

The Project site is not located on or adjacent to any lands identified by either the State or the City as Important Farmland or forest land. The Project would not include any on-site or Project adjacent improvements that would result in the conversion of Important Farmland or forest land uses. Therefore, no impacts associated with the conversion of Important Farmland or forest land would occur.

### **Cumulative Impacts**

As the Project site and surrounding area do not include nor are adjacent to farmland or forest resources and are zoned for urban uses, the Project would not combine with other projects to result in significant impacts associated agriculture and forestry resources. The Project would have no cumulative impact on agricultural and forestry resources.

## 5.3 Biological Resources

### **Adverse Effect on Wetlands**

The Project site is currently developed with a drive-in theatre and swap-meet use and accessory offices, as well as separate industrial buildings. The Project site does not contain, nor is it adjacent to any wetlands, marshes, or vernal pools. An existing off-site concrete-lined flood control channel and earthen bottom detention basin are located north of the Project site; however, neither of these facilities are located on or abutting the Project site, and all Project construction and operational activities would be limited to the Project site and adjacent public rights-of-way. In addition, the Project would comply with all applicable policies and regulations related to water quality, including, but not limited to the incorporation of a Stormwater Pollution Prevention Plan, which would reduce the impacts related to contaminated runoff from Project activities. Therefore, no impacts to jurisdictional waters would occur.

### **Habitat Conservation Plan, Natural Community Conservation Plan, or other Conservation Plan**

The Project site is not located within any habitat conservation plan; natural community conservation plan; or other approved local, regional, or state habitat conservations plan area. Therefore, no impacts associated with an adopted conservation plan would occur.

## 5.4 Geology and Soils

### **Fault Rupture**

The Alquist–Priolo Earthquake Zoning Act (Alquist–Priolo Act) requires the delineation of fault zones along active faults in California. The purpose of the Alquist–Priolo Act is to regulate development on or near active fault traces to reduce hazards associated with fault rupture. The Alquist–Priolo Earthquake Fault Zones are the regulatory zones that include surface traces of active faults. According to the California Department of Conservation, the Project site is not located in an Alquist-Priolo Earthquake Fault Zone (DOC 2020). The nearest Alquist-Priolo Earthquake Fault Zones are the Prado Dam Fault Zone, approximately 5.8 miles south of the Project site and the Mount Baldy Fault Zone, located approximately 6.5 miles northeast of the Project site. As such, the potential for surface rupture of an Alquist-Priolo Earthquake Fault on the Project site is very low. Therefore, no impacts associated fault rupture would occur.

### **Seismic Ground Shaking**

As previously discussed, the Project site is not located within an Alquist–Priolo Earthquake Fault Zone; however, similar to other areas located in seismically active Southern California, the Project area is susceptible to strong ground shaking during an earthquake, although the site would not be affected more by ground shaking than any other area in the region. The Project would be required to comply with the most recent version of the California Building Code (CBC), which contains universal standards related to seismic load requirements. This includes codified sections within the City of Montclair’s Municipal Code under Section 10.08 (City of Montclair 2020a).

Further, as part of the Project design process, a site-specific Geotechnical Investigation was conducted for the Project site to detail the geotechnical characteristics of the site and develop specific design recommendations that would be incorporated into the Project's construction plan. These recommendations include performing remedial grading, over-excavating existing soils, and recompacting these soils with structured fill, among other technical design recommendations (Appendix E-3). Incorporation of the design recommendations of the Project's geotechnical report as well as compliance with the CBC and all other applicable building and engineering standards would ensure the structural integrity in the event that seismic ground shaking is experienced at the Project site. Therefore, impacts associated with seismic ground shaking would be less than significant.

### **Seismic-Related Ground Failure, including Liquefaction**

Soil liquefaction is a seismically induced form of ground failure. Liquefaction is a process by which water-saturated granular soils transform from a solid to a liquid state because of a sudden shock or strain such as an earthquake. According to the County of San Bernardino General Plan, Geologic Hazards Overlay, the Project site is not located within an area of liquefaction susceptibility (County of San Bernardino 2009). Further, the Project's geotechnical report states that based on subsurface conditions encountered at boring locations, liquefaction is not considered to be a concern for the Project site (Appendix E-3). In addition, the Project would comply with the most recent version of the CBC, which contains universal standards to be implemented to ensure structural integrity regardless of the characteristics of the soils that underlie the Project site. Therefore, impacts associated with seismic ground failure would be less than significant.

### **Landslide**

The majority of the Project site is relatively flat and is not located adjacent to any potentially unstable topographical feature such as a hillside or riverbank. The northeastern corner of the Project site contains a City-owned slope easement that is part the foundation for the Ramona Avenue and State Street overcrossing. This slope contains engineered and compacted fill and is supported by concrete and steel reinforcements. The Project would not require modifications to this slope or supporting structures, and thus, would not result in the potential for landslides to occur. Therefore, impacts associated with landslides would be less than significant.

### **Soil Erosion and Topsoil Loss**

The Project would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Common causes of soil erosion from construction sites include stormwater, wind, and soil being tracked off site by vehicles. To help curb erosion, Project construction activities must comply with all applicable federal, state, and local regulations for erosion control. The Project would be required to comply with standard regulations, including South Coast Air Quality Management District Rules 402 and 403, which would reduce construction erosion impacts. Rule 402 requires that dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance off site (SCAQMD 1976). Rule 403 requires that fugitive dust be controlled with best available control measures so that it does not remain visible in the atmosphere beyond the property line of the emissions source (SCAQMD 2005).

Since Project construction activities would disturb one or more acres, the Project must adhere to the provisions of the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Construction activities subject to this permit include clearing, grading, and ground disturbances such as stockpiling and excavating. The NPDES Construction General Permit requires implementation of a stormwater pollution prevention plan, which would include construction features for the Project (i.e., best management practices [BMPs]) designed to prevent

erosion and protect the quality of stormwater runoff. Sediment-control BMPs may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. Therefore, construction impacts associated with soil erosion would be less than significant.

Once redeveloped, the Project site would include buildings, paved surfaces, and other on-site improvements that would stabilize and help retain on-site soils. The remaining portions of the Project site containing pervious surfaces would primarily consist of landscape areas. These landscape areas would include a mix of trees, shrubs, plants, and groundcover that would help retain on-site soils while preventing wind and water erosion from occurring. Therefore, operational impacts related to soil erosion would be less than significant.

### **Unstable Geologic Unit or Soil**

As discussed in further detail below, the Project would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. As previously discussed, although the Project site contains a slope within its northeastern corner, this slope is structurally reinforced and the Project would not result in modifications that could potentially affect the structural integrity of the slope; therefore the Project would not be susceptible to landslides and would not result in in- or off-site landslides. Impacts would be less than significant.

As part of the Project design process, a site-specific Geotechnical Investigation was conducted for the Project site (Appendix E-3) to identify Project design features that may be necessary to ensure compliance with the CBC and to address seismic design considerations. As part of the Project and as recommended by the Geotechnical Investigation, remedial grading will occur within the proposed building areas to remove undocumented fill that underlies the Project site, and these soils will be replaced with compacted fill soils. As a result of these grading activities (which are both part of the Project and required by the CBC), the Project would not be susceptible to the effects of any potential lateral spreading and subsidence. Impacts would be less than significant. In addition, as addressed earlier, the Project site is not within an area susceptible to liquefaction. Impacts would be less than significant.

Because the Project would not result in in- or off-site landslides, would implement structural design features to ensure the structural integrity of soils despite their potential for lateral spreading and subsidence, and is not located within an area susceptible to liquefaction, the Project would not result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. In addition, the Project would comply with the most recent version of the CBC, which contains universal standards to be implemented to ensure structural integrity regardless of the Project site's specific soil characteristics. Compliance with the CBC would ensure the structural integrity in light of seismic-related issues experience at the Project site. Therefore, impacts would be less than significant.

### **Expansive Soils**

Expansive soils are characterized by their potential shrink/swell behavior. Shrink/swell is the change in volume (expansion and contraction) that occurs in certain fine-grained clay sediments from the cycle of wetting and drying. Much of the damage to building foundations, roads, and other structures can be caused by the swelling and shrinking of soils as a result of wetting and drying. The volume change is influenced by the amount of moisture and the amount of clay in the soil. Clay minerals are known to expand with changes in moisture content. The higher the percentage of expansive minerals present in near-surface soils, the higher the potential for substantial expansion.

According to the City's General Plan, the soil types in the Montclair area are categorized as having a low soil shrink/swell rate (City of Montclair 1999). In addition, the U.S. Department of Agriculture's Web Soil Survey does not identify the Project site or surrounding area as containing clay soils, which are typically expansive. The Project

site is documented as approximately 90% Hanford coarse sandy loam and approximately 10% Tujunga loamy sand, which does not exhibit significant shrink/swell behavior (USDA 2020). Therefore, impacts associated with expansive soils would be less than significant.

#### **Septic Tanks or Alternative Wastewater Disposal Systems**

The Project would connect to the existing municipal sewer system. The Project does not propose the use of septic tanks or alternative wastewater disposal systems. Therefore, no impacts associated with the underlying soils' ability to support the use of septic tanks or alternative wastewater disposal systems would occur.

## 5.5 Hazards and Hazardous Materials

#### **Cortese List**

The Hazardous Waste and Substances Sites list (Cortese List) is a planning document providing information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California Environmental Protection Agency to develop, at least annually, an updated Cortese List. The Department of Toxic Substances Control is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous materials release information for the Cortese List (CalEPA 2020). A review of Cortese List online data resources does not identify hazardous materials or waste sites on the Project site or immediately surrounding area (DTSC 2020). Therefore, no impacts associated with Cortese List hazardous materials sites would occur.

#### **Near an Airport or within an Airport Land Use Plan**

The nearest operational public-use airport to the Project site is Cable Airport (Upland), which is located approximately 3.5 miles northeast of the Project site. According to the Land Use Compatibility Plan for the Cable Airport, the Project site is not located within the Airport Influence Area (ALUC 1981).

In addition, Ontario International Airport is located approximately 5 miles east of the Project site. The Project site is located within the Airport Influence Area (as shown in Policy Map 2-1) of the Ontario International Airport and is subject to the Ontario Airport Land Use Compatibility Plan (ALUCP) (City of Ontario 2011). Policy Map 2-2, Safety Zones, of the Ontario ALUCP identifies the geographic locations of Safety Zones (City of Ontario 2011); however, the Project is located outside of the established Safety Zones and would not result in safety hazards for people residing or working in the Project area.

The Project was also evaluated for hazards to aircraft in flight utilizing by Policy Map 2-4, Airspace Obstruction Zones, of the Ontario ALUCP, which identifies height restrictions of proposed structures or buildings. The Project site is located within an allowable height area of greater than 200 feet. While the Project's ultimate architectural elevations have not yet been determined (and a final height has not been determined), the Project's buildings would be one story and would not come close to approaching the established allowable height threshold in the area. Therefore, impacts associated with airport and aircraft hazards and noise would be less than significant.

#### **Impair or Interfere with an Adopted Emergency Response Plan or Emergency Evacuation Plan**

The City adopted an emergency operations plan that follows the California Office of Emergency Services' multi-hazard functional planning guidelines. The City's Emergency Operations Plan was approved by the California

Emergency Management Agency on September 26, 2009 (City of Montclair 2021). The City's existing emergency operations plan includes a basis for conducting and coordinating operations in the management of critical resources during emergencies; a mutual understanding of authority, responsibilities, functions, and operations of civil government emergencies; and a basis for incorporating into the city emergency organization, nongovernmental agencies and organizations having resources necessary to meet foreseeable emergency requirements (City of Montclair 1999). Additionally, mutual aid/automatic aid and cooperation with surrounding jurisdictions will occur in accordance with the California master Mutual Aid Agreement. The City's Fire Department has mutual aid and automatic aid agreements with all surrounding communities, has enhanced emergency services response protocols with the City of Upland, and is a member of the San Bernardino County Fire Department CONFIRE Joint Powers Authority for emergency dispatch services. CONFIRE is a multi-agency emergency fire- and medical service-only dispatch center that provides direct fire/EMS dispatch services 24 hours, 7 days a week. CONFIRE Joint Powers Authority also functions as the Operational Area's dispatch for the County (City of Montclair 2014). The Project shall comply with the City's Emergency Operations Plan. The City's General Plan identifies key roadways within the Circulation Element with regional access to serve as evacuation routes in the event of a regional emergency. Two major roadways are located adjacent to the Project site: Mission Boulevard is classified as a major divided roadway, and Ramona Avenue is classified as a major arterial highway, connecting to Holt Boulevard, another major arterial highway, to the north (City of Montclair 1999). In the event of an emergency, these major roadways would serve as routes for emergency response and, if necessary, evacuation. Additionally, The San Bernardino County Transportation Authority, in conjunction with the City, recently completed grade separation projects at the intersection of Ramona Avenue and State Street, as well as the intersection of Monte Vista Avenue and State Street (one block east of the Project site), which will further facilitate north-south connectivity within the City. The Project does not propose any changes to the geometry of these roadways to the extent that these roadways' ability to serve as emergency evacuation routes would be compromised. As a result, the Project would not significantly affect emergency response or evaluation activities. Therefore, impacts associated with emergency response or evacuation plans would be less than significant.

### **Wildland Fires**

The Project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by the California Department of Forestry and Fire Protection (CAL FIRE) (CAL FIRE 2008; CAL FIRE 2007). In addition, the Project site is currently developed and located within a developed portion of the City of Montclair. Therefore, the Project would not expose people or structures to significant risk involving wildland fires. As such, no impacts associated with wildland fires would occur.

## 5.6 Hydrology and Water Quality

### **Degradation to Surface or Groundwater Quality**

Construction of the Project would include earthwork activities that could potentially result in erosion and sedimentation, which could subsequently degrade downstream receiving waters and violate water quality standards. Stormwater runoff during the construction phase may contain silt and debris, resulting in a short-term increase in the sediment load of the municipal storm drain system. Substances such as oils, fuels, paints, and solvents may be inadvertently spilled on the Project site and subsequently conveyed via stormwater to nearby drainages, watersheds, and groundwater.



For stormwater discharges associated with construction activity in the State of California, the State Water Resources Control Board (SWRCB) has adopted the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit) to avoid and minimize water quality impacts attributable to such activities. The Construction General Permit applies to all projects in which construction activity disturbs one acre or more of soil. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground, such as stockpiling and excavation. The Construction General Permit requires the development and implementation of a stormwater pollution prevention plan (SWPPP), which would include and specify water quality BMPs designed to prevent pollutants from contacting stormwater and keep all products of erosion from moving off site into receiving waters (in this case, the West State Street concrete open channel, San Antonio Creek, Chino Creek, the Prado Flood Control Basin, the Santa Ana River, and its discharge into the Pacific Ocean). Routine inspection of all BMPs is required under the provisions of the Construction General Permit, and the SWPPP must be prepared and implemented by qualified individuals as defined by the SWRCB.

Because land disturbance for Project construction activities would exceed one acre, the Project Applicant would be required to obtain coverage under the Construction General Permit issued by the SWRCB prior to the start of construction within the Project site. Specifically, the Construction General Permit requires that the following be kept on-site at all times: (i) a copy of the Notice of Intent to Comply with Terms of the General Permit to Discharge Water Associated with Construction Activity; (ii) a waste discharge identification number issued by the SWRCB; (iii) a SWPPP and Monitoring Program Plan for the construction activity requiring the construction permit; and (iv) records of all inspections, compliance and non-compliance reports, evidence of self-inspection, and good housekeeping practices.

The SWPPP requires the construction contractor to implement water quality BMPs to ensure that water quality standards are met, and that stormwater runoff from the construction work areas do not cause degradation of water quality in receiving water bodies. The SWPPP must describe the type, location, and function of stormwater BMPs to be implemented, and must demonstrate that the combination of BMPs selected are adequate to meet the discharge prohibitions, effluent standards, and receiving water limitations contained in Construction General Permit.

As such, through compliance with the Construction General Permit, the Project would not adversely affect water quality. Therefore, short-term construction impacts associated with water quality would be less than significant.

With respect to Project operation, future uses on-site that could contribute pollutants to stormwater runoff in the long term include uncovered parking areas (through small fuel and/or fluid leaks), uncovered refuse storage/management areas, landscape/open space areas (if pesticides/herbicides and fertilizers are improperly applied), and general litter/debris (e.g., generated during facility loading/unloading activities). During storm events, the first few hours of moderate to heavy rainfall could wash a majority of pollutants from the paved areas where, without proper stormwater controls and BMPs, those pollutants could enter the municipal storm drain system before eventually being discharged to adjacent waterways (in this case, the West State Street concrete open channel, San Antonio Creek, Chino Creek, the Prado Flood Control Basin, the Santa Ana River, and its discharge into the Pacific Ocean). The majority of pollutants entering the storm drain system in this manner would be dust, litter, and possibly residual petroleum products (e.g., motor oil, gasoline, diesel fuel). Certain metals, along with nutrients and pesticides from landscape areas, can also be present in stormwater runoff. Between periods of rainfall, surface pollutants tend to accumulate, and runoff from the first significant storm of the year (“first flush”) would likely have the largest concentration of pollutants.

Stormwater quality within the Santa Ana Region (of which the Project site is a part) is managed by the Santa Ana Regional Water Quality Control Board, which administers the *NPDES Permit and Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of*

*San Bernardino County within the Santa Ana Region* (Municipal Separate Storm Sewer System [MS4] Permit). The MS4 Permit covers 17 cities and most of the unincorporated areas of San Bernardino County within the jurisdiction of the Santa Ana RWQCB. Under the MS4 Permit, the San Bernardino County Flood Control District is designated as the Principal Permittee. The Co-Permittees are the 17 San Bernardino County cities, including the City of Montclair, and San Bernardino County. The MS4 Permit requires Co-Permittees, including the City of Montclair, to implement a development planning program to address stormwater pollution. These programs require project applicants for certain types of projects to implement a Water Quality Management Plan (WQMP) throughout the operational life of each projects. The purpose of a WQMP is to reduce the discharge of pollutants in stormwater and to eliminate increases in pre-existing runoff rates and volumes by outlining BMPs, which must be incorporated into the design plans of new development and redevelopment (SARWQCB 2010).

Per the MS4 Permit, and as described in the Water Quality Management Plan for the Santa Ana Region of San Bernardino County, a project-specific WQMP is required to manage the discharge of stormwater pollutants from development projects to the “maximum extent practicable” (SARWQCB 2013). The maximum extent practicable is the standard for control of stormwater pollutants, as set forth by Section 402(p)(3)(iii) of the Clean Water Act (CWA). However, the CWA does not quantitatively define the term maximum extent practicable. As implemented, maximum extent practicable varies with conditions. In general, to achieve the maximum extent practicable standard, co-permittees must require deployment of whatever BMPs are technically feasible (that is, are likely to be effective) and are not cost prohibitive. To achieve fair and effective implementation, criteria and guidance for those controls must be detailed and specific, while also offering the right amount of flexibility or exceptions for special cases. A project-specific WQMP’s compliance with the requirement to achieve the maximum extent practicable standard is documented within the project-specific WQMP through the completion of worksheets that document the feasibility or infeasibility of the deployment of BMPs.

As a Co-Permittee subject to the MS4 permit, the City is responsible for ensuring that all new development and redevelopment projects comply with the MS4 Permit, as required by Section 9.24, Storm Drain System Regulations, of the City’s Municipal code (City of Montclair 2020a).

At this point in time, the Project’s final stormwater management system has not yet been fully designed (and will likely be completed during the final engineering phase). However, in compliance with the MS4 Permit and the City’s Municipal Code, a preliminary Project-specific WQMP has been prepared (Appendix H-1). As detailed in the preliminary Project-specific WQMP, stormwater would be managed and treated through a mixture of strategies, including the use of low-impact development BMPs, source control, and other treatment control BMPs. As required by Section 9.24 of the City’s Municipal Code (and as outlined within the City’s NPDES Local Implementation Plan [City of Montclair 2011]), City staff will review the Project’s WQMP during the plan check process (concurrent with the review of the Project’s Precise Plan of Design) to ensure the Project’s treats and manages stormwater flows, and therefore, would not degrade water quality.

In addition, industrial facilities such as manufacturers, landfills, mining, steam generating electricity, hazardous waste facilities, transportation with vehicle maintenance, larger sewage and wastewater plants, recycling facilities, and oil and gas facilities are required to obtain coverage under the Statewide General Permit for Storm Water Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit), which implements the federally required stormwater regulations in the state for stormwater associated with industrial activities. If the future end users of the Project site propose to operate a building as an industrial facility that would be required to obtain coverage under the Industrial General Permit, the end user would be required to seek coverage under the Industrial General Permit, which involves preparing a SWPPP for operational activities and the implementation of a long-term water quality sampling and

monitoring program unless an exemption is granted. Mandatory compliance with the Industrial General Permit would further reduce water quality impacts during long-term operation of the Project to below a level of significance.

Furthermore, if the future end-users of the Project require the ability to discharge non-domestic wastewater into the City wastewater treatment system (e.g., in the case that manufacturing processes result in the need to discharge non-domestic wastewater), per Section 9.20, Sewer System, of the City's Municipal Code, the future end-user would be required to obtain an Industrial User Discharge Permit from the City (City of Montclair 2020a). The City Engineer, in reviewing applications for an Industrial User Discharge Permit, will ensure (1) that quality of the wastewater conforms to the requirements of Section 9.20, Sewer System of the City's Municipal Code; (2) all required pretreatment systems are approved by the City Engineer and it is demonstrated by the user that the systems can adequately achieve existing City point source limits or EPA categorical limitations, whichever are the more stringent, as well as having the capability to handle or to be easily modified to handle future requirements; (3) a City approved monitoring vault, manhole, or other approved monitoring station has been constructed or shall be constructed and has been included in the compliance time schedule; and (4) the City sewer system has adequate capacity for the volume of wastewater to be discharged. Therefore, given the permit requirements mandated by Section 9.20 of the City's Municipal Code (which have been adopted to mitigate potential impacts to wastewater treatment processes), any potential future industrial operations at the Project site would not result in waste discharge violations.

With respect to groundwater quality, the Project includes BMPs that would allow for stormwater to be collected and treated in on-site retention basins. Depending on the subgrade layers that underlie a project site, these BMPs may be designed to allow for stormwater flows to infiltrate soils and recharge groundwater. During the final engineering phase, the proposed locations for the structural BMPs will be thoroughly tested for potential infiltration opportunities and will be implemented if possible. If determined to be feasible, the structural BMPs would treat stormwater flows prior to infiltration, ensuring that flows infiltrating groundwater aquifers do not result in adverse effects to groundwater quality. Moreover, flows entering these structural BMPs, if implemented as infiltration locations, would be typical of runoff collected from a commercial development and would not contain substantial quantities of pollutants that could not be appropriately treated by the proposed BMPs.

In summary, Project grading and construction would be completed in accordance with an NPDES-mandated SWPPP, which would include standard BMPs to reduce potential off-site water quality impacts related to erosion and incidental spills of petroleum products and hazardous substances from equipment. Surface water runoff during Project operations would be managed through a mixture of strategies that would be designed to remove pollutants from on-site runoff prior to discharge into the storm drain system to the maximum extent practicable, as required by MS4 and is demonstrated in the preliminary Project-specific WQMP (Appendix H-1). Therefore, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality and water quality impacts would be less than significant.

### **Groundwater Supplies, Groundwater Recharge, and Sustainable Groundwater Management**

The Project site is located within the Chino Basin Water Conservation District. Water services are provided by the Monte Vista Water District, which provides water for the City (CBWCD 2020). According to the Monte Vista Water District (District) 2015 Urban Water Management Plan, the District receives its water supply from four sources: groundwater from the Chino Groundwater Basin (Chino Basin), imported State Water Project surface water, entitlement water deliveries from the San Antonio Water Company, and recycled water from Inland Empire Utilities Agency (Monte Vista Water District 2016). As such, the Project area is supplied partially by groundwater supplies from the local Chino Basin. Furthermore, the District's primary source of water supply is the Chino Groundwater Basin, which has a total underground water storage capacity of approximately 6 million acre-feet and currently holds

approximately 5 million acre-feet of groundwater (Monte Vista Water District 2016). The Chino Basin Judgement, adopted by the California Superior Court of 1978, designated a safe yield for the basin of 140,000 acre-feet as the allowable amount of groundwater that can be pumped each year without causing undesirable results. The Chino Basin Judgment permits the Chino Basin Watermaster to levy and collect annual assessments in amounts sufficient to purchase replenishment water to replace production during the preceding year that exceeds that allocated share of safe yield/operating safe yield (Monte Vista Water District 2016).

The District's total annual Chino Basin production rights vary based on the Watermaster's allocation of unused Agricultural Pool rights, purchases from other producers, and other factors. In the 2015 Fiscal Year Ending, the District's total rights were equal to approximately 14,217 acre-feet, and the District under produced by 6,197 acre-feet. While the District has under produced currently from the basin, the District has in the past and may in the future be an overproducer if required to do so. The consequence for pumping above the production rights is purchasing the additional water to replenish the basin, as governed by the Chino Basin Watermaster (Monte Vista Water District 2016).

Groundwater levels within these basins are both individually and collectively monitored by their respective watermasters to prevent future overdraft of the groundwater basins. Legal, regulatory, and other mechanisms are currently in place to ensure that the amount of groundwater pumped in the broader Project region does not exceed safe yields/operating safe yields.

Given that all extraction of groundwater for use by the District is actively managed to prevent overdraft, ensure the long-term reliability of the groundwater basins, and avoid adverse effects to groundwater supplies, the Project's use of water supplies that could be composed, at least in part, of groundwater, would not result in adverse effects to groundwater supplies. Therefore, impacts associated with groundwater supplies would be less than significant.

In addition, the Project site is entirely developed. Under the existing condition, the Project site does not allow for significant groundwater recharge and does not share any characteristics with locations typically associated with groundwater recharge (e.g., earthen bottom creeks and streams, lakes, and spreading basins). Following construction, the Project site would contain landscape areas and other pervious surfaces that would allow for a similar percentage of water to percolate into the subsurface soils compared to the existing conditions. Therefore, impacts associated with groundwater recharge would be less than significant.

### **Result in Substantial Erosion or Siltation**

Under the existing conditions, the Project site is developed with buildings and a large asphalt-paved parking lot used for a drive-in movie theatre and swap-meet. The Project would result in the demolition and removal of the existing asphalt and structures on the Project site and the construction of new paved surfaces, warehouse buildings, and landscape areas. During construction, the Project would involve earthwork and other construction activities that would disturb surface soils and temporarily leave exposed soil on the ground's surface. Common causes of soil erosion from construction sites include stormwater, wind, and soil being tracked off site by vehicles. To help curb erosion, Project construction activities would comply with all applicable federal, state, and local regulations for erosion control. The Project would be required to comply with standard regulations, including South Coast Air Quality Management District Rules 402 and 403, which would reduce construction erosion impacts. Rule 402 requires that dust suppression techniques be implemented to prevent dust and soil erosion from creating a nuisance off site (SCAQMD 1976). Rule 403 requires that fugitive dust be controlled with best available control measures so that it does not remain visible in the atmosphere beyond the property line of the emissions source (SCAQMD 2005).

Since Project construction activities would disturb 1 or more acres, the Project would adhere to the provisions of the National Pollutant Discharge Elimination System Construction General Permit. Construction activities subject to this permit include clearing, grading, and ground disturbances such as stockpiling and excavating. The Construction General Permit requires implementation of a stormwater pollution prevention plan, which would include construction features for the Project (i.e., best management practices) designed to prevent erosion and protect the quality of stormwater runoff. Sediment-control best management practices may include stabilized construction entrances, straw wattles on earthen embankments, sediment filters on existing inlets, or the equivalent. With implementation of these best management practices and compliance with standard regulations, the construction of the Project would not result in substantial erosion or siltation.

Once developed, the Project site would include buildings, paved surfaces, and other on-site improvements that would stabilize and help retain on-site soils. The remaining portions of the Project site containing pervious surfaces would primarily consist of landscape areas. These landscape areas would include a mix of trees, shrubs, plants, and groundcover that would help retain on-site soils while preventing wind and water erosion from occurring. Moreover, the Project's new engineered stormwater drainage system would feature structural BMPS such as retention facilities to treat and manage storm water flows before conveying them into the City's public storm drain system. While the Project's future drainage conditions would be designed to mimic the existing on-site drainage conditions to the maximum extent practicable, demolition and construction activities would inevitably result in changes to the internal drainage patterns of the site. However, the Project's future storm drain system will be designed to conform with applicable federal, state, and local requirements related to drainage, hydrology, and water quality, including the current MS4 Permit adopted by the Santa Ana RWQCB. Compliance with these requirements and regulations would ensure that operation of the Project would not result in substantial erosion or siltation, and impacts would be less than significant.

### **Result in Exceedance of Existing Stormwater Drainage System and Result in Increased Surface Runoff and Subsequent Flooding**

Under the existing conditions, the Project site is developed with buildings and a large asphalt-paved parking lot used for a drive-in movie theatre and swap-meet. The Project would result in the demolition and removal of the existing asphalt and structures on the Project site and the construction of new paved surfaces, warehouse buildings, and landscape areas. The Project would include a new engineered stormwater drainage system that would feature structural BMPS such as retention facilities to treat and manage storm water flows before conveying them into the City's public storm drain system. While the Project's future drainage conditions would be designed to mimic the existing on-site drainage conditions to the maximum extent practicable, demolition and construction activities would inevitably result in changes to the internal drainage patterns of the site. However, the Project's future storm drain system will be designed to conform with applicable federal, state, and local requirements related to drainage, hydrology, and water quality, including the current MS4 Permit adopted by the Santa Ana RWQCB. The MS4 Permit requires that Projects be designed to attenuate a 2-year, 24-hour storm event, as verified using methodology outlined in the Technical Guidance Document for Water Quality Management Plans (SARWQCB 2013). As discussed previously, the Project's final stormwater management system has not yet been fully designed at this point in time (and will likely be completed during the final engineering phase). However, as demonstrated in the Project's preliminary WQMP, the Project would provide sufficient attenuation for a 2-year, 24-hour storm event. Additionally, a Preliminary Hydrology Report has been prepared for the Project to confirm that the Project would not result in significant flooding consistent with the San Bernardino County Flood Control District Hydrology Manual. As concluded in the Preliminary Hydrology Report, the Project's drainage and storm drain facilities would be adequately sized for a 100-year storm event (Appendix H-2). During the plan check process, City staff will review the Project's Final WQMP and Final Hydrology Report (concurrent with the review of the Project's Precise Plan of Design) to

ensure the Project's future stormwater system is capable of stormwater flows such that flooding on or off site would not occur. As such, altering the on-site drainage pattern would be conducted in a manner consistent with all applicable standards related to the collection and treatment of stormwater. Therefore, impacts associated with altering the existing drainage pattern of the Project site would be less than significant.

### **Result in Redirection of Flood Flows**

According to the Flood Insurance Rate Map No. 06071C8615H (FEMA 2020) for the Project area, the Project site is located within Zone X, which is defined by the Federal Emergency Management Agency as an area determined to be outside of the 0.2% annual chance floodplain. As such, the Project site is not located within a flood hazard area. Therefore, no impacts associated with impeding or redirecting flood flows would occur.

### **Flood Hazard, Tsunami, or Seiche Zones**

Due to the Project site not being located within a flood hazard zone or along the coast, and because of the lack of nearby large contained waterbody (e.g., a reservoir or similar), the Project would not be susceptible to seiche, tsunami, or mudflow. Therefore, no impacts associated with flood hazards, seiche, tsunami, would occur.

### **Conflict with Water Quality Control Plan or Groundwater Management Plan**

The Project would comply with applicable water quality-regulatory requirements, including the implementation of a SWPPP, stormwater BMPs, and Low Impact Development design, which would minimize potential off-site surface water quality impacts and contribute to a reduction in water quality impacts. In addition, with compliance with these regulatory requirements, the Project would reduce potential water quality impairment of surface waters such that existing and potential beneficial uses of key surface water drainages throughout the jurisdiction of the Santa Ana RWQCB Basin Plan would not be adversely impacted. As a result, the Project would not conflict with or obstruct the Santa Ana RWQCB Basin Plan.

With respect to groundwater management, the Sustainable Groundwater Management Act empowers local agencies to form Groundwater Sustainability Agencies to manage basins sustainably and requires those Groundwater Sustainability Agencies to adopt Groundwater Sustainability Plans for crucial groundwater basins in California. A Groundwater Sustainability Plan is currently being established for Chino Basin Water Conversation District, as it was determined to be a high priority basin. Until that plan is approved, a GWMP has been established to ensure sustainable management of the Santa Clara River Valley East Groundwater Basin. In addition, given that the Project would rely on domestic water supplies originating from a variety of sources, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. As such, the Project would not conflict with or obstruct any groundwater management plans. Therefore, impacts associated with water quality control plans or Groundwater Sustainability Plans would be less than significant.

### **Cumulative Impacts**

As outlined above, all impacts related to hydrology and water quality would be less than significant. Cumulative projects would similarly be required to comply with the requirements outlined above, and would also be required to provide a Stormwater Quality Management Plan for operations and Stormwater Pollution Prevention Plan for construction. Therefore, the proposed Project would result in a less than significant contribution towards cumulative water quality impacts. It is also noted that cumulative projects would also be subject to federal, state, and local regulations concerning runoff flows and stormwater quality. In conclusion, the Project would have a less than significant contribution towards cumulative erosion and sedimentation impacts to the watershed.

## 5.7 Land Use and Planning

### **Division of an Established Community**

The physical division of an established community typically refers to the construction of a linear feature (e.g., a major highway or railroad tracks) or removal of a means of access (e.g., a local road or bridge) that would impair mobility within an existing community or between a community and outlying area.

Under the existing condition, the Project site is developed land and is not used as a connection between established communities. Instead, connectivity within the area surrounding the Project site is facilitated via local roadways. As such, the Project would not impede movement within the Project area, within an established community, or from one established community to another. In addition, the Project would include the construction of a new roadway, which would connect the existing Third Street to the west and Dale Street to the east, through the Project site. Implementation of the Project would increase connectivity within the established Project site vicinity from existing conditions. Therefore, no impacts associated with the division of an established community would occur.

## 5.8 Mineral Resources

### **Mineral Resources and Mineral Resource Recovery Sites**

As discussed in the City's General Plan, within the Los Angeles region, potentially useful minerals have been covered by urban expansion. The loss of these resources has been addressed through the Surface Mining and Reclamation Act of 1975, which identifies an inventory of mineral resources. Although sand and gravel operations historically occurred throughout the City, mining activities have ceased, and reactivation is deemed infeasible based on current technologies (City of Montclair 1999). Furthermore, the Department of Conservation, Division of Mines and Geology Special Report 143 classified the mineral land within the Project site's vicinity as MRZ-3, defined as areas containing mineral deposits that cannot be evaluated from available data (DOC 1984). Since no significant mineral resources have been identified within the Project site's vicinity, implementation of the Project would not adversely affect the availability of known mineral resources or a locally important mineral resource recovery site. Therefore, impacts associated with mineral resources would be less than significant.

### **Cumulative Impacts**

As described above, the Project is not within a designated mineral resource area. Therefore, the proposed Project would not contribute to a cumulatively considerable impact concerning mineral resources. The Project would have less than significant cumulative impacts to mineral resources.

## 5.9 Noise

### **Expose People Residing or Working in Airport Land Use Plan to Excessive Noise Levels**

The nearest operational public-use airport to the Project site is Cable Airport (Upland), which is located approximately 3.5 miles northeast of the Project site. According to the Land Use Compatibility Plan for the Cable Airport, the Project site is not located within the Airport Influence Area (ALUC 1981).

In addition, Ontario International Airport is located approximately 5 miles east of the Project site. The Project site is located within the Airport Influence Area (as shown in Policy Map 2-1) of the Ontario International Airport and is subject to the Ontario ALUCP (City of Ontario 2011). Policy Map 2-3, Noise Impact Zones, of the Ontario ALUCP identifies projected noise levels for areas surrounding the Ontario Airport. Table 2-3, Noise Criteria, of the Ontario ALUCP, identifies the compatibility of uses for each of the corresponding noise contour zones in Policy Map 2-3. According to the Policy Map 2-3, the Project site is partially located within the 60–65 decibel (dB) Community Noise Equivalent Level (CNEL) noise contour area. According to Table 2-3, Noise Criteria, of the Ontario ALUCP, Industrial, Manufacturing, and Storage Uses are normally compatible uses within the 60–65 dB CNEL noise contour area. Therefore, because the Project would result in a use deemed to be compatible with the 60-65 dB CNEL noise contour area, the Project would not expose people residing or working in the project area to excessive noise levels. Therefore, impacts associated with public airport noise would be less than significant.

### 5.10 Population and Housing

#### Inducement Population Growth

The Project involves construction and operation of eight new buildings, which would require temporary construction and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the new buildings and associated on-site improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction. These short-term positions are anticipated to be filled primarily by construction workers who reside in the Project site's vicinity; therefore, construction of the Project would not generate a permanent increase in population within the Project area.

In terms of operational employees, because the future tenants are not known yet, the number of jobs that the Project would generate cannot be precisely determined, but can be estimated. For purposes of this analyses, employment estimates were calculated using average employment density factors reported by Southern California Association of Governments (SCAG). The SCAG Employment Density Survey (SCAG 2001) reports that in San Bernardino County, for every 1,538 square feet of light manufacturing use, the median number of jobs supported is one employee and for every 2,111 square feet of industrial warehouse space, the median number of jobs supported is one employee. The Project would include approximately 296,800 square feet of Warehousing Use and 217,469 square feet of Industrial Park use (comparable to Light Manufacturing use) and as shown in Table 4.10.1, found in Chapter 4.10, Transportation. Therefore, the estimated number of employees for the industrial park portion of the project would be approximately 142 persons and the estimated number of employees for the warehouse portion of the project would be 141 persons, for a total of 282 employees.<sup>1</sup>

According to the SCAG Demographic and Growth Forecast, located as an appendix of the SCAG Regional Transportation Plan/Sustainable Communities Strategies, employment in the City of Montclair is anticipated to grow from 19,300 in 2016 to 20,900 in 2045 (SCAG 2020). Thus, the Project's 282 new employees would represent a relatively small percentage of this projection and, thus, is consistent with anticipated future employment projections within the City. Therefore, the Project would not stimulate population growth or population concentration above

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<sup>1</sup> At the time of preparation of the Initial Study (Appendix A), in which the Project's impacts to population and housing were first evaluated, the Project's employee generation was calculated assuming that the entire Project would be coded for warehousing uses. However, this has since been revised to account for the industrial park portion of the Project.



what is assumed in local and regional land use plans. Therefore, impacts associated with population growth would be less than significant.

### **Displacement of Existing Housing and People**

Given that no residential uses are located on the Project site, and because residential uses are not allowed under the current zoning, the Project would not displace existing housing, nor would it impede future residential development potential. Therefore, no impacts associated with the displacement of people or housing would occur.

### **Cumulative Impacts**

As discussed above, the Project would not generate a permanent increase in population within the Project areas, and the Project's new 282 employees is consistent with anticipated future employment projections within the City. Overall, the proposed project would not induce substantial unplanned population growth in the City, and would have a less than significant cumulative impact to population and housing.

## 5.11 Public Services

### **Fire Protection Facilities**

Fire prevention and emergency services for the City is provided by the City of Montclair Fire Department (Fire Department), operating out of two stations located at 8901 Monte Vista Avenue (Fire Station #151) and 10825 Monte Vista Avenue (Fire Station #152), approximately 2.5-miles north and approximately 0.5 mile to the east of the Project site, respectively. According to the Fire Department, calls to service include structure fires, hazardous materials mitigation, medical calls, traffic accidents, and confined space rescue among other things (City of Montclair 2020c). The Fire Department's staff includes 18 firefighters, three chief officers, a public safety director, and one fire investigator, one administrative technician, and one part-time receptionist (City of Montclair 2020c). According to the Fire Department, Fire Station #151 (8901 Monte Vista Avenue) is equipped with a three-person engine, a Type 1 engine, and will soon have a quint with a 100-foot aerial ladder and platform (City of Montclair 2020c). Fire Station #152 (10825 Monte Vista Avenue) is equipped with one chief officer (stationed at Fire Station 151), a crew of three fire suppression/public safety personnel, including a fire captain, fire engineer, and firefighter/paramedic. Station #152 currently operates with a 2014 KME Type 1 fire engine in service along with a 2000 KME Type 1 reserve engine. Station #152 also houses a lighting unit, which is used to carry urban search and rescue equipment (City of Montclair 2020c). The Fire Department has an average response time of 6 minutes and 13 seconds for medical emergencies and a response time of 6 minutes and 53 seconds for structural fires. Response goals are currently being met by the Montclair Fire Department (City of Montclair 2020c).

The Fire Department participates in an "All Hazard" emergency aid system (through mutual aid agreements) with the fire departments from the surrounding communities of Chino, Upland, Ontario, Rancho Cucamonga, San Bernardino County, and Los Angeles County.

The Fire Department currently serves the Project site and provides emergency response services as required. Under existing conditions, the drive-in theater portion of the Project site has the capacity to support approximately 1,450 cars. If it were to be conservatively assumed there were only one drive-in theater patron per car, it could be estimated that the Project site could support a population of up to roughly 1,450 persons. This represents a conservative estimate as each car is likely to support more than one person, and this estimate does not account for employees of the drive-in theater or other businesses on the Project site.

As discussed previously, upon implementation of the Project, an estimated 282 persons would be employed at the Project site. Given the substantial reduction in persons at the Project site after implementation, it can be assumed that calls for service to the Project site would be reduced in comparison to existing conditions because there would be fewer people on the Project site during a given day compared with the existing conditions.

Additionally, the Project would be subject to the existing Fire Department requirements for fire sprinkler systems, fire alarm systems, fire flow, and equipment and firefighter access, as well as International Fire Code requirements. Implementation of these requirements would both mitigate the potential for fire services to be required and aid the Fire Department in the unlikely event a fire occurred.

The Project would also result in the payment of both developer's fees and property taxes, both of which would result in additional revenue available to the City and, indirectly, would result in increased revenue available to the Fire Department. Developer's fees cannot be used for personnel; however, assuming that the City routed increased property tax revenues to the Fire Department, impacts to the Fire Department as a result of the Project would be partially alleviated. Therefore, because the Project would result in a decrease in calls for service to the Project site, would be developed in accordance with existing requirements, and would result in increased revenue available to the Fire Department, impacts associated with Fire Department facilities, equipment, and personnel would be less than significant.

**Police Protection Facilities**

Police protection services in the City are provided by the Montclair Police Department (Police Department), which is headquartered on the northwest corner of Arrow Highway and Monte Vista Avenue, at 4870 Arrow Highway. The Police Department serves an approximately 5.5 square-mile community. The Police Department employs 53 sworn officers, 32 full and part-time civilian support personnel, including 5 reserve officers and 2 chaplains (City of Montclair 2020c). The Montclair Police Department treats all calls as priority calls; however, the response times vary based on the nature of the call, as shown in Table 5-1 below. The Police Department has a goal of 4-minute response times for Priority 1 calls, and 5-minute response times for Priority 2 calls. As of August 2019, Captain Jason Reed of the Montclair Police Department confirmed response time goals were being met (City of Montclair 2020c). In addition to patrolling, the Police Department also includes specialized assignments such as Detective Bureau, Narcotics Investigations Task Force, Motor Officer Program, Technical Services, Plaza Precinct Patrol, and School Resource Officer.

**Table 5-1. Montclair Police Department’s Response Times**

Priority Call	Example	Average Response Time (July 2018 – July 2019)
Priority 1	In-progress crime and calls for medical emergencies.	5 minutes and 52 seconds
Priority 2	Calls for crime reports or medical service not in progress.	19 minutes and 12 seconds
Priority 3	Non-criminal calls and infractions e.g., illegal parking	38 minutes and 56 seconds

Source: City of Montclair 2020c.

Similar to fire protection services, it can be assumed that calls for service to the Project site would be reduced in comparison to existing conditions because there would be fewer people on the Project site during a given day compared with the existing conditions.

The Project would also result in the payment of both developer's fees and property taxes, both of which would result in additional revenue available to the City and, indirectly, would result in increased revenue available to the Police Department. Developer's fees cannot be used for personnel; however, assuming that the City routed increased property tax revenues to the Police Department, impacts to the Police Department as a result of the Project would be partially alleviated. Therefore, because the Project would result in a decrease in calls for service to the Project site and would result in increased revenue available to the Police Department, impacts associated with Police Department facilities, equipment, and personnel would be less than significant.

### **School Facilities**

The Project would not directly or indirectly induce substantial population growth in the City. It is not anticipated that people would relocate to the City as a result of the Project, and an increase in school-age children requiring public education is not expected to occur as a result of the Project. Nonetheless, all residential and non-residential development projects is subject to SB 50, which requires payment of mandatory impact fees to offset any impact to school services or facilities. The provisions of SB 50 are deemed to provide full and complete mitigation of school facilities impacts, notwithstanding any contrary provisions in CEQA or other state or local laws (Government Code Section 65996). In accordance with SB 50, the Project Applicant would pay all required impact fees, as required of most residential, commercial, and industrial development projects in the City. Therefore, no impacts associated with school facilities would occur.

### **Parks**

Given the lack of population growth as a result of the Project, neither construction nor operation of the Project would generate new residents to the extent that new or expanded park facilities would be required. Therefore, no impacts associated with park facilities would occur.

### **Other Public Facilities**

Given the lack of population growth as a result of the Project, neither construction nor operation of the Project would generate new residents to the extent that new or expanded public facilities such as libraries would be required. Therefore, no impacts associated with libraries and other public facilities would occur.

### **Cumulative Impacts**

As discussed above, the Project would result in a decrease in calls for service to the Project site, would be developed in accordance with existing requirements, and would result in increased revenue available to public services, and impacts associated with public service facilities, equipment, and personnel would be less than significant. Cumulative development in the City will increase the structures, residents and employees requiring public services. With adherence to State and local law, and compliance with applicable fees as determined by the City Planning commission, impacts to public services would be reduced. Therefore, the proposed Project would not result in a cumulatively considerable impact to public services, and impacts would be less than significant.

## 5.12 Recreation

### **Existing, Expanded, and New Recreation Facilities**

The Project would construct eight new buildings and associated improvements. The Project does not propose any residential uses and would not directly or indirectly result in a substantial and unplanned increase in population growth within the Project area. As an industrial use, the Project does not propose recreational facilities or require the construction or expansion of recreational facilities. As such, the Project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. Therefore, no impacts associated with the use of existing recreational facilities or construction of new or expansion of existing recreational facilities would occur.

### **Cumulative Impacts**

As discussed above, the Project would not increase the use of existing neighborhood parks or regional parks in the City and surrounding area. The Project does not propose any residential uses and would not directly or indirectly result in a substantial and unplanned increase in population growth within the Project area. Therefore, the Project would have no cumulative impact to recreation.

## 5.13 Wildfire

### **Impairment of Emergency Response Plan or Emergency Evacuation Plan**

The Project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2008; CAL FIRE 2007). In addition, the Project site is currently developed and located within a developed portion of the City of Montclair. The Project would not significantly affect emergency response or evaluation activities and the Project would not conflict with or impair implementation of the City's Emergency Operations Plan. As such, the Project would not expose people or structures to significant risk involving wildland fires, exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, no impacts associated with wildfire would occur.

### **Exacerbate Wildfire Risks**

The Project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2008; CAL FIRE 2007). In addition, the Project site is currently developed and located within a developed portion of the City of Montclair. Further, the Project site contains only limited amounts of ornamental vegetation associated with existing landscaping and does not contain extensive amounts of vegetation or wildland fuel. Therefore, it is not anticipated that the Project, due to slope, prevailing winds, and other factors, would exacerbate wildfire risks or expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Thus, the Project would not expose people or structures to significant risk involving wildland fires, exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, no impacts associated with wildfire would occur.

### **Installation or Maintenance of Associated Infrastructure**

The Project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2008; CAL FIRE 2007). In

addition, the Project site is currently developed and located within a developed portion of the City of Montclair. The Project would construct surface parking lots, new internal circulation roadways, and infrastructure for the proposed development. It is not anticipated that installation or maintenance of internal driveways would exacerbate fire risk, since the driveways would be surrounded by developed land on all sides. Further, the Project site is located in a predominantly developed area and would connect to existing utilities. The Project would not require installation or maintenance of other associated infrastructure such as fuel breaks, power lines, or other utilities that would exacerbate fire risk. As such, the Project would not expose people or structures to significant risk involving wildland fires, exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, no impacts associated with wildfire would occur.

### **Expose Structures or People to Significant Risks**

The Project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone according to the Local Responsibility and State Responsibility Area maps by CAL FIRE (CAL FIRE 2008; CAL FIRE 2007). As discussed previously, the Project would not result in significant risks associated with flooding, landslides, runoff, or drainage changes, and the Project does not propose the use of fire (such as for a controlled vegetation burn) that would result in post-fire slope instability. Further, the Project site is located within a developed portion of the City of Montclair that is not susceptible to wildland fires, given its considerable distance from open, natural areas. Thus, the Project would not expose people or structures to significant risk involving wildland fires, exacerbate wildfire risks, or otherwise result in wildfire-related impacts. Therefore, no impacts associated with wildfire would occur.

### **Cumulative Impact**

As discussed above, the Project site is not located within a Fire Hazard Severity Zone or a Very High Fire Hazard Severity Zone. In addition, the Project site is currently developed and located within a developed portion of the City of Montclair that is not susceptible to wildland fires, given its considerable distance from open, natural areas. Therefore, the Project would have no cumulative impact related to wildfire.

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# 6 Other CEQA Considerations

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This chapter of the Draft Environmental Impact Report (EIR) for the Mission Boulevard and Ramona Avenue Business Park Project (Project) has been prepared in furtherance of the content requirements set forth in the California Environmental Quality Act (CEQA) Guidelines Section 15126.2. As such, this chapter discusses the following:

- Significant and Unavoidable Environmental Impacts (Section 6.1)
- Significant and Irreversible Changes (Section 6.2)
- Growth Inducing Impacts (Section 6.3)

## 6.1 Significant and Unavoidable Environmental Impacts

Pursuant to CEQA Guidelines Section 15126.2(b), an EIR must address any significant environmental impacts, including those that can be mitigated but not reduced to less than significant levels, as a result of implementation of a project. As described in detail throughout Chapter 4.0, Environmental Analysis, of this Draft EIR, the Project would result in impacts to the environment that cannot be reduced to below a level of significance after the consideration of Project design features, compliance with applicable federal, State and local regulations, and the application of the feasible mitigation measures identified in this Draft EIR. The significant impacts that cannot be mitigated to a level below thresholds of significance consist of the following:

### Air Quality

- The Project would result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable national or California ambient air quality standard. At the project and cumulative levels, operation-generated emissions would exceed the South Coast Air Quality Management District's threshold of significance for oxides of nitrogen (NO<sub>x</sub>) and contribute to the non-attainment of ozone standards in the South Coast Air Basin. Even with incorporation of the mitigation identified in this Draft EIR, operation NO<sub>x</sub> emissions would still exceed South Coast Air Quality Management District's threshold, and impacts would be significant and unavoidable.
- The Project would conflict with or obstruct implementation of the applicable air quality plan. The Project would conflict with the two consistency criteria established by the South Coast Air Quality Management District for determining consistency with the 2016 Air Quality Management Plan (the applicable air quality plan). The Project would conflict with Consistency Criterion No. 1 because the Project would exceed the South Coast Air Quality Management District's threshold of significance for NO<sub>x</sub> and contribute to the non-attainment of ozone standards in the South Coast Air Basin (as discussed above), thus resulting in an increase in the frequency or severity of existing air quality violations and delaying the timely attainment of air quality standards of the interim emissions reductions specified in the AQMP. The Project would conflict with Consistency Criterion No. 2 because the Project would exceed the growth projections within the 2016 SCAG RTP/SCS and 2016 SCAQMD AQMP. Even with incorporation of the mitigation identified in this Draft EIR, the Project would still conflict with the 2016 Air Quality Management Plan, and impacts would be significant and unavoidable.

**Greenhouse Gas Emissions:**

- The Project would indirectly generate greenhouse gas (GHG) emissions that may have a significant impact on the environment. Operation and amortized construction of the Project would generate 14,487 MT CO<sub>2</sub>e of GHG per year, which would exceed the SCAQMD threshold of 3,000 MT CO<sub>2</sub>e per year, which is the South Coast Air Quality Management District’s recommended non-industrial project quantitative threshold for determining whether a project’s GHG emissions would have a significant impact on the environment. Even with incorporation of the mitigation identified in this Draft EIR, the Project’s annual amortized GHG emissions would still exceed the threshold of 3,000 MT CO<sub>2</sub>e per year, and impacts would be significant and unavoidable.
- The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. As previously discussed, total Project GHG emissions, including operation and amortized construction, would exceed the SCAQMD significance threshold of 3,000 MT CO<sub>2</sub>e per year. As such, the Project would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050. Even with incorporation of the mitigation identified in this Draft EIR, the Project’s annual GHG emissions would still exceed the threshold of 3,000 MT CO<sub>2</sub>e per year (thereby interfering with the implementation of GHG reduction goals for 2030 and 2050), and impacts would be significant and unavoidable.

**Land Use and Planning**

- The Project would cause a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, as described above under the Air Quality heading (because one of the Project’s air quality impacts pertains to a conflict with a land use plan, this impact is also disclosed as a land use and planning impact). Despite implementation of mitigation, impacts would be significant and unavoidable.

## 6.2 Significant Irreversible Changes

The CEQA Guidelines requires that an EIR address any significant irreversible changes that would be caused by implementation of a project. According to CEQA Guidelines Section 15126.2(c), such a change would involve one or more of the scenarios discussed below.

### 6.2.1 Change in Land Use that Commits Future Generations to Similar Uses

The Project site is currently used as a four-screen drive-in theatre located within an established industrial area of the City of Montclair. The site is presently designated by the City of Montclair’s General Plan as General Commercial and zoned as General Commercial (C3), Limited Manufacturing (M1), and Manufacturing Industrial (MIP) (City of Montclair 2013; City of Montclair 2018). Implementation of the Project would commit the Project site to an eight-building industrial park. However, because the proposed Project is a redevelopment project within a fully developed and urbanized portion of the City, it would not commit future generations to new urban land uses. The replacement of underutilized buildings and surface parking would result in changes to the current land uses in a manner that is consistent with the City’s General Plan goals and policies (see Section 4.8, Land Use and Planning). Since the

Project site is located near and adjacent to existing industrial uses, the Project would not result in land use changes that would commit future generations to uses that are not already prevalent in the Project area.

### 6.2.2 Significant Irreversible Environmental Effects

The Project site is currently used as a four-screen drive-in theatre located within an established industrial area of the City of Montclair. Implementation of the Project would commit the Project site to an eight-building industrial park. The land use proposed by the Project is compatible with the existing industrial land uses that are located west, north, and east of the Project site within the greater State Street industrial corridor. Residential land uses exist to the south of the Project across Mission Boulevard and legal non-conforming residential uses abut the Project site to the west and to the east, across Ramona Avenue. However, the Project would not result in any significant and unavoidable local/localized physical impacts to these receptors. Although the Project would result in unavoidable physical impacts to air quality and greenhouse gas emissions, these effects are significant due to their effect on the region, not their local impacts to receptors located near the Project site. Accordingly, the Project and its environmental effects would not compel or commit surrounding properties to land uses other than those that are existing today or those that are planned by the City of Montclair General Plan. For this reason, the Project would not result in significant, irreversible effects to nearby, off-site properties.

### 6.2.3 Irreversible Damage from Environmental Accidents

Potential environmental accidents of concern include those events that would adversely affect the environment or public due to the type or quantity of materials released and the receptors exposed to that release. Demolition and construction activities associated with the Project would involve some risk of environmental accidents. However, these activities would be conducted in accordance with all applicable federal, state, and local regulations, and would follow professional industry standards for safety. Once operational, any materials associated with environmental accidents would comply with applicable federal, state, and local regulations, ensuring that any hazardous materials used on-site would be safely and appropriately handled to preclude any irreversible damage to the environment that could result if hazardous materials were released from the site.

### 6.2.4 Large Commitment of Nonrenewable Resources

Commitment of nonrenewable resources includes issues related to increased energy consumption, loss of agricultural lands, and lost access to mining reserves. There would be an irretrievable commitment of labor, capital, and materials used during construction and operation of the Project. Nonrenewable resources would primarily be committed in the form of fossil fuels such as fuel, oil, natural gas, and gasoline used by equipment associated with construction of the Project. Consumption of other non-renewable or slowly renewable resources would also occur. These resources would include lumber and other forest products, sand and gravel, asphalt, and metals such as steel, copper, and lead.

To ensure that energy implications are considered in Project decisions, CEQA requires that EIRs include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy (Public Resources Code (PRC) Section 21100(b)(3)). Energy conservation implies that a project's cost-effectiveness be reviewed not only in dollars but also in terms of energy requirements. For many projects, cost-effectiveness may be determined more by energy efficiency than by initial dollar costs. A lead agency may consider the extent to which an energy source serving the project has already undergone environmental review that adequately analyzed and mitigated the effects of energy production.

Consistent with both PRC Section 21100(b)(3) and a ruling set forth by the court in *California Clean Energy Committee v. City of Woodland*, potentially significant energy implications of a project must be considered in an EIR to the extent relevant and applicable to the project. Accordingly, based on the energy consumption thresholds set forth in Appendix F and Appendix G of the CEQA Guidelines, the Project's estimated energy demands (both short-term construction and long-term operational demands) were evaluated (see Section 4.4., Energy, of this Draft EIR). The overall purpose of the energy analysis was to evaluate whether the Project would result in the wasteful, inefficient, or unnecessary consumption of energy.

As further assessed in the energy analysis, for new development such as that proposed by the Project, compliance with California Title 24 energy efficiency requirements is considered demonstrable evidence of efficient use of energy. The Project would provide for and promote energy efficiencies beyond those required under other applicable federal and state standards and regulations, and in so doing would meet or exceed all Title 24 standards.

### 6.3 Growth-Inducing Impacts

Section 15126.2(d) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed project:

Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects that would remove obstacles to population growth (a major expansion of a wastewater treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also, discuss the characteristics of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.

Growth-inducing impacts can occur when implementation of a development project imposes new burdens on a community by directly inducing population growth or by leading to the construction of additional development in the project area. Also included in this category are projects that would remove physical obstacles to population growth, such as the construction of a new roadway into an undeveloped area or a wastewater treatment plant with excess capacity to serve additional new development. Construction of these types of infrastructure projects cannot be considered isolated from the immediate development that they facilitate and serve. Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area (such as a new residential community that requires additional commercial uses to support residents). The growth-inducing potential of a project can also be considered significant if it fosters growth in excess of what is assumed in local master plans and land use plans, or in projections made by regional planning agencies.

The proposed Project would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the eight warehouse/distribution/ logistics buildings and associated improvements. The number of construction workers needed during any given period would largely depend on the specific stage of construction but would likely range between a few dozen workers to up to 254 on a daily basis. These short-term positions are anticipated to be filled primarily by construction workers who reside in the Project site's vicinity; therefore, construction of the Project would not generate a permanent increase in population within the Project area.

Because the future tenants are not yet known, the number of jobs that the Project would generate cannot be precisely determined. Thus, for the purposes of this analysis, employment estimates were calculated using average employment density factors reported by the Southern California Association of Governments (SCAG). SCAG reports that for every 2,111 square feet of industrial warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). The Project would include 513,295 square feet of industrial space. As such, the estimated number of employees required for operation would be approximately 244 people.

According to the SCAG Demographics & Growth Forecast (an appendix to the 2020–2045 RTP/SCS; SCAG 2020a), employment in the City of Montclair is anticipated to grow from 19,300 in 2016 to 20,900 in 2045 (SCAG 2020b). The Project-related increase of 244 employees would be minimal in comparison to the increase anticipated in the SCAG Growth Forecast.

In addition, data provided by the California Employment Development Department in December 2020 found that the unemployment rate for San Bernardino County is at 9.2%, which is above the state (8.8%) and national (6.5%) averages (EDD 2021). As such, the Project’s temporary and permanent employment requirements could be met by the local existing labor force without people needing to relocate into the Project region, and the Project would not stimulate population growth or a population concentration above what is assumed in local and regional land use plans.

Growth-inducing impacts can also occur when implementation of a project includes infrastructure improvements that would remove physical obstacles to population growth. Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. The Project is currently served by existing infrastructure, including water, wastewater, stormwater drainage, gas, electric, and telecommunication lines. As part of the Project, some of these lines would be extended or upsized within the Project site; however, these activities would be undertaken solely for purposes of supporting the Project. Further, as discussed in Section 4.12, Utilities and Service Systems, given the lack of population growth that would result from the Project, and because the Project site and surrounding area are already served by existing facilities the Project would not tax existing community service facilities or require construction of substantial new facilities. With regard to the Project’s extension of 3<sup>rd</sup> Street across the Project site, the construction of this roadway would be within an established industrial area and would be consistent with the City’s General Plan Circulation Element. Its primary purpose would be to improve local circulation within the area and would not provide a catalyst for future development in a previously undeveloped area.

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# 7 Alternatives

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## 7.1 Alternatives to the Proposed Project

In accordance with California Environmental Quality Act (CEQA) Section 15126.6, this chapter of the Draft Environmental Impact Report (EIR) contains a comparative evaluation of the Mission Boulevard and Ramona Avenue Business Park Project (Project) with alternatives to the Project, including a No Project Alternative. Consistent with CEQA Section 15126.6, this chapter focuses on alternatives to the Project that are capable of avoiding or substantially reducing any significant adverse impacts associated with the Project, even if the alternatives may impede attainment of Project objectives or prove less cost efficient. In addition, implementation of a Project alternative may potentially result in new impacts that would not have resulted from the Project.

The CEQA Guidelines require that the analysis of alternatives provide sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with a proposed project. Specifically, CEQA Guidelines Section 15126.6(a) outlines the scope of alternatives to a proposed project that must be evaluated:

An EIR shall 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 of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selection of a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

Under case law and CEQA Guidelines Section 15126.6(f), the discussion of alternatives is subject to a rule of reason, and need not be exhaustive. CEQA Guidelines Section 15126.6(d) states that “if an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternatives shall be discussed, but in less detail than the significant effects of the project as proposed.” Determining factors that may be used to eliminate alternatives from detailed consideration in an EIR are (a) failure to meet most of the basic project objectives, (b) infeasibility, or (c) inability to avoid significant environmental impacts. CEQA Guidelines Section 15364 defines “feasibility” as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”

An EIR need not consider a project alternative whose effects cannot be reasonably ascertained, whose implementation is remote and speculative, or whose execution does not substantially lessen or avoid the significant effects of a proposed project.

As discussed throughout Chapter 4, Environmental Analysis, of this Draft EIR, at the project and cumulative levels, the Project would result in significant and unavoidable air quality and greenhouse gas impacts. For all other environmental issue areas, the Project would result in either less-than-significant impacts or no impact.

## 7.2 Project Alternatives Considered and Rejected

An EIR is required to identify any alternatives that were considered by the lead agency but were rejected as infeasible. Among the factors described by CEQA Guidelines Section 15126.6 in determining whether to exclude alternatives from detailed consideration in an EIR are failure to meet most of the basic objectives of the project, infeasibility, or inability to avoid significant environmental impacts.

With respect to the feasibility of potential alternatives to a proposed project, CEQA Guidelines Section 15126.6(t)(l) states the following:

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 ... and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

In determining an appropriate range of project alternatives to be evaluated in this Draft EIR, a number of possible alternatives were initially considered and then rejected. Project alternatives were rejected because they could not accomplish the basic objectives of the Project, they would not have resulted in a reduction of significant adverse environmental impacts, or they were considered infeasible to construct or operate.

### **Alternate Locations**

CEQA does not require that an analysis of alternate sites always be included in an EIR. However, if the surrounding circumstances make it reasonable to consider an alternate site, then a project alternative should be considered and analyzed in the EIR. Pursuant to CEQA Guidelines Section 15126.6(f)(2), in making the decision to include or exclude analysis of an alternate site, the “key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location. Only locations that would avoid or substantially lessen any of the significant effects of the project need to be considered for inclusion in the EIR.”

Development of a project that would meet most of the objectives of the proposed Project would require a site that is suitably zone for light manufacturing and distribution uses. Within the City, these uses are generally allowed within the Limited Manufacturing or Manufacturing Industrial zones. At this time, the Project applicant does not own or control extraneous land in or around the City that could accommodate implementation of the Project. A search of similarly sized, available properties within and near the City of Montclair failed to find any M1 Limited Manufacturing and MIP Manufacturing Industrial-zoned sites of comparable size (i.e., 25-30 acres) that are currently on the market and available to purchase (LoopNet 2021).

Development of the Project in an alternative location would reasonably result in similar environmental impacts as would occur with implementation of the Project at its proposed location because the Project’s significant and unavoidable impact are related to air quality and greenhouse gases (GHG), which are directly correlated to vehicular traffic accessing the Project site. Development of an eight-building business park, totaling approximately 513,295 square feet, at another location would not measurably reduce the Project’s air quality emissions or GHG emissions, as air quality and GHG emissions are directly related to the size and use of the proposed buildings.



Further, if the alternate site were to be located farther from major regional transportation routes (e.g., U.S. Highway 60 or Interstate (I)-15, and other local truck routes), operational impacts associated with traffic congestion, truck noise, and tailpipe air contaminant emissions would likely be greater than those associated with the Project and disclosed in this Draft EIR, as the vehicles would need to travel farther on local roads to reach regional highway systems.

Moreover, according to the Southern California Association of Governments (SCAG) Comprehensive Regional Goods Movement Plan and Implementation Strategy, the region is anticipated run out of suitably zoned vacant land designated for warehousing and related facilities in or around 2028. At that time, forecasts show that the demand for warehousing space will be more than 1 billion square feet. The Comprehensive Regional Goods Movement Plan and Implementation Strategy also states that unless other land not currently zoned for warehousing becomes available, SCAG forecasts that by 2035, a projected shortfall of space of approximately 227 million square feet will occur (SCAG 2013). Thus, it is likely that selection of an alternate site would merely displace the development activity proposed by the Project to another location, resulting in the same or greater environmental effects, given the regional demand for space that can accommodate warehousing and related uses, such as those proposed by the Project, in the SCAG region.

### **Alternate Land Uses without General Plan Amendment or Zone Change**

As depicted on Figures 3-5 and 3-6 (in Chapter 3, Project Description), the Project site is comprised of nine parcels ranging in size from 0.29 acres to 8.93 acres, many of which have irregular shapes and/or are “landlocked,” meaning that they do not have direct access to the local circulation network. Additionally, the parcels’ zoning designations vary and include M-1 Limited Manufacturing, MIP Manufacturing Business Park, and C-3 General Commercial. According to the City’s Municipal Code, the M1 Limited Manufacturing zone and MIP Manufacturing Business Park zone are intended to provide for light/limited industrial and manufacturing uses, which are incompatible with the General Commercial General Plan Designation that is intended to provide for broad range of commercial activities, including, but not limited to, grocery stores, restaurants, service providers, automobile and recreational-vehicle sales and other retail and wholesale establishments.

Given this patchwork of conflicting land use designations and varying parcel sizes, future development of the Project site would be all but precluded without several administrative actions that would remedy these conditions. At the very least, a Parcel Map or Tract Map would be required to reorganize the Project site into parcels that would be of a size that is suitable for development. Assuming such a process were to occur, a potential development proposal would subsequently be faced with the fact that the Project site contains three zoning designations.

A review of the allowed uses within the M-1 Limited Manufacturing, MIP Manufacturing Business Park, and C-3 General Commercial reveals that general office space could potentially be allowed within all three of the Project site’s existing zoning designations, and a “General Office Space” alternative was considered. Using the allowable floor area ratio (FAR) for the C-3 General Commercial zone<sup>1</sup>, the Project site would be able to accommodate approximately 570,000 square feet of general office space. Preliminary calculations (Appendix I) using air quality modeling (CalEEMod) were computed to determine whether the general office space alternative would reduce the Project’s significant and unavoidable air quality and greenhouse gas (GHG) impacts. While the general office space alternative would result in a decrease in the amount of oxides of nitrogen (NO<sub>x</sub>) that would be generated during Project operation, such a decrease would not reduce emissions to below a level of significance. Additionally, based on preliminary air quality modeling (Appendix I), a general office space alternative would result in an increase in the amount of GHG emissions that would be generated due to the trip generation characteristics of such a use.

<sup>1</sup> No FAR requirements are provided for the M-1 Limited Manufacturing and MIP Manufacturing Industrial Park zones so the FAR for the C-3 General Commercial zone was assumed for the development of this scenario.

Therefore, this scenario would not eliminate the Project's significant unavoidable impacts. Additionally, development of such an alternative would not achieve the Project's objectives of developing light manufacturing and distribution facilities with loading bays in a location that is located near existing roadways, highways, and freeways to reduce the environmental impacts related to truck congestion, air emissions, and industrial noise to the greatest extent feasible (Objectives 2, 3, and 5). Moreover, a general office product is not a product type that the Project applicant has experience developing. As such this alternative was eliminated from further consideration.

### **Alternate Land Uses with General Plan Amendment or Zone Change**

As discussed previously, the availability of a site comparable in size to that of the Project site is extremely rare within the City, so consideration was given to alternatives that involve a comprehensive change in the site's land use and zoning designations to take advantage of the availability of a singular, relatively large, site within the City. Land uses considered included residential uses, recreational uses (i.e., parks), commercial/retail uses, and other types of industrial uses. As discussed throughout this Draft EIR (primarily within Section 3.2, Environmental Setting), the Project site is located within an established industrial area and is surrounded on two sides by truck routes (i.e., Mission Boulevard and Ramona Avenue). Given the proximity of other existing industrial uses in both the immediate and broader Project area, most uses other than limited manufacturing and distribution uses (and related industrial uses) would likely not be compatible with the neighboring industrial operations and truck traffic that circulates around the Project site; thus, the Project site would be an undesirable location for residential, commercial/retail, and recreational land uses. More importantly, such uses would not meet all of the Project Objectives. Alternative residential, recreational, commercial/retail and other industrial uses would not establish a business park land use near transportation corridors (Objective 1), develop a high-quality business park campus with light manufacturing and distribution facilities (Objective 2), develop light manufacturing and distribution buildings with loading bays (Objective 3), create a fiscally sound and employment-generating business park within an established industrial area (Objective 4), or concentrate non-residential uses near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, and industrial noise to the greatest extent feasible (Objective 5). Moreover, these alternative uses are not product types that the Project applicant has experience developing. As such, these alternatives were eliminated from further consideration.

While the Project site's location within an established industrial area would preclude development of a residential, commercial/retail, and recreational use, such a location would prove beneficial for the development of a limited manufacturing and distribution use (assuming that it would be different than that of the proposed Project). As such, an alternative in which the entire Project site was rezoned to MIP Manufacturing Industrial Park to allow for the development of industrial buildings that would be similar in size to Buildings 1-6 was considered. Under this potential alternative scenario, it was determined that such a project could theoretically involve the development of approximately 466,000 square feet of building space<sup>2</sup>. Preliminary calculations (Appendix I) were computed to determine whether this alternative would reduce the Project's significant and unavoidable air quality and GHG impacts. The modeling results, which used "Industrial Park" trip generation rates from the Institute of Traffic Engineers Trip Generation Manual<sup>3</sup> (ITE 2017), indicated that an "All Industrial Park" alternative would result in increases in both air quality and GHG emissions, thereby increasing the severity of the already significant unavoidable impacts. As such this alternative was eliminated from further consideration.

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<sup>2</sup> This scenario was developed by applying the development intensity/floor-area-ratio/site coverage statistics from the southern half of the Project site (containing Buildings 1-6) to the northern half of the Project site (after accounting for the right-of-way dedication for Third Street).

<sup>3</sup> As discussed in Section 4.10, Transportation, Industrial Park trip generation rates were assumed for Buildings 1-6.

### Substantially Reduced Intensity Alternative

As discussed in Section 4.1, Air Quality, **MM-AQ-3** through **MM-AQ-7** would reduce operational emissions but not to below a level of significance. Additionally, as discussed in Section 4.6, Greenhouse Gas Emissions, despite incorporation of **MM-AQ-2** through **MM-AQ-7**, and **MM-GHG-1** and **MM-GHG-2**, annual mitigated operational greenhouse gas (GHG) emissions with amortized construction emissions would exceed the SCAQMD threshold of 3,000 MT CO<sub>2</sub>e per year. Furthermore, even with incorporation of **MM-AQ-2** through **MM-AQ-7**, and **MM-GHG-1** and **MM-GHG-2**, the Project would generate GHG emissions that may interfere with the implementation of GHG reduction goals for 2030 and 2050. Therefore, the Project would conflict with applicable plans to reduce GHGs.

To fully avoid these operational air quality and GHG impacts, the Project would require reducing the Project's size by approximately 83%, resulting in a project that is only approximately 17% of the Project's size. Such a reduction in scale of the Project may meet most of the Project objectives, but to a substantially less degree than the Project. Additionally, this reduction would not maximize the use of the underutilized Project site.

Therefore, given this level of Project size reduction would substantially lessen the degree to which the Project would meet all of the Project objectives, and largely because a 83% reduction in the Project's size would clearly make this alternative infeasible for the Project applicant, this alternative was rejected from further consideration. (Note that a Reduced Development Intensity Alternative, which assumes a more reasonable reduction in Project size, is considered in Section 7.3.3, below).

## 7.3 Project Alternatives Under Further Consideration

The following provides analysis of the No Project/No Development Alternative (Alternative 1), the Distribution Project Per Limited Manufacturing Zoning Designation Alternative (Alternative 2), and the Reduced Development Intensity Alternative (Alternative 3).

The evaluation below provides a relative comparison between the Project and each of the three Project alternatives. The analysis considers the issue areas evaluated in Chapter 4, Environment Analysis, and Chapter 5, Effects Found Not To Be Significant, of this Draft EIR. In many cases, the Project and a Project alternative may share the same level of significance (i.e., both scenarios would result in a less-than-significant impact). However, although they might share the same level of significance under CEQA, the actual degree of impact may be slightly different for each scenario, and this relative difference is the basis for a conclusion of greater or lesser impacts compared to the Project.

Alternative 3 below is identified as an environmentally superior alternative among the alternatives evaluated in this Draft EIR. An alternative would be environmentally superior to the Project if it would result in fewer or less significant environmental impacts while achieving most of the Project objectives.

### 7.3.1 No Project/No Development Alternative (Alternative 1)

Section 15126.6(e) of the CEQA Guidelines requires that an EIR evaluate the specific alternative of "no project" along with its impact. As stated in this section of the CEQA Guidelines, the purpose of describing and analyzing a no project alternative is to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving a proposed project.

### **Project Alternative 1 Summary**

Under Alternative 1, construction of the Project would not occur. The Project site would remain unchanged, and development activities related to construction and operation of the proposed business park and associated improvements would not occur.

In the short term, consistent with the existing conditions, the Project site would continue to be developed with a four-screen drive-in theatre, accessory ticket booth, office, storage, and refreshment structures. The Montclair Tire Company would remain within the northern corner of the Project site. Additionally, the concrete foundations and partially demolished masonry block walls associated with former industrial buildings would remain in the northwest corner of the Project site. Under Alternative 1, the central portion of the Project site (i.e., the portion currently used as a drive-in theater) would also retain its secondary use as a swap meet.

### **Project Alternative 1 Impact Analysis**

The Project site would remain unchanged and would remain the location for the existing four-screen drive-in theater with associated structures and the Montclair Tire Company. However, under existing conditions, the Montclair Tire Company is not currently an operating business. Additionally, while the existing four-screen drive-in is currently operating, drive-in movie theaters face bleak long-term prospects. Following their peak in the late 1950s when there were approximately 4,000 theaters nationwide, drive-in theaters have declined rapidly in numbers. As of 2019, fewer than 350 drive-ins remain in the United States (UDITOA 2019). Remaining drive-ins are typically located in smaller towns, tend not to compete with each another and face competition from indoor cinemas that will typically have more screens and more movie choices (Fox and Black 2010). Recently, the COVID-19 pandemic has resulted in a considerable increase in the patronization of drive-in theaters nationwide (S&P Global 2020). However, this recent increase in popularity is likely due to social distance measures and it is unclear whether such levels would be sustainable following the easing of social distancing restrictions and the reopening of indoor movie theaters. Notably, the owner of the Mission Tiki Drive-In theater anticipates that the industry is unlikely to be a long-term profitable venture (Los Angeles Magazine 2021).

Under Alternative 1, on-site conditions would remain similar to existing conditions, and because development activities associated with the Project would not occur, many environmental impacts would be reduced compared with Project conditions (i.e., air quality, biological resources, cultural resources, greenhouse gas emissions, noise, transportation, tribal cultural resources, and utilities). Exceptions would include impacts related to aesthetics, agricultural and forestry resources, geology and soils, mineral resources, population and housing, public services, recreation, and wildfire which would result in less-than-significant impacts or no impact, whether or not the Project is constructed on the Project site.

Because the Project would resolve existing conflicts between the City's General Plan and zoning ordinance, under Alternative 1, the General Commercial General Plan land use designation would continue to conflict with the M1 Limited Manufacturing and MIP Manufacturing Industrial zoning designations for the site.

Additionally, impacts associated with hazards and hazardous materials would likely be greater under Alternative 1 than with the Project. Environmental investigations conducted in the northwestern industrial park identified the presence of petroleum hydrocarbons in the subsurface, and previous industrial operations in the southwestern portion of the site are believed to have likely used fuels, oils, and solvents and may have impacted the subsurface in that area of the Project site (Appendix E-1).

Under the Project scenario, implementation of **MM-HAZ-1** through **MM-HAZ-4** would still be required under Alternative 1, which mandates, among other requirements, the identification and abatement of hazardous materials on the Project site in accordance with all applicable guidelines and requirements. However, under Alternative 1, **MM-HAZ-1** through **MM-HAZ-4** would not be initiated, and any hazardous materials on-site would remain. The Project would help to identify and remove any hazardous materials on the Project site through compliance with **MM-HAZ-1** through **MM-HAZ-4**, and because these mitigation measures would not be implemented if not for the Project, Alternative 1 would result in greater impacts related to hazardous materials.

### **Project Alternative 1 Impact Conclusion**

Overall, none of the mitigation measures required for the Project would be necessary with Alternative 1, and this Project alternative would not result in any significant adverse and unavoidable impacts. However, Alternative 1 would not develop a jobs-producing and tax generating land use near transportation corridors within the housing-rich Inland Empire (Objective 1); develop a high-quality business park campus with light manufacturing and distribution facilities for related uses (Objective 2); develop light manufacturing and distribution buildings with loading bays within the western portion of the Inland Empire (Objective 3); or create a fiscally sound and employment-generating business park within an established industrial area and resolve land use conflicts between existing planning documents (Objective 4). Given that the Project site currently contains an existing non-residential use, Alternative 1 would result in a non-residential uses near existing roadways, highways, and freeways and reduce potential environmental impacts related to traffic congestion, air emissions, and noise to the greatest extent feasible (Objective 5). As such, Alternative 1 meets one out of the five Project Objectives.

## 7.3.2 Distribution Project per Limited Manufacturing Zoning Designation Alternative (Alternative 2)

CEQA requires that EIRs “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 of the significant effects of the project, and evaluate the comparative merits of the alternatives” (14 CCR 15126[a]). As discussed throughout Chapter 4, Environmental Analysis, of this Draft EIR, at the project and cumulative levels, the Project would result in significant and unavoidable air quality and greenhouse gas impacts. For all other environmental issue areas, the Project would result in either less-than-significant impacts or no impact. As such, Alternative 2 proposes a reduction in the Project to eliminate the significant impacts air quality and greenhouse gas emissions.

### **Project Alternative 2 Summary**

As previously discussed, the Project site is currently comprised of a patchwork of conflicting land use designations and varying parcel sizes. Under Alternative 2, a General Plan Amendment would be processed to change the Project site’s General Plan land use designation from General Commercial to Limited Manufacturing and a zone change would be processed to change the zoning designation for parcels zoned as MIP Manufacturing Industrial Park and C-3 General Commercial to M1 Limited Manufacturing (a portion of the Project site is already zoned M1 Limited Manufacturing and therefore a zone change would not be needed for that portion of the site).

These administrative changes would facilitate development of the Project site with distribution/warehouse buildings similar to Buildings 7-8 throughout the entirety of the Project site. (Note that these types of larger distribution/warehouse buildings would not be permitted within the MIP Manufacturing Industrial Park zone that is currently contemplated for the southern portion of the site.) Under this alternative, a hypothetical “All

Distribution/Warehouse” project was developed, and it was determined that such a project could theoretically involve the development of approximately 520,000 square feet of building space<sup>4</sup>. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 2, and it is assumed that the form and style of the proposed buildings would be similar to those proposed by the Project.

## Project Alternative 2 Impact Analysis

### Air Quality

For both Alternative 2 and the proposed Project, mitigation measures would be required to reduce construction-related emissions of NO<sub>x</sub> to below the SCAQMD regional thresholds. With regard to operation, because Alternative 2 would involve the development of buildings with sizes larger than 100,000 square feet, this Alternative was evaluated assuming the “Warehousing” trip generation rate (as opposed to both “warehousing” and “industrial park”<sup>5</sup>). According to the ITE Trip Generation Handbook (ITE 2017), Alternative 2 would result in a decrease in the number of heavy-duty trucks accessing the Project site. Accordingly, the Project’s air quality emissions would be reduced. Calculations were computed to determine whether Alternative 2 would reduce the Project’s significant and unavoidable air quality impacts below a level of significance. The results of these calculations are presented in Table 7-1

**Table 7-1. Significant and Unavoidable Air Quality Impact Comparison – Project and Alternative 2**

Impact	Unmitigated Project	Unmitigated Alternative 2	Threshold	Threshold Exceeded?
Operational NO <sub>x</sub> (Pounds per Day)	143.53	65.78	55	Yes

As shown in Table 7-1, Alternative 2 would substantially reduce operational NO<sub>x</sub> emissions, through a decrease in the number of heavy-duty trucks accessing the Project site, but not to below a level of significance. Even with the application of **MM-AQ-3** through **MM-AQ-7**, impacts would remain significant and unavoidable for both the proposed Project and for Alternative 2 because the primary cause of the pollutant would be mobile sources (vehicular traffic), which cannot be easily reduced without further substantive changes in land use. As such, both the Project and Alternative 2 would result in operational emissions of NO<sub>x</sub> that exceed the SCAQMD regional thresholds for this pollutant, which would contribute to the SCAB’s existing “non-attainment” status for O<sub>3</sub>. Thus, operational-related emissions of NO<sub>x</sub> would be significant and unavoidable under both the Project and Alternative 2, although the level of impact would be substantially reduced under Alternative 2 as compared to the Project. Because of this significant and unavoidable impact, Alternative 2 would correspondingly result in a significant and unavoidable impact due to a conflict with the SCAQMD 2016 AQMP. Similar to the Project, **MM-AQ-1** would be required to resolve conflicts with the land use assumptions in the SCAQMD 2016 AQMP. Implementation of **MM-AQ-1** would ensure that the appropriate employment growth projections at the Project site would be incorporated into the next SCAG RTP/SCS (anticipated to be in 2024) and would thereby, be incorporated into the following SCAQMD AQMP. As the SCAQMD is in process of preparing their 2022 AQMP based on the SCAG 2020 RTP/SCS, there is an anticipated interim period where the SCAG RTP/SCS growth projections and the SCAQMD AQMP do not reflect the appropriate

<sup>4</sup> This scenario was developed applying the development intensity/floor-area-ratio/site coverage statistics from the northern half of the Project site (containing Buildings 7-8) to the southern half of the Project site (after accounting for the right-of-way dedication for Third Street).

<sup>5</sup> As discussed in Section 4.10, Transportation, the Industrial Park trip generation rate was selected for Buildings 1-6 because the trip generation characteristics of smaller buildings for limited manufacturing/distribution purposes differ from those of trip generation characteristics of larger buildings (such as Building 7-8).

employment growth at the Project site; however, this will eventually be resolved with updates of both plans. As such, similar to the Project, Alternative 2 would still conflict with SCAQMD Consistency Criterion No. 2 and impacts would remain significant and unavoidable.

Implementation of **MM-AQ-2** during construction would reduce both the Project's and Alternative 2's exposure of sensitive receptors to localized pollutants during construction to less than significant levels. Neither the Project nor Alternative 2 would expose sensitive receptors to localized pollutants during operation; thus, impacts would be less than significant, although the level of impact would be slightly reduced under Alternative 2 due to the reduction in the number of trucks accessing the Project site. Neither the Project nor Alternative 2 would result in or contribute to CO "hot spots," although the Project's less-than-significant impacts would be slightly reduced under Alternative 2 due to the reduction in vehicular traffic. Implementation of Alternative 2 also would reduce the Project's less-than-significant impacts due to diesel particular matter (DPM) emissions. In summary, As such, Alternative 2 would reduce the Project's air quality emissions, including its significant and unavoidable air quality emissions, but not to below a level of significance.

### ***Biological Resources***

Under Alternative 2, the Project would be constructed and operated as planned on the entire Project site. Alternative 2 would not change the area that would be disturbed by the Project, and thus, impacts would be the same for Alternative 2. Potential impacts related to nesting birds would still occur and mitigation measures similar to those incorporated into the Project would be required by Alternative 2 to reduce impacts to a level below significance. Therefore, biological resources impacts would be similar under Alternative 2 when compared to the Project.

### ***Cultural Resources***

Similar to the Project, Alternative 2 would develop the entire Project site with buildings, parking and loading areas, and other associated improvements. Both the Project and Alternative 2 would require the demolition of existing structures on-site; however, the demolition of these structures was determined to result in a less than significant impacts to potential historical resources (see Section 4.3, Cultural Resources). Similarly, both the Project and Alternative 2 would result grading of the entirety of the Project site, resulting in the same potential to disturb presently unknown/unrecorded cultural resources and TCRs within the Project site. Mitigation measures similar to those incorporated into the Project would be required by Alternative 2 to reduce impacts to a level below significance. Therefore, cultural resources and TCRs impacts would be similar under Alternative 2 when compared to the Project.

### ***Energy***

The level of construction activities would be the same under Alternative 2 compared to the Project. Alternative 2 would generate fewer daily vehicle trips, equating to less on-site and mobile energy consumption. Accordingly, energy usage associated with long-term operation of Alternative 2 would be lessened compared to the Project. Therefore, energy impacts would be reduced under Alternative 2 when compared to the Project.

### ***Greenhouse Gas Emissions***

Similar to air quality, Alternative 2 would result in a reduction in the number of heavy-duty trucks accessing the Project site. Accordingly, the Project's air quality emissions would be reduced. Calculations were computed to

determine whether Alternative 2 would reduce the Project’s significant and unavoidable GHG impacts below a level of significance. The results of these calculations are presented in Table 7-2.

**Table 7-2. Significant and Unavoidable GHG Impact Comparison – Project and Alternative 2**

Impact	Unmitigated Project	Unmitigated Alternative 2	Threshold	Threshold Exceeded?
GHG Emissions (CO <sub>2</sub> e Metric Tons per Year)	16,960.91	16,741.71	3,000	Yes

As shown in Table 7-2, Alternative 2 would result in a similar amount of GHG emissions when compared to the proposed Project, and the inclusion of mitigation measures **MM-GHG-1** and **MM-GHG-2** would not reduce these impacts to levels less than significant. Accordingly, Alternative 2 would result in a significant and unavoidable impact associated with applicable plans to reduce GHGs.

### ***Hazards and Hazardous Materials***

Under Alternative 2, the Project would be constructed and operated as planned on the site, with the exception that the development intensity would be reduced. Incorporation of **MM-HAZ-1** through **MM-HAZ-4** would still be required under Alternative 2, which mandates, among other requirements, the identification and abatement of hazardous materials on the Project site in accordance with all applicable guidelines. As such, under Alternative 2, the cleanup activities required pursuant to **MM-HAZ-1** through **MM-HAZ-4** would be initiated, and the Project would still help to remediate the Project site through compliance with **MM-HAZ-1** through **MM-HAZ-4**. Therefore, hazards and hazardous materials impacts would be similar under Alternative 2.

### ***Land Use and Planning***

Similar to the proposed Project, Alternative 2 would require a General Plan Amendment and Zone Change. Assuming approval of the Project’s and Alternative’s requested General Plan Amendments and zone changes, both the Project and Alternative would be consistent with the Project Site’s existing General Plan and Zoning Code. Implementation of **MM-AQ-1** would address inconsistencies between the Project and the land use inputs in the SCAQMD 2016 AQMP. Because the Project’s air quality and GHG impacts would remain significant and unavoidable, the Project would conflict with the SCAQMD 2016 AQMP. Because of the interim period where the SCAG RTP/SCS growth projections and the SCAQMD AQMP do not reflect the appropriate employment growth at the Project site, this impact is considered significant and unavoidable. With respect to other land use plans and policies, both the proposed Project and Alternative 2 would be required to comply with all applicable land use plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. In summary, the level of impact would be the same under both the Project and the Alternative, and impacts would remain significant and unavoidable.

### ***Noise***

Noise associated with Alternative 2 would occur during short-term construction activities and under long-term operation. The types of construction activities conducted on the Project site would be similar under Alternative 2 and would generally cover the same physical area. Daily and hourly construction noise levels would be similar. Under long-term operational conditions, noise generated by Alternative 2 would primarily be associated with vehicles traveling to and from the site, and on-site vehicle idling, maneuvering, and parking. Alternative 2 would



generate fewer daily trips than the Project, and, as such, would contribute less traffic-related noise to local roadways than the Project. Therefore, noise impacts would be reduced under Alternative 2 when compared to the Project.

### ***Transportation***

While Level of Service is no longer a concern under CEQA, Alternative 2 would result in reduction in vehicular traffic accessing the site. Similar to the Project, Alternative 2 would not affect the effectiveness of the circulation system. With regard to VMT, similar to the Project, Alternative 2 would be screened out from further VMT analysis based on the site's location in a low VMT-generating traffic analysis zone and given its proximity to transit. Similar to the Project, Alternative 2's driveways and drive aisles would be designed in accordance with City engineering specifications and would not result in incompatible uses, hazardous conditions, or impede emergency access. Therefore, transportation impacts would be similar under Alternative 2 when compared to the Project.

### ***Tribal Cultural Resources***

Similar to the Project, Alternative 2 would develop the entire Project site with buildings, parking and loading areas, and other associated improvements. As such, Alternative 2 would result in the same potential to disturb presently unknown/unrecorded TCRs within the Project site. Mitigation measures similar to those incorporated into the Project would be required by Alternative 2 to reduce impacts to a level below significance. Therefore, TCR impacts would be similar under Alternative 2 when compared to the Project.

### ***Utilities***

Under Alternative 2, the Project would be constructed and operated as planned on the Project site. All on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 2. As such, the same wet and dry utilities would be required, with construction characteristics of these on- and off-site improvements being similar to the Project. Alternative 2 would have similar demand for utilities and services systems, including water, sewer, stormwater drainage service/facilities, and solid waste collection and disposal. Therefore, utilities and service systems impacts would be similar under Alternative 2.

### **Project Alternative 2 Impact Conclusion**

It is likely that all or most of the mitigation measures required for the Project would also apply to Alternative 2, as the land use type, development intensity, and/or site coverage would be similar or greater to the Project. Notably, Alternative 2 would reduce the number of heavy-duty trucks accessing the Project site, reducing the Project's air quality, energy and noise impacts. However, Alternative 2 would not reduce the Project's significant and unavoidable air quality impacts to below a level of significance. Additionally, under Alternative 2, impacts associated with GHGs would be greater than those of the Project. Because Alternative 2 would develop the same product type that is generally proposed under the proposed Project, Alternative 2 would meet all of the Project's objectives.

## 7.3.3 Reduced Development Intensity Alternative (Alternative 3)

CEQA Section 15126.6, requires consideration of alternatives to the Project that are capable of avoiding or substantially reducing any significant adverse impacts associated with the Project. As discussed throughout Chapter 4, Environmental Analysis, except for significant and unavoidable operational air quality impacts and greenhouse gas emissions, the Project would result in less-than-significant impacts or no impact, with and without

implementation of mitigation measures. (An alternative that would fully avoid these significant and unavoidable operational air quality and GHG impacts were considered but rejected from further analysis; see Section 7.2, above).

### **Project Alternative 3 Summary**

Presently, the only feasible approach to reducing the Project's operational-related air quality and GHG impacts would be to reduce the total number of daily trips and employees generated by the Project. As discussed above, to fully avoid the Project's operation air quality and GHG impacts, the Project Applicant would need to reduce the Project's size by approximately 83%, resulting in a project that is only approximately 17% of the Project's size. Given the substantial reduction in size, such a project was rejected from consideration. However, in order to account for a project with a more reasonable reduction in size, the City considered a project that involves only a 20% reduction, referred to as the Reduced Development Intensity Alternative (Alternative 3).

Under Alternative 3, the same limited manufacturing and distribution buildings would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 20%. This would equate to a limited manufacturing and distribution project consisting of approximately 410,636 square feet, compared to the Project's 513,295 square feet. Since the building footprint would be reduced by 102,659 square feet (approximately 2.4 acres), this extra space on the Project site would remain vacant and undeveloped. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 3.

### **Project Alternative 3 Impact Analysis**

#### ***Air Quality***

Under Alternative 3, the extent of construction activities would be incrementally reduced compared to the Project. Thus, construction-related air quality emissions would be lessened. Due to the reduction in the amount of building space, Alternative 3 would generate fewer daily vehicle trips, including heavy truck trips. Accordingly, air pollutant emissions associated with long-term operation of Alternative 3 would be lessened compared to the Project.

However, Alternative 3 would still require implementation of mitigation measures similar to those required by the Project. Because an 83% reduction in the size of the Project is required to avoid significant air quality impacts (see Section 7.2, above), even with incorporation of mitigation measures, long-term operation of Alternative 3 would still result in significant and unavoidable impacts due to emissions of NO<sub>x</sub> and conflicts with the 2016 SCAQMD AQMP. As such, Alternative 3 would reduce, but not avoid, the Project's significant and unavoidable impact due to operational air emissions.

#### ***Biological Resources***

Under Alternative 3, the Project would be constructed and operated as planned on the entire Project site, although the development intensity would be reduced. Compared to the Project, Alternative 3 would develop less of the Project site, resulting in a smaller overall building footprint. However, potential impacts related to nesting birds would still occur, despite the smaller footprint under Alternative 3. Mitigation measures similar to those incorporated into the Project would be required by Alternative 3 to reduce impacts to a level below significance. All other biological resources impacts would be similar to those of the Project under Alternative 3. Therefore, biological resources impacts would be similar under Alternative 3 when compared to the Project.

### ***Cultural Resources***

Compared to the Project, Alternative 3 would develop less of the Project site with buildings, parking and loading areas, and other associated improvements, resulting in a smaller overall building footprint on the site that would disturb less land. Despite disturbing a smaller area, Alternative 3 would result in the same less-than-significant impacts associated with demolition of existing structures and the same potential to disturb presently unknown/unrecorded cultural resources within the Project site as the Project. Mitigation measures similar to those incorporated into the Project would be required by Alternative 3 to reduce impacts to a level below significance. Therefore, cultural resources impacts would be similar under Alternative 3 when compared to the Project.

### ***Energy***

The level of construction activities would be reduced under Alternative 3 compared to the Project. Thus, construction-related energy usage would be lessened. Alternative 3 would also generate fewer daily vehicle trips and result in less building space than the Project as proposed, equating to less on-site and mobile energy consumption. Accordingly, energy usage associated with long-term operation of Alternative 3 would be lessened compared to the Project. Therefore, energy impacts would be reduced under Alternative 3 when compared to the Project.

### ***Greenhouse Gas Emissions***

Similar to air quality, the extent of construction activities would be reduced under Alternative 3 compared to the Project. Thus, construction-related GHG emissions would be lessened. Alternative 3 would also generate fewer daily vehicle trips due to the reduction in the amount of building space. Accordingly, GHG emissions associated with long-term operation of Alternative 3 would be lessened compared to the Project, but not below a level of significance. Regardless, GHG emissions impacts would be reduced under Alternative 3 when compared to the Project.

### ***Hazards and Hazardous Materials***

Under Alternative 3, the Project would be constructed and operated as planned on the site, with the exception that the development intensity would be reduced. Incorporation of **MM-HAZ-1** through **MM-HAZ-4** would still be required under Alternative 3, which mandates, among other requirements, the identification and abatement of hazardous materials on the Project site in accordance with all applicable guidelines. As such, under Alternative 3, the cleanup activities required pursuant to **MM-HAZ-1** through **MM-HAZ-4** would be initiated, and the Project would still help to remediate the Project site through compliance with **MM-HAZ-1** through **MM-HAZ-4**. Therefore, hazards and hazardous materials impacts would be similar under Alternative 3 when compared to the Project.

### ***Land Use and Planning***

Similar to the proposed Project, Alternative 3 would require a General Plan Amendment and Zone Change. Assuming approval of the Project's and Alternative's requested General Plan Amendments and zone changes, both the Project and Alternative would be consistent with the Project Site's existing General Plan and Zoning Code. Implementation of **MM-AQ-1** would address inconsistencies between the Project and the land use assumptions in the SCAQMD 2016 AQMP. Because the Project's air quality and GHG impacts would remain significant and unavoidable, the Project would conflict with the SCAQMD 2016 AQMP. Because of the interim period where the SCAG RTP/SCS growth projections and the SCAQMD AQMP do not reflect the appropriate employment growth at the Project site, this impact is considered significant and unavoidable. With respect to other land use plans and policies, both the proposed Project and Alternative 3 would be required to comply with all applicable land use plans, policies, and

regulations adopted for the purpose of avoiding or mitigating an environmental effect. In summary, the level of impact would be the same under both the Project and the Alternative, and impacts would remain significant and unavoidable.

### **Noise**

Noise associated with Alternative 3 would occur during short-term construction activities and under long-term operation. The types of construction activities conducted on the Project site would be similar under Alternative 3 and would generally cover the same physical area. Despite Alternative 3 likely resulting in a reduced construction duration when compared to the Project, daily and hourly construction noise levels would be similar. Under long-term operational conditions, noise generated by Alternative 3 would primarily be associated with vehicles traveling to and from the site, and on-site vehicle idling, maneuvering, and parking. Alternative 3 would generate fewer daily trips than the Project, and, as such, would contribute less traffic-related noise to local roadways than the Project. Therefore, noise impacts would be reduced under Alternative 3 when compared to the Project.

### **Transportation**

Similar to the Project, Alternative 3 would be screened out from further VMT analysis based on the site's location in a low VMT-generating traffic analysis zone and given its proximity to transit. Similar to the Project, Alternative 3's driveways and drive aisles would be designed in accordance with City engineering specifications and would not result in incompatible uses, hazardous conditions, or impede emergency access. Therefore, transportation impacts would be similar under Alternative 3 when compared to the Project.

### **Tribal Cultural Resources**

Compared to the Project, Alternative 3 would develop less of the Project site with buildings, parking and loading areas, and other associated improvements, resulting in a smaller overall building footprint on the site that would disturb less land. Despite disturbing a smaller area, Alternative 3 would result in the same potential to disturb presently unknown/unrecorded TCRs within the Project site. Mitigation measures similar to those incorporated into the Project would be required by Alternative 3 to reduce impacts to a level below significance. Therefore, TCR impacts would be similar under Alternative 3 when compared to the Project.

### **Utilities**

Under Alternative 3, the Project would be constructed and operated as planned on the Project site, with the exception that the size of the proposed development would be reduced by 20%. All other on- and off-site improvements proposed as part of the Project are assumed to still be required under Alternative 3. As such, the same wet and dry utilities would be required, with construction characteristics of these on- and off-site improvements being similar to the Project. However, given the reduction in building square footage, Alternative 3 would have reduced demand for utilities and services systems, including water, sewer, stormwater drainage service/facilities, and solid waste collection and disposal, as compared to the Project. Therefore, utilities and service systems impacts would be reduced under Alternative 3 when compared to the Project.

### **Project Alternative 3 Impact Conclusion**

Based on the above, Alternative 3 would result in incremental reductions in both construction activity and operational intensity, resulting in corresponding reductions in the severity of impacts related to air quality, energy,

GHG, noise, and utilities. In the case of air quality and GHG, impacts under Alternative 3 would remain significant and unavoidable even with incorporation of mitigation measures.

All of the same mitigation measures required for the Project would be necessary for Alternative 3, although no new measures would be required. Additionally, Alternative 3 would meet all Project objectives, albeit to a lesser extent as proposed under the Project because of the 20% reduction in the Project’s size. In particular, because of its reduced size, Alternative 3 would produce fewer jobs (Objectives 1 and 4), would generate less tax revenue (Objectives 1 and 4), and would accommodate a smaller amount of users (Objective 2) when compared to the Project.

## 7.4 Environmentally Superior Alternative

Section 15126(e)(2) of the State CEQA Guidelines requires an EIR to identify an “environmentally superior alternative.” If the No Project/No Development Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other Project alternatives.

Each of the three Project alternatives considered herein would lessen at least one environmental impact relative to the Project. As previously addressed, if the No Project/No Development Alternative is the environmentally superior alternative—which is the case in this analysis—the EIR must also identify another environmentally superior alternative among the remaining alternatives. Table 7-3 provides a comparison of the Project with the Project alternatives based on the environmental topic areas addressed in Chapter 4, Environmental Impact Analysis, of this Draft EIR. Table 7-4 presents how the Project and each of the Project alternatives compare in terms of meeting the Project objectives.

**Table 7-3. Project Alternatives Environmental Impacts Comparison**

Environmental Issue	Project	No Project/No Development Alternative (Alternative 1)	Distribution Project per Limited Manufacturing Zoning Designation Alternative (Alternative 2)	Reduced Development Intensity Alternative (Alternative 3)
Air Quality	<b>Significant and Unavoidable</b>	Avoided	<b>Lessened, but significant and unavoidable</b>	<b>Lessened, but significant and unavoidable</b>
Biological Resources	Less-than-Significant with Mitigation Incorporated	Avoided	Similar	Similar
Cultural Resources	Less-than-Significant with Mitigation Incorporated	Avoided	Similar	Similar
Energy	Less-than-Significant	Avoided	Similar	Lessened
Geology and Soils	Less-than-Significant with Mitigation Incorporated	Avoided	Similar	Similar
Greenhouse Gas Emissions	<b>Significant and Unavoidable</b>	Avoided	<b>Lessened, but significant and unavoidable</b>	<b>Lessened, but significant and unavoidable</b>

Table 7-3. Project Alternatives Environmental Impacts Comparison

Environmental Issue	Project	No Project/No Development Alternative (Alternative 1)	Distribution Project per Limited Manufacturing Zoning Designation Alternative (Alternative 2)	Reduced Development Intensity Alternative (Alternative 3)
Hazards and Hazardous Materials	Less-than-Significant with Mitigation Incorporated	Greater	Similar	Similar
Land Use and Planning	<b>Significant and Unavoidable</b>	Greater	Similar	Similar
Noise	Less-than-Significant with Mitigation Incorporated	Avoided	Similar	Lessened
Transportation	Less-than-Significant	Avoided	Similar	Similar
Tribal Cultural Resources	Less-than-Significant with Mitigation Incorporated	Avoided	Similar	Similar
Utilities and Service Systems	Less-than-Significant	Avoided	Similar	Lessened

Based on a comparison of Alternative 2 and Alternative 3, environmental impacts associated with air quality, energy, GHG emissions, noise, and utilities and service systems would be less under Alternative 3 compared to Alternative 2. Impacts associated with biological resources, cultural resources, hazards and hazardous materials, transportation, and tribal cultural resources would be similar under Alternative 3 compared to Alternative 2. Overall, based on these findings, Alternative 3 would be considered the environmentally superior alternative.

Table 7-4. Comparison of Project Alternatives and Project Objectives

Project Objective	Would the Project or Alternative Meet the Project Objective?			
	Project	No Project/No Development Alternative (Alternative 1)	Distribution Project per Limited Manufacturing Zoning Designation Alternative (Alternative 2)	Reduced Development Intensity Alternative (Alternative 3)
<b>Objective 1:</b> Establish a jobs-producing and tax-generating business park land use near transportation corridors within the housing-rich Inland Empire that is constructed to high standards of quality and provides diverse economic opportunities for those residing and wishing to invest within the City of Montclair.	Yes	No	Yes	Yes, albeit to a less degree than the Project
<b>Objective 2:</b> Develop a high-quality business park campus with light manufacturing and	Yes	No	Yes	Yes, albeit to a less degree

Table 7-4. Comparison of Project Alternatives and Project Objectives

Project Objective	Would the Project or Alternative Meet the Project Objective?			
	Project	No Project/No Development Alternative (Alternative 1)	Distribution Project per Limited Manufacturing Zoning Designation Alternative (Alternative 2)	Reduced Development Intensity Alternative (Alternative 3)
distribution facilities for related uses in Montclair that are designed to meet contemporary industry standards, can accommodate a wide variety of users, and are economically competitive with similar industrial buildings in the local area and region.				than the Project
<b>Objective 3:</b> Develop light manufacturing and distribution buildings with loading bays within the western portion of the Inland Empire and in close proximity to the I-10 Freeway that can be used as part of the Southern California supply chain and goods movement network.	Yes	No	Yes	Yes, albeit to a less degree than the Project
<b>Objective 4:</b> Create a fiscally sound and employment-generating business park within an established industrial area and resolve land use conflicts between existing planning documents.	Yes	No	Yes	Yes, albeit to a less degree than the Project
<b>Objective 5:</b> Concentrate non-residential uses near existing roadways, highways, and freeways in an effort to isolate and reduce any potential environmental impacts related to truck traffic congestion, air emissions, and industrial noise to the greatest extent feasible.	Yes	Yes	Yes	Yes

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