

Appendix A

Notice of Preparation, Initial Study, and Scoping Comments

Appendix A-1

Notice of Preparation

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COUNTY OF SAN BERNARDINO
CALIFORNIA



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City of Montclair

**Public Notice of Preparation of a Draft Environmental Impact Report for the
Mission Boulevard and Ramona Avenue Business Park Project**

To: All Interested Agencies, Organizations, and Persons

-AND-

State Clearinghouse
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

From: City of Montclair
5111 Benito Street,
Montclair, California 91763

Subject: Notice of Preparation of a Draft Environmental Impact Report and Public Scoping Meeting for the Mission Boulevard and Ramona Avenue Business Park Project

Project Title: Mission Boulevard and Ramona Avenue Business Park Project

Project Applicant: Mission Boulevard Industrial Owner, L.P.

Project Address: Northwest corner of Ramona Avenue and Mission Boulevard

Date of Notice: January 4, 2021

This Notice of Preparation (NOP) has been prepared to notify agencies and interested parties that the City of Montclair (City), as Lead Agency, is commencing preparation of an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act (CEQA) to evaluate the potential environmental effects associated with the Mission Boulevard and Ramona Avenue Business Park Project (Project).

The City is requesting input from interested individuals, organizations, and agencies regarding the scope and content of the environmental analysis to be included in the upcoming Draft EIR. In accordance with CEQA, the City requests that agencies provide comments on the environmental issues related to the statutory responsibilities of their particular agency. This NOP contains a description of the Project, its location, and a preliminary determination of the environmental resource topics to be addressed in the Draft EIR.

Project Location: The approximately 27.74-acre Project site is located in the southeastern part of the City, which is located within the western edge of San Bernardino County (see Figure 1, Project Location). The Project site is located at the northwest corner of Mission Boulevard and Ramona Avenue. The Project site is bound by State Street to the north, Ramona Avenue to the east, Mission Boulevard to the south, and by a mix of residential and industrial development to the west.

The Project site is composed of nine existing parcels identified as Assessor's Parcel Numbers 1012-151-20, 1012-151-27, 1012-151-28, 1012-151-29, 1012-161-01, 1012 161-02, 1012-161-03, 1012-161-04, and 1012-161-05. The Project site is located in Sections 21, 22, 27, and 28 of Township 1 South, Range 8 West, as depicted on the U.S. Geological Survey Ontario, California 7.5 minute topographic quadrangle map. Currently, the Project site is developed with a drive-in theater/swap-meet use and a separate automobile-related use.

Project Description: The Project would include the demolition of all existing on-site structures and the construction of an eight-building business park.

The approximately 27.74-acre Project site is currently developed with a four-screen drive-in theatre and accessory ticket booth with capacity for approximately 1,450 cars, office, storage, and refreshment structures. In addition, the Montclair Tire Company occupies a metal building located on a triangular-shaped area at the northern corner of the Project site, but is not currently an operating business. The northwest corner of the Project site (a rectangular portion not associated with drive-in theater) contains concrete foundations and partially demolished masonry block walls associated with former industrial buildings were demolished at various points between 1989 and 2009. The central portion of the Project site (i.e., the portion currently used as a drive-in theater) is also used as a swap meet.

In total, the Project would provide approximately 514,269 square feet of flexible industrial space well suited to serve the requirements of a wide spectrum of industrial tenants, as well as associated improvements, including loading docks, tractor trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements (see Figure 2, Site Plan). Implementation of the Project is anticipated to require the following approvals from the City:

- **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 Third Street) and Industrial Park (for Buildings 1 through 6 on the south portion of the Project site south of Third 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 Third Street) and MIP Manufacturing Industrial (for Buildings 1 through 6 on the south portion of the Project site south of Third 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.
- **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.
- **Other ministerial permits,** including an encroachment permit, grading permit, general construction permit, and street/land closure permit.

Although subject to change, demolition and preliminary construction is anticipated to commence in late 2021.

Potential Environmental Impacts of the Project: Based on the preliminary scope of the Project and preparation of an Initial Study, the City has determined that the Project could have a potentially significant environmental effect. Pursuant to CEQA Guidelines Section 15063, the City has determined that preparation of an Environmental Impact Report will be required, which will focus on the significant effects of the Project. The Project's potentially significant environmental effects will be addressed in the forthcoming Draft EIR. The potential environmental effects to be addressed in the Draft EIR will include, but may not be limited to the following:

- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Mandatory Findings of Significance

The EIR will also address all other CEQA-mandated topics, including cumulative impacts and Project Alternatives. A Notice of Availability will be published and circulated at a later date indicating that the Draft EIR will be available for public review and comment.

Public Scoping Comment Period and Meeting

Public Scoping Comment Period: The City has established a 30-day public scoping period from January 4, 2021, to February 3, 2021. During the scoping period, the City's intent is to disseminate Project information to the public and solicit comments from agencies, organizations, and interested parties, including nearby residents and business owners, regarding the scope and content of the environmental information to be included in the EIR, including mitigation measures or Project alternatives to reduce potential environmental effects. During this period, this NOP and the attached Initial Study may be accessed electronically at the following website:

<https://www.cityofmontclair.org/city-government/community-development/planning-division/current-projects-in-montclair>

A hard copy of the IS/NOP is available for review at Montclair City Hall by appointment on Monday throughout Thursday from 7:00 a.m. to 5:00 p.m. (except during office closures):

**City of Montclair
Community Development Department, Planning Division
5111 Benito Street
Montclair, California 91763**

To schedule an appointment to review the IS/NOP at Montclair City Hall, please contact Michael Diaz at (909) 625-9432 or mdiaz@cityofmontclair.org.

Public Scoping Meeting: The Project's Scoping Meeting will be held online, through a webinar type format. The Scoping Meeting will involve a presentation about the Project and the environmental review process and schedule. The purpose of the meeting is to facilitate the receipt of written comments about the scope and content of the environmental analysis to be addressed in the Draft EIR. The Scoping Meeting is for information-gathering, is not a public hearing, and no public testimony will be taken. No decisions about the Project will be made at the Scoping Meeting. A separate public hearing for entitlement requests will be

scheduled after the completion of the Draft EIR. The date, time, and website of the Project's Scoping Meeting are as follows:

Date and Time: Wednesday, January 13, 2021 at 6:00 PM

Scoping Meeting Log-In: <https://zoom.us/j/95233227193>

Dial (for higher quality, dial a number based on your current location):

US: +1 669-900 6833 or +1 301 715 8592 Webinar ID: 952 3322 7193

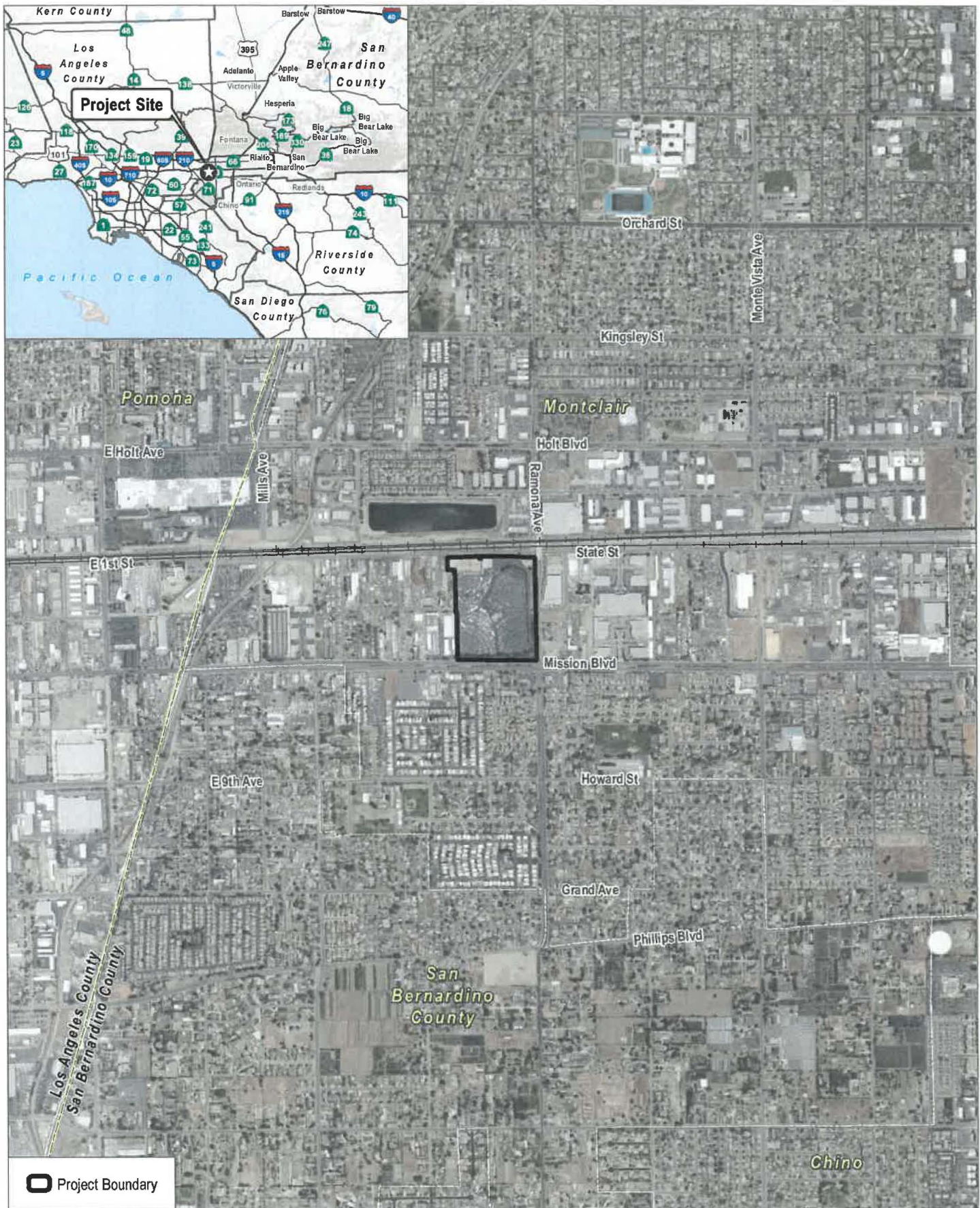
International numbers available: <https://zoom.us/j/95233227193>

Scoping Comments: All scoping comments must be received in writing by 5:00 p.m. on February 3, 2021, which marks the end of the 30-day public scoping period. All written comments should indicate an associated contact person for the agency or organization, if applicable, and reference the Project name in the subject line. Pursuant to CEQA, responsible agencies are requested to indicate their statutory responsibilities in connection with the Project when responding. Please mail or email comments and direct any questions to the following contact person:

Mr. Michael Diaz, Community Development Director
City of Montclair, Community Development Department, Planning Division
5111 Benito Street
Montclair, California 91763
Phone: (909) 625-9432
Email: mdiaz@cityofmontclair.org

Si desea información en Español acerca de esta propuesta, por favor comuníquese con Silvia Gutierrez en la ciudad de Montclair, al teléfono (909) 625-9435.

Attachments: Figure 1, Project Location
Figure 2, Site Plan

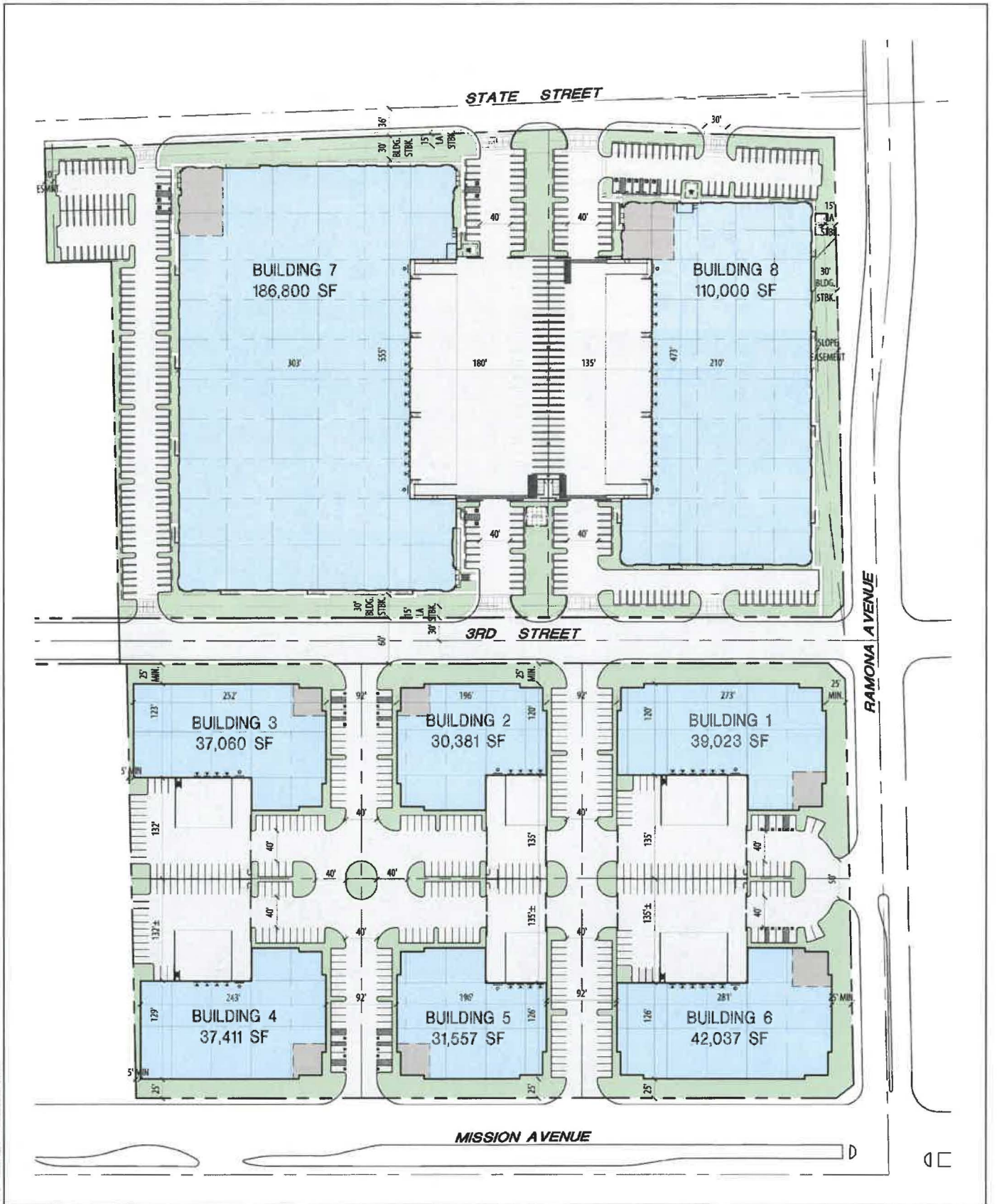


SOURCE: Bing Maps 2020; Open Street Maps 2020



FIGURE 1
Project Location

Mission Boulevard and Ramona Avenue Business Park Project



SOURCE: GAA Architects 2020

FIGURE 2

Site Plan

Mission Boulevard and Ramona Avenue Business Park Project

Appendix A-2

Initial Study

INITIAL STUDY

Mission Boulevard and Ramona Avenue Business Park Project

Prepared for:

City of Montclair

Community Development Department, Planning Division
5111 Benito Street
Montclair, California 91763

Contact: Michael Diaz, Community Development Director

Prepared by:

DUDEK

38 Marengo Avenue
Pasadena, California 91101

Contact: Collin Ramsey, Senior Project Manager

JANUARY 2021

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Acronyms and Abbreviations

| Acronym/Abbreviation | Definition |
|----------------------|---|
| AB | Assembly Bill |
| ALUCP | Airport Land Use Compatibility Plan |
| APN | Assessor's Parcel Number |
| BMP | best management practice |
| CAL FIRE | California Department of Forestry and Fire Protection |
| CBC | California Building Code |
| CEQA | California Environmental Quality Act |
| City | City of Montclair |
| CNEL | Community Noise Equivalent Level |
| dB | decibel |
| District | Monte Vista Water District |
| EIR | Environmental Impact Report |
| Fire Department | City of Montclair Fire Department |
| GHG | greenhouse gas |
| IS | Initial Study |
| MS4 | Municipal Separate Storm Sewer System |
| NOP | Notice of Preparation |
| NPDES | National Pollutant Discharge Elimination System |
| Project | Mission Boulevard and Ramona Avenue Business Park Project |
| Project Applicant | Mission Boulevard Industrial Owner, L.P. |
| SB | Senate Bill |
| SCAG | Southern California Association of Governments |
| SWPPP | stormwater pollution prevention plan |
| SWRCB | State Water Resources Control Board |
| WQMP | Water Quality Management Plan |

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1 Introduction

1.1 Project Overview

Mission Boulevard Industrial Owner, L.P. (Project Applicant) has applied to the City of Montclair (City) for the development of the Mission Boulevard and Ramona Avenue Business Park Project (Project). The Project includes the demolition of all existing on-site structures and the construction of an eight-building business park. In total, the Project would provide approximately 514,269 square feet of flexible industrial space and associated improvements, including loading docks, tractor trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements.

Implementation of the Project would require the following approvals from the City:

- **General Plan Amendment** to modify the Project Site's General Plan land use designation from General Commercial to Limited Manufacturing and Industrial Park;
- **Zone Change** to modify the Project Site's zoning designation from M1 Limited Manufacturing, MIP Manufacturing Industrial, and C3 General Commercial to M1 Limited Manufacturing and MIP Manufacturing Industrial;
- **Tract Map** to consolidate the nine existing parcels on the Project site into eight on-site parcels;
- **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; and
- **Other ministerial permits** including an encroachment permit, grading permit, general construction permit, and street/land closure permit;

1.2 California Environmental Quality Act Compliance

The California Environmental Quality Act (CEQA) serves as the main framework of environmental law and policy in California. CEQA emphasizes the need for public disclosure and identifying and preventing environmental damage associated with proposed projects. Unless the project is deemed categorically or statutorily exempt, CEQA is applicable to any activity that requires public agency approval and that would result in a direct or reasonably foreseeable indirect change in the environment. The Project considered herein is not statutorily or categorically exempt from CEQA and the City must proceed with preparation of an Initial Study.

Because the Project has the possibility of creating a significant impact, the preparation of an EIR is required by CEQA. The purpose of this Initial Study (IS) is to provide an overview and analysis of the potential environmental impacts that the Project could have and to determine which impacts require further review and study in an Environmental Impact Report (EIR). The IS has also been prepared to satisfy CEQA requirements of other agencies that may provide approvals and/or permits for the Project.

The document is accessible to the public, in accordance with CEQA, in order to receive feedback on the Project's potential impacts, as well as the scope of the Project's EIR (14 CCR Section 15121[a]).

1.3 Availability of the Notice of Preparation and Initial Study

The IS/Notice of Preparation (NOP) for the Project is being distributed directly to the State Clearinghouse, state and local agencies and organizations, and interested groups and persons during the scoping period. It is available online on the City's website:

<https://www.cityofmontclair.org/city-government/community-development/planning-division>

A hard copy of the IS/NOP is available for review at Montclair City Hall by appointment on Monday throughout Thursday from 7:00 a.m. to 5:00 p.m. (except during office closures):

**City of Montclair
Community Development Department, Planning Division
5111 Benito Street
Montclair, California 91763**

To schedule an appointment to review the IS/NOP at Montclair City Hall, please contact Michael Diaz at (909) 625-9432 or mdiaz@cityofmontclair.org.

1.4 Public Review Process

The IS/NOP will be available for a public comment period of no less than 30 days from January 4, 2021, to February 3, 2021. In reviewing the IS, affected public agencies and the interested public should focus on the sufficiency of the document in identifying the potential impacts of the Project on the environment.

Comments may be made on the IS in writing before the end of the comment period. Following the close of the public comment period, the City will consider this IS and comments thereto in preparing the EIR. Written comments on the IS should be sent to the following address by 5:00 p.m. on February 3, 2021:

**Michael Diaz, Community Development Director
City of Montclair, Community Development Department, Planning Division
5111 Benito Street
Montclair, California 91763
mdiaz@cityofmontclair.org**

2 Project Description

2.1 Project Location

The approximately 27.74-acre Project site is located in the southwestern part of the City, which is located within the western edge of San Bernardino County (Figure 1). 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 County Road 20010 to the west.

The Project site is located in Sections 21, 22, 27, and 28 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 Project site includes Interstate 10, located approximately 1.5 miles north, and California State Route 60, located approximately 1.8 miles south.

2.2 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.

Existing Project Site

The approximately 27.74-acre Project site is currently developed with a four-screen drive-in theatre with capacity for approximately 1,450 cars, and accessory ticket booth, office, storage, and refreshment structures. In addition, the Montclair Tire Company occupies a metal building located on a triangular-shaped area at the northern corner of the Project site, but is not currently an operating business. The northwest corner of the Project site (a rectangular portion not associated with drive-in theater) contains concrete foundations and partially demolished masonry block walls associated with former industrial buildings were demolished at various points between 1989 and 2009. The central portion of the Project site (i.e., the portion currently used as a drive-in theater) is also used as a swap meet.

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 (Figure 2). 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). Table 1 provides a summary of the General Plan Land Use and Zoning designations associated with each APN, and these designations may also be referenced on Figure 2 and Figure 3.

Table 1. 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 2 and Figure 3.

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

Surrounding Land Uses

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, and vacant land
- **South:** Mission Boulevard, commercial uses, and residential uses
- **West:** Industrial, manufacturing, and scattered non-conforming residential uses

2.3 Proposed Project

The Project includes the demolition of all existing on-site structures (see Section 2.2, Existing Project Site) and the construction of an eight-building business park. In total, the Project would provide approximately 514,269 square feet of industrial space and associated improvements including loading docks, tractor trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements (Figure 4, Site Plan).

See Table 2 for a summary of Project details.

Table 2. Building Area Summary

| Use | Bldg. 1 | Bldg. 2 | Bldg. 3 | Bldg. 4 | Bldg. 5 | Bldg. 6 | Bldg. 7 | Bldg. 8 | Total |
|-------------------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|----------------|----------------|
| Office | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | 5,000 | 5,000 | 25,000 |
| Warehouse | 34,023 | 25,381 | 32,060 | 32,411 | 26,557 | 37,037 | 176,800 | 100,000 | 464,269 |
| Mezz. ¹ | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | 2,500 | 5,000 | 5,000 | 25,000 |
| Bldg. Footprint | 36,523 | 27,881 | 34,560 | 34,911 | 29,056 | 39,537 | 181,800 | 105,000 | 489,268 |
| Total Bldg. Area | 39,023 | 30,381 | 37,060 | 37,411 | 31,557 | 42,037 | 186,800 | 110,000 | 514,269 |

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

¹ Mezzanine area not included in Building Footprint but included in Total Building Area.

Requested Approvals

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

Discretionary Actions

- **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 Third Street) and Industrial Park (for Buildings 1 through 6 on the south portion of the Project site south of Third 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 Third Street) and MIP Manufacturing Industrial (for Buildings 1 through 6 on the south portion of the Project site south of Third 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.
- **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.

Ministerial Approvals

- Encroachment Permit
- Grading Permit
- General Construction Permit
- Street/Lane Closure Permit.

Project Construction

Although the Project Applicant is still refining the Project’s construction schedule, it is anticipated that demolition and dismantling of the existing on-site structures and preliminary building construction would commence in late 2021.

On-Site and Off-Site Improvements

The Project would include street improvements along State Street, Ramona Avenue, Mission Boulevard, and the extension of Third Street from the west boundary of the site to Ramona Avenue at the intersection with Dale Street. Street improvements would include right of way dedications, installation of new curb and gutter, sidewalks, street lighting, street signal upgrade, etc. On-site improvements include new landscape materials, exterior lighting, parking areas, etc. A variety of trees, shrubs, plants, and land covers would be planted within the Project frontage’s landscape setback area, as well as within the landscape areas found around the proposed buildings and throughout the Project site.

Site Access and Parking

Access to the Project site would be provided by 8 driveways: four driveways at the northern Project boundary off State Street, one driveway at the eastern Project boundary off Ramona Avenue, two driveways on the southern Project boundary off Mission Boulevard, and six off driveways off the Third Street extension.

A summary of tractor trailer stalls and passenger vehicle parking is provided in Table 3.

Table 3. Parking Summary

| Parking Type | Bldg. 1 | Bldg. 2 | Bldg. 3 | Bldg. 4 | Bldg. 5 | Bldg. 6 | Bldg. 7 | Bldg. 8 | Total |
|-----------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|-------|
| Dock Doors | 6 | 4 | 5 | 5 | 4 | 6 | 18 | 18 | 69 |
| Grade Doors | 1 | 1 | 1 | 1 | 1 | 1 | 2 | 2 | 10 |
| Trailer Stalls | 0 | 0 | 0 | 0 | 0 | 0 | 23 | 0 | 23 |
| Passenger Parking Stalls | 57 | 59 | 57 | 56 | 60 | 58 | 217 | 141 | 707 |
| Passenger Parking Stalls Required | 54 | 45 | 52 | 52 | 47 | 57 | 171 | 140 | 588 |

Note: Bldg. = Building.

Utility Improvements

Domestic Water

Domestic water service would be provided by the Monte Vista Water District. An existing 12-inch public water line is located within Third Street. This water line would be extended within Third Street to Ramona Avenue. Buildings 7 and 8 would connect to a 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.

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 Third Street. Upon meeting Third 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 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.

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 Third Street. The new storm drain would continue south from Third 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 Third Street to collect stormwater flows along Third Street. Buildings 1 through 6 would drain to one or more on-site underground infiltration facilities before also discharging to the new storm drain.

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3 Initial Study Checklist

1. Project title:

Mission Boulevard and Ramona Avenue Business Park Project

2. Lead agency name and address:

City of Montclair
Community Development Department, Planning Division
5111 Benito Street
Montclair, California 91763

3. Contact person and phone number:

Michael Diaz, Community Development Director
909.625.9432

4. Project location:

The approximately 27.74-acre Project site is located in the southwestern part of the City, which is located within the western edge of San Bernardino County (Figure 1). 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 County Road 20010 to the west.

5. Project sponsor's name and address:

Mission Boulevard Industrial Owner, L.P.

6. General Plan designation:

General Commercial

7. Zoning:

C3 General Commercial, MIP Manufacturing Industrial, M1 Limited Manufacturing

8. Description of project.

The Project includes the demolition of all existing on-site structures and the construction of an eight-building business park. In total, the Project would provide approximately 514,269 square feet of flexible industrial space and associated improvements, including loading docks, tractor trailer stalls, passenger vehicle parking spaces, and street, sidewalk, and landscape improvements (Figure 4). See Section 2, Project Description, for a more detailed description of the Project.

9. Surrounding land uses and setting:

Land uses surrounding the Project site primarily consist of manufacturing, industrial, commercial, residential uses. Specific land uses located in the immediate vicinity of the Project site include the following:

- **North:** State Street, railroad tracks, and industrial uses
- **East:** Ramona Avenue, vacant land, and industrial uses
- **South:** Mission Boulevard, commercial, and residential uses
- **West:** Industrial and residential uses

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

No discretionary approvals from other outside agencies is anticipated at this time.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

In accordance with California Assembly Bill 52 requirements, the City will initiate Tribal consultation, the results of which will be summarized in the Draft EIR.

Environmental Factors Potentially Affected

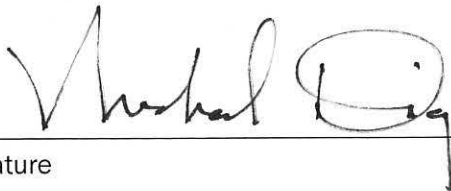
The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a “Potentially Significant Impact,” as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards and Hazardous Materials |
| <input type="checkbox"/> Hydrology and Water Quality | <input checked="" type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population and Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Determination (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

1-4-21

Date

Evaluation of Environmental Impacts

3.1 Aesthetics

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project: | | | | |
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact. 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).

The nearest park to the Project site is Essex Park, located approximately 1,500 feet south of the Project site, and no natural flood control facilities, agricultural areas, or other natural landforms exist in the vicinity of the Project site. Overall, 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, and this issue will not be evaluated further in the Draft EIR.

b) 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. 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, and this issue will not be evaluated further in the Draft EIR.

- c) ***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. 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, 2019, the California Department of Finance estimated the population of Montclair to be 39,563 persons (DOF 2019). 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 178,268 as of January 1, 2019 (DOF 2019). Therefore, because the City of Montclair shares a border with the City of Ontario, and because the two cities’ combined population exceed 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 purpose of the design standards are, 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, and this issue will not be evaluated further in the Draft EIR.

- d) ***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. 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, and this issue will not be evaluated further in the Draft EIR.

3.2 Agriculture and Forestry Resources

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| II. AGRICULTURE AND FORESTRY RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: | | | | |
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| c) 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) **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. 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, and this issue will not be evaluated further in the Draft EIR.

b) **Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?**

No Impact. According 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, and this issue will not be evaluated further in the Draft EIR.

c) **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. 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, and this issue will not be evaluated further in the Draft EIR.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. 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.

e) 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. As previously addressed, 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, and this issue will not be evaluated further in the Draft EIR.

3.3 Air Quality

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|--------------------------|
| III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project: | | | | |
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term criteria pollutants and other emissions. Further analysis is required

to determine whether the Project could potentially conflict with or obstruct implementation of applicable air quality plans. Therefore, this issue will be analyzed in the Draft EIR.

- b) **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?**

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term criteria pollutants and other emissions. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to air quality. Therefore, these issues will be analyzed in the Draft EIR.

- c) **Would the project expose sensitive receptors to substantial pollutant concentrations?**

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term criteria pollutants and other emissions. Further analysis is required to determine whether the Project could potentially expose sensitive receptors to substantial pollutant concentrations. Therefore, this issue will be analyzed in the Draft EIR.

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

Potentially Significant Impact. Project construction and operations would involve activities that would generate both short-term and long-term criteria pollutants and other emissions. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to air quality. Therefore, these issues will be analyzed in the Draft EIR.

3.4 Biological Resources

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|--------------------------|
| IV. BIOLOGICAL RESOURCES – Would the project: | | | | |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) **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. Implementation of the Project would result in construction and operational activities that could potentially have an adverse effect on candidate, sensitive, or special-status species. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to species identified as a candidate, sensitive, or special status species. Therefore, this issue will be analyzed further in the Draft EIR.

- b) ***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?***

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities that could impact riparian habitat and other sensitive natural communities. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to biological resources. Therefore, this issue will be analyzed further in the Draft EIR.

- c) ***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 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, and this issue will not be evaluated further in the Draft EIR.

- d) ***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?***

Potentially Significant Impact. While 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 contains trees and shrubs (that are part of the existing use's landscaping), which could potentially be used by migratory birds for nesting. Implementation of the Project would result in construction and operational activities that could potentially have an adverse effect on nesting sites for migratory birds. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to these biological resources. Therefore, these issues will be analyzed further in the Draft EIR.

- e) ***Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

Potentially Significant Impact. Section 9.28, Trees, of the City's Municipal Code protects and preserves trees planted within the City rights-of-way and at City facilities (City of Montclair 2020a). Section 9.16.120 of the City's Municipal Code states that 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 Manual. Per the City Tree Manual, City trees shall be replaced at a minimum ratio of 1:1 for each tree removed. Mitigation may be required for the removal of trees on private property at the discretion of the City. Implementation of the Project would result in construction and operational activities that could result in the removal of trees from the Project site. Further analysis is required to determine whether the

Project could potentially conflict with the City’s tree policies and any other ordinances protecting biological resources. Therefore, this issue will be analyzed further in the Draft EIR.

f) *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 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, and this issue will not be evaluated further in the Draft EIR.

3.5 Cultural Resources

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|-------------------------------------|---|------------------------------|--------------------------|
| V. CULTURAL RESOURCES – Would the project: | | | | |
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities. Such activities could potentially have an adverse effect on historical resources. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to cultural resources. Therefore, this issue will be analyzed further in the Draft EIR.

b) *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities. Such activities could potentially have an adverse effect on archaeological resources. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to archaeological resources. Therefore, this issue will be analyzed further in the Draft EIR.

c) **Would the project disturb any human remains, including those interred outside of dedicated cemeteries?**

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities. Such activities could potentially have an adverse effect on currently unrecorded, unknown historical, archaeological, and cultural resources. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to cultural resources or disturbing human remains. Therefore, this issue will be analyzed further in the Draft EIR.

3.6 Energy

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|-------------------------------------|---|------------------------------|--------------------------|
| VI. Energy – Would the project: | | | | |
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) **Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Potentially Significant Impact. Project construction and operations would involve activities that would require the use of energy, including electricity and petroleum. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to energy consumption. Therefore, these issues will be analyzed in the Draft EIR.

b) **Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Potentially Significant Impact. Project construction and operations would involve activities that would require the use of energy, including electricity and petroleum. Further analysis is required to determine whether the Project could potentially result in any conflict with, or obstruction of state or local plans for renewable energy or energy efficiency. Therefore, these issues will be analyzed in the Draft EIR.

3.7 Geology and Soils

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|-------------------------------------|-------------------------------------|
| VII. GEOLOGY AND SOILS – Would the project: | | | | |
| 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 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. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) **Would the project 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 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. 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 2019). 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, and this issue will not be evaluated further in the Draft EIR.

ii) **Strong seismic ground shaking?**

Less-than-Significant Impact. 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). 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, and no further analysis will be conducted in the Draft EIR.

iii) **Seismic-related ground failure, including liquefaction?**

Less-than-Significant Impact. 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). 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, and no further analysis will be conducted in the Draft EIR.

iv) **Landslides?**

Less-than-Significant Impact. 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, and no further analysis will be conducted in the Draft EIR.

b) *Would the project result in substantial soil erosion or the loss of topsoil?*

Less-than-Significant Impact. 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, and no further analysis will be conducted in the Draft EIR.

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. No further analysis will be conducted in the Draft EIR.

c) *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. 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 (Southern California Geotechnical 2019) 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, and no further analysis will be conducted in the Draft EIR.

- d) ***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. 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, and no further analysis will be conducted in the Draft EIR.

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

No Impact. 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 waste water disposal systems would occur, and no further analysis will be conducted in the Draft EIR.

f) **Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Potentially Significant Impact. According to the City’s General Plan, development activities occurring within the City have the potential for paleontological finds during an earthwork (City of Montclair 1999). As such, construction activities associated with the Project have the potential to unearth potentially significant paleontological resources. Further cultural resources analysis is required to determine whether the Project could potentially result in any adverse effects related to paleontological resources. Therefore, this issue will be analyzed further in the Draft EIR.

3.8 Greenhouse Gas Emissions

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|--------------------------|
| VIII. GREENHOUSE GAS EMISSIONS – Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) **Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Potentially Significant Impact. Global climate change is a cumulative impact; a project has a potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases (GHGs). Thus, GHG impacts are recognized as exclusively cumulative impacts; there are no noncumulative GHG emissions impacts from a climate change perspective (CAPCOA 2008). This approach is consistent with that recommended by the California Natural Resources Agency, which noted in its public notice for the proposed CEQA amendments that the evidence indicates that, in most cases, the impact of GHG emissions should be considered in the context of a cumulative impact, rather than a project-level impact (CNRA 2009a). Similarly, the Final Statement of Reasons for Regulatory Action for amendments to the CEQA Guidelines confirms that an EIR or other environmental document must analyze the incremental contribution of a project to GHG levels and determine whether those emissions are cumulatively considerable (CNRA 2009b).

Construction and operations would involve activities that would generate both short-term and long-term GHG emissions. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to GHGs. Therefore, these issues will be analyzed in the Draft EIR.

b) Would the project generate conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Potentially Significant Impact. There are several federal and state regulatory measures aimed at identifying and reducing GHG emissions, most of which focus on area-source emissions (e.g., energy use) and changes to the vehicle fleet (hybrid, electric, and more fuel-efficient vehicles). The Global Warming Solutions Act (Assembly Bill [AB] 32) prepared a scoping plan and its first update, which established regulations to reduce California GHG emission levels to 431 million metric tons of carbon dioxide equivalent per year. In addition, Senate Bill (SB) 32 establishes 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 (CARB 2014). At the local level, the City of Montclair has not adopted a comprehensive climate action plan; however, in March 2014, the San Bernardino County Transportation Authority prepared a Regional GHG Reduction Plan, which outlines reduction strategies for San Bernardino County and the 21 incorporated cities that participated in the Regional GHG Reduction Plan study. Although the City authorized the San Bernardino County Transportation Authority to prepare the Regional GHG Reduction Plan, no formal action has been taken by the City's governing body to adopt the Regional GHG Reduction Plan or the GHG reduction measures that the plan presents. Instead, the City continues to rely on thresholds recommended by South Coast Air Quality Management District. The Project would comply with regulations established by AB 32 and SB 32. However, further investigation is required to determine the estimated project-generated GHG emissions and their relationship to AB 32, SB 32, and other applicable plans and policies. Therefore, these issues will be analyzed in the Draft EIR.

3.9 Hazards and Hazardous Materials

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|-------------------------------------|---|------------------------------|--------------------------|
| IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project: | | | | |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) **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. Relatively small amounts of commonly used hazardous substances, such as gasoline, diesel fuel, lubricating oil, grease, and solvents would be used during demolition and construction of the Project. These materials would be transported and handled in accordance with all federal, state, and local laws regulating the management and use of hazardous materials. Consequently, use of these materials for their intended purpose would not pose a significant risk to the public or environment. However, the Project involves the demolition of existing buildings, which could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Furthermore, other hazardous materials could be released during excavation and grading activities. Additionally, Project operation could potentially result in the use, transport, or disposal of hazardous materials, which could potentially create a significant hazard to the public or the environment. Therefore, impacts are considered potentially significant, and as such, this issue will be further analyzed in the Draft EIR.

b) **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?**

Potentially Significant Impact. Construction activities may involve the use and storage of commonly used hazardous materials such as gasoline, diesel fuel, lubricating oil, grease, solvents, and other vehicle and equipment maintenance fluids. These substances would be used and stored in designated construction staging areas. These materials would be transported and handled in accordance with all federal, state, and local laws regulating the management and use of hazardous materials. However, the Project involves the demolition of existing buildings, which could create a significant hazard to the public or the environment

through the routine transport, use, or disposal of hazardous material. Furthermore, other hazardous materials could be released during excavation and grading activities. Additionally, Project operation could potentially result in the use, transport, or disposal of hazardous materials, which could potentially create a significant hazard to the public or the environment. Therefore, impacts are considered potentially significant, and as a result, this issue will be further analyzed in the Draft EIR.

- c) ***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. There is one existing school located within one-quarter mile of the Project site. Howard Elementary School is located approximately 0.2 mile away from the Project site. Project construction and operations would involve activities that may transport, use, and handle hazardous and potentially hazardous materials. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to hazardous materials. Therefore, these issues will be analyzed in the Draft EIR.

- d) ***Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

No Impact. 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, and this issue will not be evaluated further in the Draft EIR.

- 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, would the project result in a safety hazard or excessive noise for people residing or working in the project area?***

Less-than-Significant Impact. 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, and this issue will not be evaluated further in the Draft EIR.

f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less-than-Significant Impact. 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 2002). 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 (City of Montclair Agenda Report 2013). 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, and this issue will not be evaluated further in the Draft EIR.

g) *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. 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, and this issue will not be further evaluated in the Draft EIR.

3.10 Hydrology and Water Quality

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| X. HYDROLOGY AND WATER QUALITY – Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | | | | |
| i) result in substantial erosion or siltation on or off site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site; | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) ***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. 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, and this issue will not be further evaluated in the Draft EIR.

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” (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).

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, as required by the MS4 Permit,

the Project will be required to manage and treat stormwater flows to maximum extent practicable to control pollutants, pollutant loads, and runoff volume emanating from the Project site by: (1) minimizing the impervious surface area and implementing source control measures, (2) controlling runoff from impervious surfaces using structural BMPs (e.g., infiltration, bioretention, and/or rainfall harvest and re-use), and (3) ensuring all structural BMPs are monitored and maintained for the life of the Project. 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 would be required (via compliance with the MS4 Permit) to include BMPs that would allow for stormwater to be collected and treated in bio-filtration 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 as will be demonstrated in the project-specific WQMP. 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. This topic will not be further evaluated in the Draft EIR.

b) *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. 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.

As will be explained in further detail in Section 3.19, Utilities and Service Systems, the Project's overall water consumption and the availability of supplies will be discussed in further detail in the draft EIR; however, given

that the 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. This topic will not be further evaluated in the Draft EIR.

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, if not greater, 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, and this issue will not be further evaluated in the Draft EIR.

c) ***Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:***

i) ***result in substantial erosion or siltation on or off site;***

Less-than-Significant Impact. 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 also 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. Per the requirements of the MS4 Permit, the Project's WQMP would be required to demonstrate that the Project's stormwater system can attenuate 2-year storm runoff flows (see discussion below for a discussion of the capacity of the stormwater system), thereby reducing the potential for the Project to result in stormwater flows off-site that could result in erosion on or off site. Additionally, the Project's structural BMPs would be designed such any potential sediments collected on-site are captured in retention facilities so that they would not be conveyed to downstream waters and result in siltation. 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, such that they would not result in substantial erosion or siltation on or off site. Therefore, impacts associated with altering the existing drainage pattern of the Project site would be less than significant, and this issue will not be further evaluated in the Draft EIR.

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. 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. A Project's WQMP would be required to demonstrate this capability using the 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, 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 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, and this issue will not be further evaluated in the Draft EIR.

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. As discussed above, the Project would inevitably alter the drainage patterns of the Project site; however, the Project would include a new engineered stormwater drainage system that would 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. Per the requirements of the MS4 Permit, the Project's WQMP will be required to demonstrate the future stormwater system can adequately treat and manage stormwater flows such that they would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Further, 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 complies with all requirements of the MS4 Permit.

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, and this issue will not be further evaluated in the Draft EIR.

iv) impede or redirect flood flows?

No Impact. 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, and this issue will not be further evaluated in the Draft EIR.

d) ***In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?***

No Impact. 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, and this issue will not be further evaluated in the Draft EIR.

e) ***Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?***

Less-than-Significant Impact. As previously discussed, 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, and this issue will not be further evaluated in the Draft EIR.

3.11 Land Use and Planning

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|-------------------------------------|
| XI. LAND USE AND PLANNING – Would the project: | | | | |
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) **Would the project physically divide an established community?**

No Impact. 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, and this issue will not be evaluated further in the Draft EIR.

b) **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. Development of the Project would result in the introduction of eight new buildings and associated improvements on a developed property used as a drive-in theatre, swap-meet, accessory offices, and industrial buildings. Project implementation could potentially result in impacts related to land use and planning. Further analysis is required to determine whether the Project could potentially result in any adverse effects related to land use and planning. Therefore, these issues will be analyzed in the Draft EIR.

3.12 Mineral Resources

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|--------------------------|
| XII. MINERAL RESOURCES – Would the project: | | | | |
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a) **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. 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. Therefore, impacts associated with mineral resources would be less than significant, and no further analysis will be conducted in the Draft EIR.

b) 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. 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 a locally important mineral resource recovery site. Therefore, impacts associated with mineral resources would be less than significant, and no further analysis will be conducted in the Draft EIR.

3.13 Noise

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|-------------------------------------|---|------------------------------|--------------------------|
| XIII. NOISE – Would the project result in: | | | | |
| a) 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| 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, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) **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 Impact. Implementation of the Project would result in two primary types of potential noise impacts: short-term (i.e., temporary) noise during construction and long-term noise during proposed future on-site land uses. These land uses could be impacted by noise from Project construction and operation, as well as existing and Project-related traffic.

Noise-generating sources in the City are regulated in Section 6.12 of the City’s Municipal Code (City of Montclair 2020a). The noise limits 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 land use.

According to Section 6.12 of the City’s Noise Ordinance (City of Montclair 2020a), noise 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. It is possible that construction and operational activities could exceed the noise levels of relevant City thresholds, and state and federal guidance thresholds; therefore, there could be a potentially significant impact. This issue will be analyzed in the Draft EIR.

b) **Would the project result in generation of excessive groundborne vibration or groundborne noise levels?**

Potentially Significant Impact. Construction activities could generate or expose persons to excessive ground-borne vibration or ground-borne noise levels that exceed the groundborne vibration and noise thresholds established by the City of Montclair. Vibration is very subjective, and some people may be annoyed at continuous vibration levels near the level of perception (or approximately a peak particle velocity of 0.01 inch/second). The Project may generate excessive groundborne vibration or noise levels, and as such, this issue is considered potentially significant and will be analyzed in the Draft EIR.

- 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, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. 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, and no further analysis will be conducted in the Draft EIR.

3.14 Population and Housing

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|-------------------------------------|
| XIV. POPULATION AND HOUSING – Would the project: | | | | |
| a) 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) **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. 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). 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 248 persons.

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 2019). Thus, the Project's 248 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 what is assumed in local and regional land use plans. Therefore, impacts associated with population growth would be less than significant, and no further analysis will be conducted in the Draft EIR.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. 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, and no further analysis will be conducted in the Draft EIR.

3.15 Public Services

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|-------------------------------------|-------------------------------------|
| XV. PUBLIC SERVICES | | | | |
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------|--------------------------------|---|------------------------------|-------------------------------------|
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) **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. 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 that 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 248 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, and no further analysis will be conducted in the Draft EIR.

Police protection?

Less-than-Significant Impact. 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 4 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 4. 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, no further analysis will be conducted in the Draft EIR.

Schools?

No Impact. 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 AB 50, the Project Applicant would pay its fair share of impact fees based on the number/type of dwelling units. These impact fees are required of most residential, commercial, and industrial development projects in the City. Therefore, no impacts associated with school facilities would occur, and no further analysis will be conducted in the Draft EIR.

Parks?

No Impact. 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, and no further analysis will be conducted in the Draft EIR.

Other public facilities?

No Impact. The Project would not directly or indirectly induce substantial population growth in the City. As such, it is unlikely that the Project would increase the use of other public facilities such as libraries. Therefore, no impacts associated with libraries and other public facilities would occur, and no further analysis will be conducted in the Draft EIR.

3.16 Recreation

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| XVI. RECREATION | | | | |
| a) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) ***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. 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 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 would occur, and no further analysis will be conducted in the Draft EIR.

- b) ***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. 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. Therefore, no impacts associated with the construction of new or expansion of existing recreational facilities would occur, and no further analysis will be conducted in the Draft EIR.

3.17 Transportation

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|--------------------------|
| XVII.TRANSPORTATION – Would the project: | | | | |
| a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Result in inadequate emergency access? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a) **Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?**

Potentially Significant Impact. The Project could potentially generate increased traffic, which could adversely impact the performance of the local and regional circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the Project could conflict with an applicable plan, ordinance, or policy addressing the traffic circulation system. An increase in vehicle trips could result in potentially significant impacts. As such, a traffic impact analysis will be conducted and the results will be included in the Draft EIR.

- b) **Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

Potentially Significant Impact. The Project has the potential to increase vehicle trips and resulting vehicle miles traveled, could conflict with the provisions of section 15064.3, subdivision (b). As such, impacts are considered potentially significant. A traffic impact analysis will be prepared to provide an analysis of regional transportation performance measures, including total vehicle trips and vehicle miles traveled, and the results will be included in the Draft EIR.

- c) **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)?**

Potentially Significant Impact. The Project would modify existing roadways leading to the Project site. Additionally, the Project would create new circulation patterns on site. Impacts are considered potentially significant, and this issue will be analyzed further in the Draft EIR.

d) **Would the project result in inadequate emergency access?**

Potentially Significant Impact. The Project could result in inadequate emergency access due to an increase in traffic. A traffic impact analysis is required to determine whether the Project would affect emergency access. Impacts are considered potentially significant, and this issue will be analyzed further in the Draft EIR.

3.18 Tribal Cultural Resources

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|--------------------------|
| XVIII. TRIBAL CULTURAL RESOURCES | | | | |
| a) 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), or | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a) **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)?**

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities. Such activities could potentially have an adverse effect on currently unrecorded, unknown tribal cultural resources. In accordance with California AB 52 requirements, the City will initiate Tribal consultation, the results of which will be summarized in the Draft EIR. As such, further analysis and consultation is required to determine whether the Project could potentially result in any adverse effects related to tribal cultural resources. Therefore, these issues will be analyzed further in the Draft EIR.

- 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?***

Potentially Significant Impact. Implementation of the Project would result in construction and operational activities. Such activities could potentially have an adverse effect on currently unrecorded, unknown tribal cultural resources. In accordance with California AB 52 requirements, the City will initiate Tribal consultation, the results of which will be summarized in the Draft EIR. As such, further analysis and consultation is required to determine whether the Project could potentially result in any adverse effects related to tribal cultural resources. Therefore, these issues will be analyzed further in the Draft EIR.

3.19 Utilities and Service Systems

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|-------------------------------------|---|------------------------------|--------------------------|
| XIX. UTILITIES AND SERVICE SYSTEMS – Would the project: | | | | |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a) ***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. The Project could require the construction of new or expanded utility lines or connections to serve the Project site. Further analysis will be conducted to determine the projected utility demand and whether this demand would require construction of additional facilities. Impacts would be potentially significant, and further analysis is proposed in the Draft EIR

- b) ***Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?***

Potentially Significant Impact. The Project could potentially result in an increase in water demand. Further analysis is required to determine the expected water demands and whether the current water supplies are sufficient, or whether new or expanded entitlements would be needed. Impacts would be potentially significant, and further analysis is proposed in the Draft EIR

- c) ***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?***

Potentially Significant Impact. The Project could potentially result in an increase in wastewater. Wastewater generated by the project would be handled by the Inland Empire Utilities Agency in conjunction with the City of Montclair Public Works Department. However, additional analysis needs to be conducted to determine if there is adequate capacity to serve the Project's future demand. Impacts would be potentially significant, and further analysis is proposed in the Draft EIR

- d) ***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?***

Potentially Significant Impact. Once construction is completed, Project operations would generate solid waste, and as such, further analysis is required to determine the increase in solid waste generated by the Project. Impacts would be potentially significant, and further analysis is proposed in the Draft EIR.

- e) ***Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

Potentially Significant Impact. The Project would be required to comply with federal, state, and local statutes and regulations related to solid waste. Further investigation is required to confirm that the Project would comply with these regulations. Impacts would be potentially significant, and further analysis is proposed in the Draft EIR.

3.20 Wildfire

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project: | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

No Impact. 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. As discussed in Section 3.9, Hazards and Hazardous Materials, 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, and this issue will not be evaluated further in the Draft EIR.

b) *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. 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, and this issue will not be evaluated further in the Draft EIR.

- c) ***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. 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, and this issue will not be evaluated further in the Draft EIR.

- d) ***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. 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 in Section 3.8, Geology and Soils, and Section 3.10, Hydrology and Water Quality, 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, and this issue will not be evaluated further in the Draft EIR.

3.21 Mandatory Findings of Significance

| | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|-------------------------------------|---|------------------------------|--------------------------|
| XXI. MANDATORY FINDINGS OF SIGNIFICANCE | | | | |
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a) ***Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?***

Potentially Significant Impact. The Project has the potential to degrade the quality of the environment, reduce the habitat of a plant or wildlife species, cause a plant or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal (see Section 3.4, Biological Resources). In addition, the Project may have the potential to eliminate important examples of California history or prehistory during grading activities due to the potential for unanticipated cultural resources (see Section 3.5, Cultural Resources). Therefore, impacts are considered potentially significant, and this issue will be analyzed in the Draft EIR.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Potentially Significant Impact. The Project could have impacts that are individually limited but cumulatively considerable. The EIR will analyze past, present, and reasonably foreseeable projects in the vicinity of the Project site. Therefore, impacts are considered potentially significant, and this issue will be analyzed in the Draft EIR.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Potentially Significant Impact. The Project could have environmental effects that could cause substantial adverse effects on human beings. Therefore, impacts are considered potentially significant, and this issue will be analyzed in the Draft EIR.

- d) *Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?*

Potentially Significant Impact. The Project could result in the achievement of short term environmental goals at the disadvantage of long-term environmental goals. Therefore, impacts are considered potentially significant, and this issue will be analyzed in the Draft EIR.

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4.2 List of Preparers

City of Montclair

Michael Diaz, Community Development Director

Dudek

Collin Ramsey, Senior Project Manager

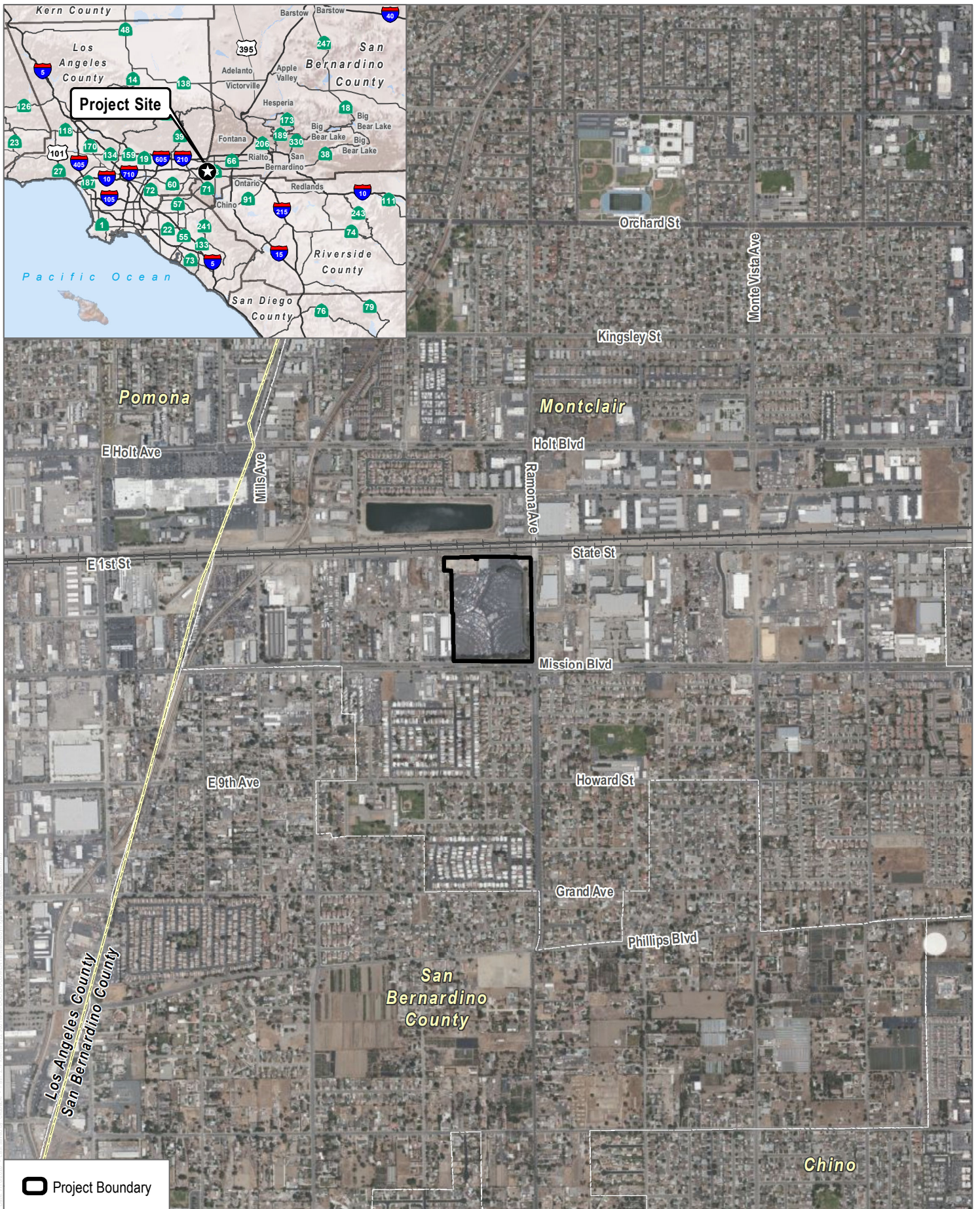
Patrick Cruz, Environmental Planner

Carrie Kubacki, GIS Specialist

Amy Seals, Senior Technical Editor

Daniela Yurovsky, Publications Specialist

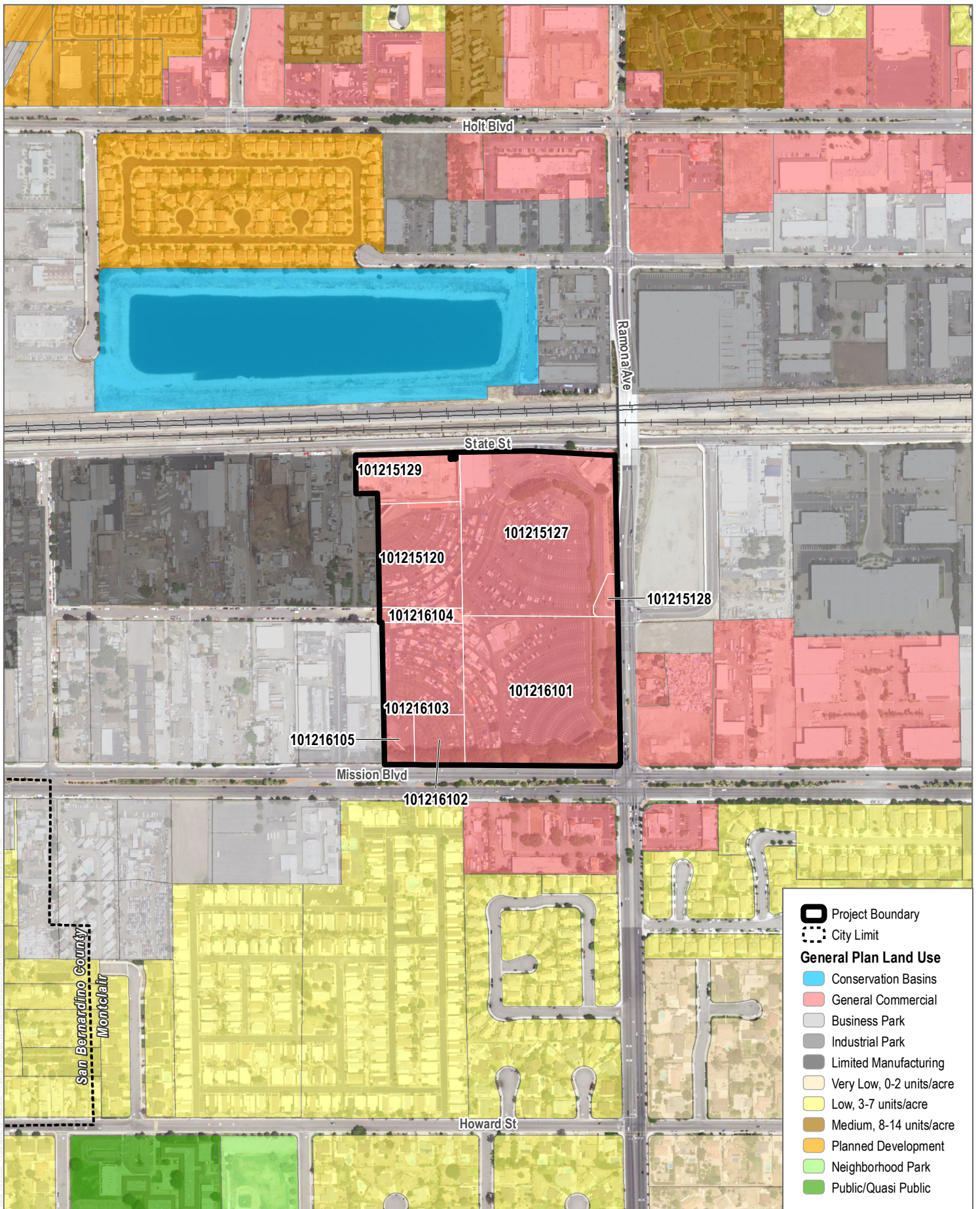
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SOURCE: Bing Maps 2020; Open Street Maps 2020

FIGURE 1
Project Location

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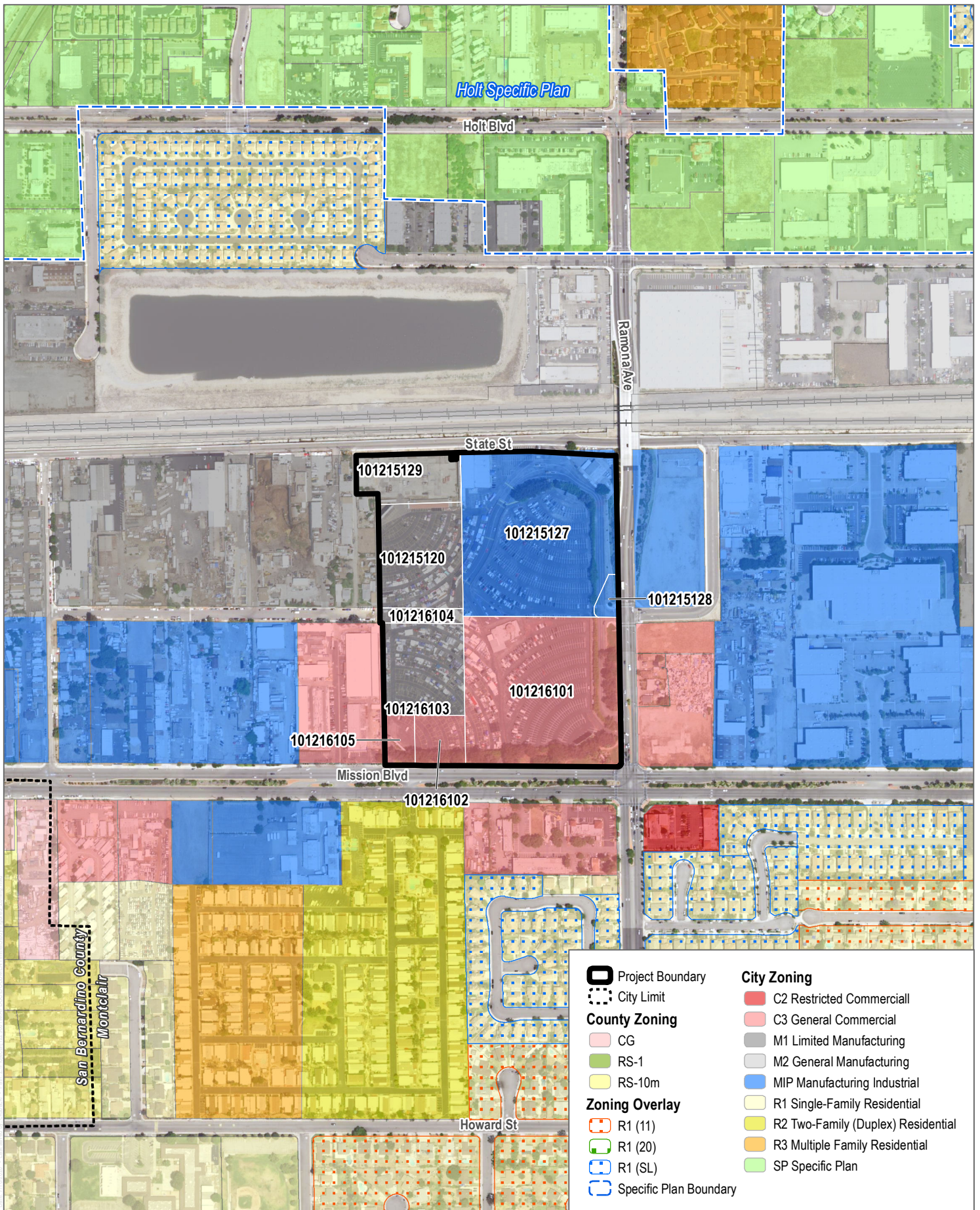
SOURCE: NAIP 2016; Open Street Maps 2020; City of Montclair 2013

FIGURE 2

General Plan Land Use Designation

Mission Boulevard and Ramona Avenue Business Park Project

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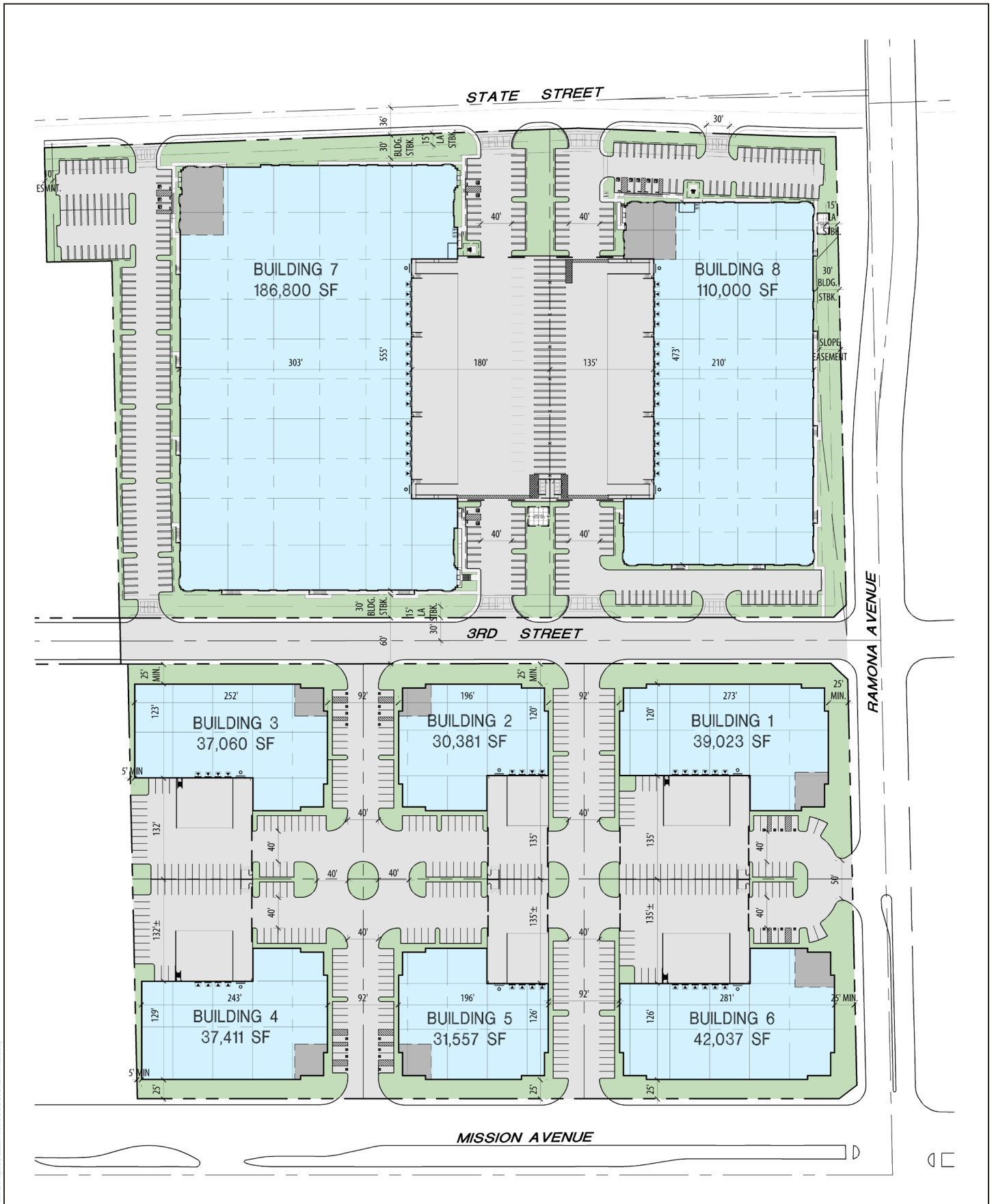


SOURCE: NAIP 2016; Open Street Maps 2020; City of Montclair 2018

FIGURE 3

Zoning

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SOURCE: GAA Architects 2020

FIGURE 4

Site Plan

Mission Boulevard and Ramona Avenue Business Park Project

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Appendix A-3

Scoping Comments



NATIVE AMERICAN HERITAGE COMMISSION

January 4, 2021

Michael Diaz
City of Montclair
5111 Benito Street
Montclair, CA 91763

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
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COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
**Julie Tumamait-
Stenslie**
Chumash

COMMISSIONER
[Vacant]

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EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2021010005, Mission Boulevard and Ramona Avenue Business Park Project, San Bernardino County

Dear Mr. Diaz:

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

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

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

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

AB 52

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

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

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

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American

human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:

Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

February 4, 2021

Michael Diaz
Community Development Director
City of Montclair
5111 Benito Street
Montclair, California 91763
Submitted via email: mdiaz@cityofmontclair.org

Dear Michael Diaz:

Thank you for providing the California Air Resources Board (CARB) with the opportunity to comment on the Notice of Preparation (NOP) for the Mission Boulevard and Ramona Avenue Business Park Project (Project) Draft Environmental Impact Report (DEIR), State Clearinghouse No. 2021010005. The Project consists of the demolition of existing on-site structures and the construction of eight industrial buildings totaling 514,269 square feet. The proposed Project is located in the City of Montclair (City), California, which is the lead agency for California Environmental Quality Act (CEQA) purposes.

Freight facilities, such as the proposed industrial buildings, can result in high daily volumes of heavy-duty diesel truck traffic and operation of on-site equipment (e.g., forklifts and yard tractors) that emit toxic diesel emissions, and contribute to regional air pollution and global climate change.¹ CARB has reviewed the NOP and is concerned about the air pollution and health risk impacts that would result should the City approve the Project.

I. The Project Would Increase Exposure to Air Pollution in Disadvantaged Communities

The Project, if approved, will expose nearby disadvantaged communities to elevated levels of air pollution. Residences are located within 1,000 feet north, south, east, and west of the Project, with the closest residences located approximately 50 feet west of the Project's western boundary. In addition to residences, eight schools (Howard Elementary School, Lehigh Elementary School, Montera Elementary School, Monte Vista Elementary School, Pueblo Elementary School, Ramona Elementary School, Montclair High School, and Village Academy High School), one daycare (Heartwood Child Development Center), and one nursing facility (Montclair Manor Care Center) are located within one mile of the Project. The community is surrounded by existing toxic diesel particulate matter (diesel PM) emission sources, which include existing industrial uses, locomotive traffic along Union Pacific (UP) rail lines, and

¹ With regard to greenhouse gas emissions from this project, CARB has been clear that local governments and project proponents have a responsibility to properly mitigate these impacts. CARB's guidance, set out in detail in the Scoping Plan issued in 2017, makes clear that in CARB's expert view, local mitigation is critical to achieving climate goals and reducing greenhouse gases below levels of significance.

vehicular traffic along Interstate 10 (I-10) and State Route 60 (SR 60). Due to the Project's proximity to residences, schools, and daycare and nursing facilities already disproportionately burdened by multiple sources of air pollution, CARB is concerned with the potential cumulative health impacts associated with the construction and operation of the Project.

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 (AB 617) (Garcia, Chapter 136, Statutes of 2017). AB 617 is a significant piece of air quality legislation that highlights the need for further emission reductions in communities with high exposure burdens, like those in which the Project is located. Diesel PM emissions generated during the construction and operation of the Project would negatively impact the community, which is already disproportionately impacted by air pollution from existing industrial uses, locomotive traffic along UP rail lines, and vehicular traffic along I-10 and SR 60.

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 Burden² and is considered a disadvantaged community; therefore, CARB urges the City to ensure that the Project does not adversely impact neighboring disadvantaged communities.

II. The DEIR Should Quantify and Discuss the Potential Cancer Risks from On-Site Transport Refrigeration Units

Since the Project description provided in the NOP does not explicitly state that the proposed industrial land uses would not be used for cold storage, there is a possibility that trucks and trailers visiting the Project site would be equipped with transport refrigeration units (TRU).³ TRUs on trucks and trailers can emit large quantities of diesel exhaust while operating within the Project site. Residences and other sensitive receptors (e.g., daycare facilities, senior care facilities, and schools) located near where these TRUs could be operating, would be exposed to diesel exhaust emissions that would result in a significant cancer risk impact.

² Pollution Burden represents the potential exposure to pollutants and the adverse environmental conditions caused by pollution.

³ TRUs are refrigeration systems powered by integral diesel engines that protect perishable goods during transport in an insulated truck and trailer vans, rail cars, and domestic shipping containers.

CARB urges the City to model air pollutant emissions from on-site TRUs in the DEIR, as well as include potential cancer risks from on-site TRUs in the Project's health risk assessment (HRA). The HRA prepared for the Project should account for all potential health risks from Project-related diesel PM emission sources such as backup generators, TRUs, and heavy-duty truck traffic, and include all the air pollutant reduction measures listed in Attachment A of this comment letter.

In addition to the health risks associated with operational emissions, health risks associated with construction emissions should also be included in the air quality section of the DEIR and the Project's HRA. Construction of the Project would result in short-term diesel emissions from the use of both on-road and off-road diesel equipment. The Office of Environmental Health Hazard Assessment's (OEHHA) guidance recommends assessing cancer risks for construction projects lasting longer than two months. Since construction would very likely occur over a period lasting longer than two months, the HRA prepared for the Project should include health risks for existing residences near the Project site during construction.

The HRA prepared in support of the Project should be based on the latest OEHHA guidance (2015 Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments),⁴ and the South Coast Air Quality Management District's (SCAQMD) CEQA Air Quality Handbook.⁵ The HRA should evaluate and present the existing baseline (current conditions), future baseline (full build-out year, without the Project), and future year with the Project. The health risks modeled under both the existing and the future baselines should reflect all applicable federal, state, and local rules and regulations. By evaluating health risks using both baselines, the public and City planners will have a complete understanding of the potential health impacts that would result from the Project.

III. Conclusion

To reduce the exposure of toxic diesel PM emissions in disadvantaged communities already disproportionately impacted by air pollution, the final design of the Project should include all existing and emerging zero-emission technologies to minimize diesel PM and oxides of nitrogen (NO_x) emissions, as well as the greenhouse gases that contribute to climate change. CARB encourages the City and applicant to implement the measures listed in Attachment A of this comment letter to reduce the Project's construction and operational air pollution emissions.

Given the breadth and scope of projects subject to CEQA review throughout California that have air quality and greenhouse gas impacts, coupled with CARB's limited staff resources to substantively respond to all issues associated with a project, CARB must prioritize its substantive comments here based on staff time, resources, and its assessment of impacts. CARB's deliberate decision to substantively comment on some issues does not constitute an

⁴ Office of Environmental Health Hazard Assessment (OEHHA). Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments. February 2015. Accessed at: <https://oehha.ca.gov/media/downloads/cmr/2015guidancemanual.pdf>.

⁵ SCAQMD's 1993 Handbook can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

Michael Diaz
February 4, 2021
Page 4

admission or concession that it substantively agrees with the lead agency's findings and conclusions on any issues on which CARB does not substantively submit comments.

CARB appreciates the opportunity to comment on the NOP for the Project and can provide assistance on zero-emission technologies and emission reduction strategies, as needed. Please include CARB on your State Clearinghouse list of selected State agencies that will receive the DEIR as part of the comment period. If you have questions, please contact Michaela Nucal, Air Pollution Specialist via email at michaela.nucal@arb.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Heather Arias".

Heather Arias, Chief
Transportation and Toxics Division

Attachment

cc: See next page.

Michael Diaz
February 4, 2021
Page 5

cc: State Clearinghouse
state.clearinghouse@opr.ca.gov

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ATTACHMENT A

ATTACHMENT A

Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers

The California Air Resources Board (CARB) recommends developers and government planners use all existing and emerging zero to near-zero emission technologies during project construction and operation to minimize public exposure to air pollution. Below are some measures, currently recommended by CARB, specific to warehouse and distribution center projects. These recommendations are subject to change as new zero-emission technologies become available.

Recommended Construction Measures

1. Ensure the cleanest possible construction practices and equipment are used. This includes eliminating the idling of diesel-powered equipment and providing the necessary infrastructure (e.g., electrical hookups) to support zero and near-zero equipment and tools.
2. Implement, and plan accordingly for, the necessary infrastructure to support the zero and near-zero emission technology vehicles and equipment that will be operating on site. Necessary infrastructure may include the physical (e.g., needed footprint), energy, and fueling infrastructure for construction equipment, on-site vehicles and equipment, and medium-heavy and heavy-heavy duty trucks.
3. In construction contracts, include language that requires all off-road diesel-powered equipment used during construction to be equipped with Tier 4 or cleaner engines, except for specialized construction equipment in which Tier 4 engines are not available. In place of Tier 4 engines, off-road equipment can incorporate retrofits, such that, emission reductions achieved equal to or exceed that of a Tier 4 engine.
4. In construction contracts, include language that requires all off-road equipment with a power rating below 19 kilowatts (e.g., plate compactors, pressure washers) used during project construction be battery powered.
5. In construction contracts, include language that requires all heavy-duty trucks entering the construction site, during the grading and building construction phases be model year 2014 or later. All heavy-duty haul trucks should also meet CARB's lowest optional low-oxides of nitrogen (NO_x) standard starting in the year 2022.¹

¹ In 2013, CARB adopted optional low-NO_x emission standards for on-road heavy-duty engines. CARB encourages engine manufacturers to introduce new technologies to reduce NO_x emissions below the current mandatory on-road heavy-duty diesel engine emission standards for model-year 2010 and later. CARB's optional low-NO_x emission standard is available at: <https://www.arb.ca.gov/msprog/onroad/optionnox/optionnox.htm>.

6. In construction contracts, include language that requires all construction equipment and fleets to be in compliance with all current air quality regulations. CARB is available to assist in implementing this recommendation.

Recommended Operation Measures

1. Include contractual language in tenant lease agreements that requires tenants to use the cleanest technologies available, and to provide the necessary infrastructure to support zero-emission vehicles and equipment that will be operating on site.
2. Include contractual language in tenant lease agreements that requires all loading/unloading docks and trailer spaces be equipped with electrical hookups for trucks with transport refrigeration units (TRU) or auxiliary power units. This requirement will substantially decrease the amount of time that a TRU powered by a fossil-fueled internal combustion engine can operate at the project site. Use of zero-emission all-electric plug-in TRUs, hydrogen fuel cell transport refrigeration, and cryogenic transport refrigeration are encouraged and can also be included in lease agreements.²
3. Include contractual language in tenant lease agreements that requires all TRUs entering the project site be plug-in capable.
4. Include contractual language in tenant lease agreements that requires future tenants to exclusively use zero-emission light and medium-duty delivery trucks and vans.
5. Include contractual language in tenant lease agreements requiring all TRUs, trucks, and cars entering the project site be zero-emission.
6. Include contractual language in tenant lease agreements that requires all service equipment (e.g., yard hostlers, yard equipment, forklifts, and pallet jacks) used within the project site to be zero-emission. This equipment is widely available.
7. Include contractual language in tenant lease agreements that requires all heavy-duty trucks entering or on the project site to be model year 2014 or later, expedite a transition to zero-emission vehicles, and be fully zero-emission beginning in 2030.

². CARB's technology assessment for transport refrigerators provides information on the current and projected development of TRUs, including current and anticipated costs. The assessment is available at: https://www.arb.ca.gov/msprog/tech/techreport/tru_07292015.pdf.

8. Include contractual language in tenant lease agreements that requires the tenant be in, and monitor compliance with, all current air quality regulations for on-road trucks including CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation,³ Periodic Smoke Inspection Program (PSIP),⁴ and the Statewide Truck and Bus Regulation.⁵
9. Include contractual language in tenant lease agreements restricting trucks and support equipment from idling longer than five minutes while on site.
10. Include contractual language in tenant lease agreements that limits on-site TRU diesel engine runtime to no longer than 15 minutes. If no cold storage operations are planned, include contractual language and permit conditions that prohibit cold storage operations unless a health risk assessment is conducted, and the health impacts fully mitigated.
11. Include rooftop solar panels for each proposed warehouse to the extent feasible, with a capacity that matches the maximum allowed for distributed solar connections to the grid.
12. Including language in tenant lease agreements, requiring the installing of vegetative walls⁶ or other effective barriers that separate loading docks and people living or working nearby.

³. In December 2008, CARB adopted a regulation to reduce greenhouse gas emissions by improving the fuel efficiency of heavy-duty tractors that pull 53-foot or longer box-type trailers. The regulation applies primarily to owners of 53-foot or longer box-type trailers, including both dry-van and refrigerated-van trailers, and owners of the heavy-duty tractors that pull them on California highways. CARB's Heavy-Duty (Tractor-Trailer) Greenhouse Gas Regulation is available at: <https://www.arb.ca.gov/cc/hdghg/hdghg.htm>.

⁴. The PSIP program requires that diesel and bus fleet owners conduct annual smoke opacity inspections of their vehicles and repair those with excessive smoke emissions to ensure compliance. CARB's PSIP program is available at: <https://www.arb.ca.gov/enf/hdvp/hdvp.htm>.

⁵. The regulation requires that newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model-year engines or equivalent. CARB's Statewide Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

⁶. Effectiveness of Sound Wall-Vegetation Combination Barriers as Near-Roadway Pollutant Mitigation Strategies (2017) is available at: <https://ww2.arb.ca.gov/sites/default/files/classic/research/apr/past/13-306.pdf>.



South Coast Air Quality Management District

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

SENT VIA E-MAIL:

mdiaz@cityofmontclair.org

Michael Diaz, Planner

City of Montclair, Community Development Department

5111 Benito Street

Montclair, California 91763

February 2, 2021

Notice of Preparation of a Draft Environmental Impact Report for the Mission Boulevard and Ramona Avenue Business Park Project (Proposed Project)

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

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and

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

² CalEEMod is available free of charge at: www.caleemod.com.

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

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at:

<http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁶ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁷.

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

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan⁸, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy⁹.

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

Sincerely,

Lijin Sun

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources

LS
SBC210105-04
Control Number

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

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

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

⁸ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

⁹ Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocial.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.



INLAND EMPIRE BIKING ALLIANCE

3 February 2021

Michael Diaz
City of Montclair
5111 Benito Street
Montclair, CA 91763

Re: Mission Boulevard and Ramona Avenue Business Park Project NOP (SCH #2021010005)

Dear Michael,

I am writing today on behalf of the Inland Empire Biking Alliance, a local nonprofit dedicated to making the Inland Empire a better place for people from all rolls of life. This letter is in response to the Notice of Preparation of an EIR for the Mission Boulevard and Ramona Avenue Business Park Project which was made available for comment. After reviewing the documents which were provided, we would like to make sure that the following items are included in the studies to be performed for the EIR.

The first item that we want to ensure is addressed is to ensure that the study includes the bike facilities which have been identified in the San Bernardino County Transportation Authority's Nonmotorized Transport Plan and the City of Montclair's Active Transportation Plan which is being finished and which we have been involved in the development of. While we have not seen a final copy of the Montclair ATP, the SBCTA NMTP includes a Class II bike lane on Mission Blvd. past the Project site so we would like to make sure the study recognizes and keeps track of this. Additionally, we would like to make sure that if any traffic analysis identifies other areas for changes, that those analyses ensure that they too avoid impacting bike facilities in those other areas.

Finally, it would be good to see that the study for the Project include wholistic integration of bicycling as part of the transportation solutions for the Project. This includes identifying how to use bike connections to lower the VMT impact by making it easier and more likely for people to be able to make trips to the facilities outside of a car.

If there are any additional questions or comments about our letter, please feel free to reach out.

Sincerely,

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

Marven E. Norman, Executive Director



T 510.836.4200
F 510.836.4205

1939 Harrison Street, Ste. 150
Oakland, CA 94612

www.lozeaudrury.com
richard@lozeaudrury.com

VIA EMAIL

January 6, 2021

Michael Diaz, Director
Community Development Department
Planning Division
City of Montclair
5111 Benito Street
Montclair, California 91763
mdiaz@cityofmontclair.org

Andrea Phillips, City Clerk
City of Montclair
5111 Benito Street
Montclair, CA 91763
cityclerk@cityofmontclair.org

Re: CEQA and Land Use Notice Request for Mission Boulevard and Ramona Avenue Business Park Project (SCH 2021010005)

Dear Mr. Diaz and Ms. Phillips,

I am writing on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”) regarding the Mission Boulevard and Ramona Avenue Business Park Project (SCH 2021010005), including all actions related or referring to the proposed demolition of all existing on-site structures and the construction of an eight-building business park providing approximately 514,269 square feet of flexible industrial space, located on approximately 27.74 acres at the northwest corner of Mission Boulevard and Ramona Avenue in Montclair (bounded by State Street to the north, Ramona Avenue to the east, Mission Boulevard to the south, and by a mix of residential and industrial development to the west), as proposed by Mission Boulevard Industrial Owner, L.P. (“Project”).

We hereby request that the City of Montclair (“City”) send by electronic mail, if possible or U.S. mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report (“EIR”) is required for the Project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any addenda prepared to a previously certified or approved EIR.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.

January 6, 2021

CEQA and Land Use Notice Request for Mission Boulevard and Ramona Avenue Business Park Project
(SCH 2021010005)

Page 2 of 2

- Notices of preparation of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21092.
- Notices of availability of an EIR or a negative declaration for the Project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
- Notices of approval and/or determination to carry out the Project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
- Notices of determination that the Project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
- Notice of any Final EIR prepared pursuant to CEQA.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092**, which require local counties to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

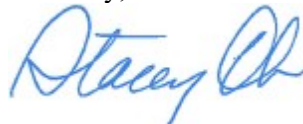
In addition, we request that the City send to us via email, if possible, or U.S. Mail a copy of all Planning Commission and City Council meetings and/or hearing agendas.

Please send notice by electronic mail or U.S. Mail to:

Richard Drury
Komalpreet Toor
Stacey Osborne
Lozeau Drury LLP
1939 Harrison Street, Suite 150
Oakland, CA 94612
richard@lozeaudrury.com
komal@lozeaudrury.com
stacey@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Stacey Osborne
Lozeau | Drury LLP

From: Gabrieleno Administration
Sent: Thursday, January 21, 2021 1:52 AM
To: Michael Diaz
Subject: RE: Mission Blvd and Ramona Ave Business Park Project City of Montclair

Hello Michael Diaz

Thank you for your letter dated January 4,2021. Our Tribal government would like to set up a consultation with you regarding the above project.

Thank you

Sincerely,

Brandy Salas

Admin Specialist
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
Office: 844-390-0787
website: www.gabrielenoindians.org



The region where Gabrieleno culture thrived for more than eight centuries encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleno who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing of herds of livestock. "The Gabrieleno are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area ". "That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleno, the community simply would not have survived."



February 9, 2021

Via Email and U.S. Mail

City of Montclair
Attn: Michael Diaz
5111 Benito St.
Montclair, CA 91763
mdiaz@cityofmontclair.org

**RE: Public Records Act Request and Request for Mailed Notice of Public Hearings
and Actions -Mission Blvd and Ramona Ave. Montclair, CA 91763**

Dear Mr. Diaz,

CREED LA is writing to request a copy of any and all records related to the Mission and Ramona Business Park at Mission Boulevard and Ramona Avenue in Montclair. The project will be the construction of 8 individual buildings with a combined 514,300 square feet of flexible industrial space and associated improvements. We are also writing to request copies of all communications and mailed notice of any and all hearings and/or actions related to the Project.

Our request for mailed notice of all hearings includes hearings, study sessions and community meetings related to the Project, certification of the MND (or recirculated DEIR), and approval of any Project entitlements. This request is made pursuant to Public Resources Code Sections 21092.2, 21080.4, 21083.9, 21092, 21108 and 21152 and Government Code Section 65092, which require local agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body. Our request includes notice to any City actions, hearings or other proceedings regarding the Project, Project approvals and any actions taken, or additional documents released pursuant to the California Environmental Quality Act.

Our request for all records related to the Project is made pursuant to the California Public Records Act. (Government Code § 6250 et seq.) This request is also made pursuant to Article I, section 3(b) of the California Constitution, which provides a constitutional right of access to information concerning the conduct of government. Article I, section 3(b) provides that any statutory right to information shall be broadly construed to provide the greatest access to government information and further requires that any statute that limits the right of access to information shall be narrowly construed.

We will pay for any direct costs of duplication associated with filling this request up to \$200. However, please contact me at (877) 810-7473 with a cost estimate before copying/scanning the materials.

Pursuant to Government Code Section 6253.9, if the requested documents are in electronic format and are 10 MB or less (or can be easily broken into sections of 10 MB or less), please email them to me as attachments.

My contact information is:

U.S. Mail

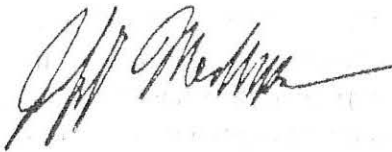
Jeff Modrzejewski
CREED LA
501 Shatto Place, Suite 200
Los Angeles, CA. 90020

Email

creedla@creedla.com

Please call me if you have any questions. Thank you for your assistance with this matter.

Sincerely,



Jeff Modrzejewski
Executive Director

ADAMS BROADWELL JOSEPH & CARDOZO

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

601 GATEWAY BOULEVARD, SUITE 1000
SOUTH SAN FRANCISCO, CA 94080-7037

TEL: (650) 589-1660
FAX: (650) 589-5062

ssannadan@adamsbroadwell.com

SACRAMENTO OFFICE

520 CAPITOL MALL, SUITE 350
SACRAMENTO, CA 95814-4721

TEL: (916) 444-6201
FAX: (916) 444-6209

DANIEL L. CARDOZO
CHRISTINA M. CARO
THOMAS A. ENSLOW
KELILAH D. FEDERMAN
ANDREW J. GRAF
TANYA A. GULESSERIAN
KENDRA D. HARTMANN*
KYLE C. JONES
DARIEN K. KEY
RACHAEL E. KOSS
AIDAN P. MARSHALL
WILLIAM C. MUMBY

MARC D. JOSEPH
Of Counsel

*Not admitted in California.
Licensed in Colorado.

March 15, 2021

VIA EMAIL AND U.S. MAIL

Michael Diaz, Community Development Director
City of Montclair
Community Development Department
5111 Benito Street
Montclair, CA 91763
Email: mdiaz@cityofmontclair.org

Andrea Phillips, City Clerk
City of Montclair
Office of the City Clerk
5111 Benito Street
Montclair, CA 91763
Email: aphillips@cityofmontclair.org; cityclerk@cityofmontclair.org

**Re: Request for Mailed Notice of Actions and Hearings – Mission
Boulevard and Ramona Avenue Business Park Project
(SCH No. 2021010005)**

Dear Mr. Diaz and Ms. Phillips:

We are writing on behalf of District Council of Ironworkers to request mailed notice of the availability of any environmental review document, prepared pursuant to the California Environmental Quality Act, related to the Mission Boulevard and Ramona Avenue Business Park Project (SCH No. 2021010005) (“Project”), proposed by Mission Boulevard Industrial Owner, L.P., as well as a copy of the environmental review document when it is made available for public review.

The Project proposes to demolish all existing on-site structures and the construct an eight-building business park, consisting of a total of approximately 514,269 square feet of flexible industrial space, including loading docks and tractor

5098-002j

March 15, 2021

Page 2

trailer stalls, with associated infrastructure and related improvements. 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 County Road 20010 to the west in the City of Montclair, San Bernardino County, California.

We also request mailed notice of any and all hearings and/or actions related to the Project. These requests are made pursuant to Public Resources Code Sections 21092.2, 21080.4, 21083.9, 21092, 21108, 21152, 21167(f), and Government Code Section 65092, which require local agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send the above requested items by email and U.S. Mail to our South San Francisco Office as follows:

U.S. Mail

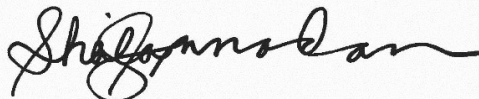
Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email

ssannadan@adamsbroadwell.com

Please call me at (650) 589-1660 if you have any questions. Thank you for your assistance with this matter.

Sincerely,



Sheila M. Sannadan
Legal Assistant

SMS:ljl